Tuesday, 4 July 2006.

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De Máirt, 4 Iúil 2006.
Tuesday, 4 July 2006.

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

Paidir.
Prayer.

Ceisteanna — Questions.

Dublin-Monaghan Bombings.

1. Mr. Rabbitte asked the Taoiseach if he has received a further interim report from the MacEntee Commission into the 1974 Dublin and Monaghan bombings; if it is intended to publish this report; if a request for a further extension of the deadline for completion of its work has now been received from the commission; if it is intended to grant the request; and if he will make a statement on the matter. [21786/06]

2. Caoimhghín Ó Caoláin asked the Taoiseach when it is expected that the report of Patrick MacEntee SC on the investigation into the Dublin and Monaghan bombings of 1974 and related matters will be published; and if he will make a statement on the matter. [22765/06]

3. Mr. Sargent asked the Taoiseach if he has received a further interim report from the MacEntee Commission into the 1974 Dublin and Monaghan bombings; when a final report can be expected; and if he will make a statement on the matter. [22906/06]

4. Mr. J. Higgins asked the Taoiseach if he has received a further interim report from the MacEntee Commission. [23319/06]

5. Mr. Kenny asked the Taoiseach if he has received a further report from the MacEntee Commission; and if he will make a statement on the matter. [25546/06]

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

On 26 April 2005, the Government appointed Mr. Patrick MacEntee SC as sole member of a commission of investigation to examine specific matters relating to the Dublin and Monaghan bombings of 1974, including aspects of the Garda investigation and missing documentation. This was in accordance with the recommendations of the Joint Committee on Justice, Equality, Defence and Women’s Rights which considered the Barron report on the Dublin-Monaghan bombings.

As the House knows, I previously granted three extensions of the timeframe for the completion of the report, from 14 November 2005 to
31 January 2006, again to 28 February 2006 and then again to 31 May 2006. I also published the three interim reports from Mr. MacEntee and placed copies in the Oireachtas Library.

At the end of May, Mr. MacEntee informed me that more time was required to complete the inquiry to pursue a new line of investigation which has arisen. He therefore requested a further extension of the timeframe until 31 July 2006, which I have granted. He also provided me with a further fourth interim report, as required by the legislation. I have published that report and have placed copies in the Oireachtas Library.

It is clear from this fourth interim report that Mr. MacEntee requires more time to pursue specific inquiries as there remain important opportunities to advance the investigation that might otherwise be lost. It is for that reason that I have granted the additional extension.

It is, of course, unfortunate that the victims and survivors of these terrible atrocities will have to wait a further period before the final report is available. However, I believe they will agree on the importance of Mr. MacEntee being allowed sufficient time to pursue any lines of inquiry that he deems relevant.

I am grateful to Mr. MacEntee for the work he has completed to date. As he is independent, I am not in a position to comment on his ongoing work.

Mr. Rabbitte: We all agree with what the Taoiseach has said about Mr. MacEntee being given adequate time to make whatever investigations he thinks might be fruitful. I wish, however, to ask the Taoiseach a couple of questions. As he said, the commission of investigation arises from the unresolved matters on the Barron inquiry. I am reminded of a parliamentary question on 28 March to the Taoiseach and his reply in the House where he referred to a still outstanding report due from Mr. Justice Barron. He went on to say that this report had been received during February and that he hoped that consideration of it by the Department of Justice, Equality and Law Reform would not take long. He advised the House that his manner of mediating it into the public domain would be to send it to the Select Committee on Justice, Equality, Defence and Women's Rights. To the best of my knowledge, that has not yet been done. Given that the Taoiseach's statement was on 28 March, perhaps he will tell the House why it has not been done and indicate the Government's intention in the matter now?

Going back to the MacEntee commission and the four interim reports the Taoiseach has taken, are there circumstances where the Taoiseach would invite Mr. MacEntee to make another interim report in the matter of the missing files from the Department of Justice, Equality and Law Reform? This was one of the areas into which he was to inquire. I do not know whether that part of the inquiry has been completed and, if so, will the Taoiseach consider inviting him to make an interim report on that aspect? In respect of the entities that have met the commission, as referred to in the May interim report, can the Taoiseach say if the meeting referred to in that interim report was with a former member of the British security services? Does the Taoiseach have that information and, if so, will he advise the House? Has the Taoiseach any information on whether it is probable that the latest extension to 31 July is likely to be met by the commission on this occasion?

The Taoiseach: Regarding the first question, Mr. Justice Barron presented his final report to me in February 2006, as stated in the March reply to parliamentary questions. The report was considered by the relevant Departments and officials reviewed the report and held a meeting with Mr. Justice Barron to discuss the issues that needed to be addressed before the matter was brought before the Government. This was some time ago. Following that meeting, Mr. Justice Barron felt that certain revisions to the structure of the report were required. He undertook to make these changes and present a revised version of the report to me. I stress to the House that these revisions related to the structure of the report only, they did not in any way change the findings of the report. The final report was considered by the Government this morning and it is intended to bring a motion before the House later this week to refer the report to the Joint Committee on Justice, Equality, Defence and Women's Rights.

As with all these reports, what delayed issues, apart from restructuring and layout, was that the report covered quite a number of attacks. Mr. Justice Barron put an omnibus end to his report, which included not only Dundalk but also referred to other attacks by loyalist paramilitaries, for example, the Castleblayney bombs, the Dublin Airport bomb and other bombings in the State. It also included a number of attacks in Northern Ireland, on the Miami showband, the Rock Bar, Keadey, Donnelly's Bar, Silver Birch, the Reavey and O'Dowd families in south Armagh and the murders of Seán Farmer and Colm McCartney. He also referred to the explosion and murder at Ballinrath bridge in County Kildare. It is a fine report and includes many aspects that were not in the previous report. He has made structural changes.

The cause of much of the delay was that there were a number of names mentioned. Mr. Justice Barron has redacted a number of them, but not all. Subject to correction, there are approximately 15 names of people involved and these will be published in the final report. At least the report says they were involved.

On the MacEntee report, I understand the aspect about which Deputy Rabbitte inquired, the Garda investigations and the files on it, the
investigative work is complete and I understand that Mr. MacEntee’s recommendations are also complete. I have not seen them, but I understand he will make recommendations. To the best of my knowledge, I can confirm, from what I know from my officials who have been dealing with this, that the individual involved is of British intelligence, but I am not certain about his precise role. I understand that the investigative work of the commission is substantially complete, but some legal obligations must be fulfilled before the report is finalised.

To answer the Deputy’s last question, I might receive a formal request for another extension, but I gather that will only be to complete the work beyond 31 July. We should have the report in the early autumn. I understand Mr. MacEntee wants to complete it and get on with other work. He wants to see it through in this session. In response to a question asked earlier, the Joint Committee on Justice, Equality, Defence and Women’s Rights suggested Mr. MacEntee should look at some other aspects of different work, but I understand he does not want to do that. He wants to finish this job that he undertook to do rather than become engaged in other issues. He feels this is his responsibility and wants to finish it before the holiday and report to us.

Mr. Rabbitte: I do not want to unnecessarily probe a delicate area, but can the Taoiseach say any more about structural changes? It strikes me as a slightly unusual practice to accept a report from Mr. Justice Barron and for Department officials to recommend changes as to structure. Were there other changes or was factual matter questioned in that regard? I presume my tabling of the question and the Cabinet considering the matter at their meeting this morning is entirely a coincidence. When did the Taoiseach receive the report? He will be aware of the debate in the House about a number of reports such as the Barr report, the Dalton report, the O’Sullivan report and the Barron report, all of which are publishable at the caprice of the Government some time during the recess. It would have been preferable if these reports had been made available while the Dáil was formally in session. When did the Government receive the revised version, the original of which was received last February? If the Government approved it at a Cabinet meeting this morning, is it intended to put it into the public domain before the House formally rises?

The Taoiseach: The only changes made related to the structure of the report. The last module was solely about the Dundalk bombing. However, in the course of his work, Mr. MacEntee had come across these other issues. It was suggested that rather than producing another report, it was best to structure the report to include all these issues. This created some delay in producing the report but most of the delay was caused by the issue of the redaction of names. I understand not all the names have been redacted. Fifteen names remain in the report and this took some consideration.

I promised the committee rather than the House that I would publish the report so that it could be included in the September work programme of the committee. It will be published immediately so that the committee will be able to have that hearing. This will be the final report of this committee. I thank the committee for faithfully dealing with all the reports through its hearings. The committee hearings have given the families an opportunity to hear these issues being debated and brought to as near a conclusion as it is possible for us to achieve. Many of these issues are more than 30 years old. This House has done its best to have them investigated and to gather as much data as possible in order to bring the issues into the public domain. I do not know what more we can do with regard to these issues.

The Deputy asked a question about the Barron report.

Mr. Rabbitte: I asked in particular whether the report was likely to come into the public domain before the House formally rises.

The Taoiseach: I promised the committee that I would try to move it directly to the committee. It has been cleared by the Cabinet this morning and the procedure is that it will be sent directly to the committee.

Caoimhghín Ó Caoláin: In what format will the MacEntee report be published? It is markedly different from the Barron process. Will it be referred to the Oireachtas committee in the same way? What vehicle will be utilised for its delivery and to enable public scrutiny? Will the Taoiseach inform the House when he expects the report to be published?

The Taoiseach indicated in his response to Deputy Rabbitte regarding the Barron report into the bombing of Dundalk in December 1975 in which two civilians, Hugh Waters and Jack Rooney, were killed, that this report will now be presented to the Oireachtas committee for its attention. While the Dáil is going into recess this week and the committees process continues during the course of this month, does the committee intend addressing the report substantively over the period before the committee process concludes this month? Will the Taoiseach give the House some indication as to when the detail of that report will enter into the public arena? That will clearly not happen as a result of it going to committee in the first instance. When will it complete the process of working through the report, as has been done with previous Barron reports?

Has the Taoiseach followed up in any way on the unanimous decision of this House to call on the British Government for a full public inquiry into the murder of Mr. Pat Finucane? Has the
[Caoimhghín Ó Caoláin.]

matter been communicated to the British Prime Minister?

An Ceann Comhairle: The issue does not arise on this question.

Caoimhghín Ó Caoláin: Has the Taoiseach done so? Would the Taoiseach propose any further action in order to give effect to that decision?

An Ceann Comhairle: I would prefer if the Deputy dealt with the question. A number of Deputies are offering.

The Taoiseach: There was some criticism that I took all these inquiries together, so I took a full session on the Finucane case here two weeks ago. I will not say anything further on the matter today. There is nothing new to add.

On the independent commissions of inquiry, first we went through the reports under the late Mr. Justice Hamilton and then Mr. Justice Barron. I am very grateful for their work in bringing justice to the victims of several of these horrific atrocities. As has been stated by Deputy Rabbitte, we have referred three reports to the Oireachtas committee, which has in turn done a very commendable job in hearing evidence, not least from the bereaved and families. It has reported promptly with clear recommendations, and that has been very helpful.

We will refer the fourth and final report into the Dundalk bombing of 1975 to the committee very shortly. I mentioned related matters, such as attacks on the Miami Showband; the Rock Bar, Keady; Donnelly’s Bar, Silverbridge; the Reavey and O’Dowd families; John Farmer and Colm McCartney; and at Ballinrath bridge in County Kildare. It is a matter for the committee, but the intention of the committee is to work on these in September, to the best of my knowledge. It is a matter solely for the committee.

We have acted on the recommendations of the Oireachtas committee on matters that are entirely within the remit of the Government or public bodies within the State. One of those is the commission of investigation into the 1974 bombings under Mr. Paddy MacEntee. When the work is complete we will address the recommendations from the second and third reports relating to the 1972 and 1973 bombings and the Ludlow murder.

Appropriate action may be taken by Ministers and the Garda, and the Minister for Justice, Equality and Law Reform may need to recognise and address shortcomings identified in any reports. On some very important issues, the cooperation of the British authorities is essential. The committee has recognised that, and the Government has been issued all appropriate means in its efforts to ensure cooperation. I have raised the matter with Prime Minister Blair and the Northern Ireland Secretary on many occasions. All of this has led to Mr. MacEntee’s ongoing work and his requirements for extensions.

With regard to Deputy Ó Caoláin’s question on timing, it is my intention to publish the report as soon as possible after I receive it. Under legislation I am required by law to consider certain issues prior to publication. These involve requesting legal advice from the Attorney General and submitting the report to the Cabinet prior to publication. The timescale involved between the receipt of the report and publication is impossible to estimate in advance. I wish to publish the report as quickly as possible.

Mr. Sargent: I am reluctant to ask questions about the reasoning behind the extension of the MacEntee commission except to state that the expectations are high for the publication by the end of July.

The Taoiseach has stated that the Barron report has been seen by different Departments and is now, following Cabinet discussion, going to committee. Is this the route the Taoiseach expects the MacEntee report to take? Does he envisage that by the end of July, the report will be parked or brought to committee? What is the process by which the Taoiseach would like to see the information released?

Has the Taoiseach any estimate to date of the legal costs involved in the Barron and MacEntee inquiries?

The Taoiseach: I do not have the details of the reports, from the Hamilton report right through to the Barron reports. I gave the figures quite recently. I will make them available again to Deputy Sargent as we come to the end of the process for the period.

To date, the costs of the MacEntee commission are €1.27 million. That breaks down as €786,000 on legal costs, €175,000 on the costs of support staff and the balance — €309,000 — on the costs of set-up, administration of the offices and the workings of the commission. These are still low costs in terms of an inquiry and it is almost at its end.

The procedure is not the same as that of the other reports where there was consultation with all the Departments. Under the inquiries legislation, I am to consult the Attorney General and to bring the report to Cabinet. It is not the same kind of investigation as the other one and there should not be a delay. I would hope to get it quickly.

This would be the end of the fourth report of the Hamilton-Barron session, which has gone on for a considerable number of years and which deals with and ends all those issues in our jurisdiction. The MacEntee report really ends all that we set out to do on the 1974 issues. Bringing that report to the committee should allow the committee finish its work this year.
The investigations into the other areas which we had agreed under Weston Park have already commenced, although not in open session. The work is going ahead on Judge Smithwick’s report into the Breen and Buchanan murders.

We will have effectively brought to an end all our work from this House and then the remaining issues from Weston Park go in to the formal issues outside of the House. That would finish our work from this House and then the remaining issues from Weston Park have already commenced, although not in open session. The work is going ahead on Judge Smithwick’s report into the Breen and Buchanan murders.

Mr. Kenny: The Taoiseach has dealt comprehensively with the MacEntee commission. When will the Barron report be published? It was expected this week.

The Taoiseach: I have received no formal request for another extension but it is the view of my officials dealing with this area that I am likely to receive one, although not for long and merely to complete the work of the report. As I understand it, Mr. MacEntee SC wants to end, before his holidays, this task that he kindly undertook. If I do not get it by the end of July, I expect that we should get it some time in August.

Office of the Attorney General.

6. Mr. Rabbitte asked the Taoiseach if he is satisfied that all the recommendations made in the 1994 report of the review group on the Office of the Attorney General have been implemented and remain in operation; and if he will make a statement on the matter. [21867/06]

7. Mr. Rabbitte asked the Taoiseach if the recommendation contained in the 1994 report of the review group on the Office of the Attorney General that important and sensitive issues be brought to the attention of the Attorney General remains in operation; if so, the reason a case (details supplied) was not brought to the attention of the Attorney General; and if he will make a statement on the matter. [21868/06]

8. Caomhghin Ó Caoláin asked the Taoiseach the changes in procedure that have been introduced in the Office of the Attorney General; and if he will make a statement on the matter. [22766/06]

9. Mr. J. Higgins asked the Taoiseach if the recommendations implemented following the 1994 report of the review group on the Office of the Attorney General remain in operation. [23320/06]

10. Mr. Sargent asked the Taoiseach the changes in procedures which have been introduced in the Office of the Attorney General following the recommendations of the 1994 report of the review group on the Office of the Attorney General; and if he will make a statement on the matter. [24574/06]

11. Mr. Kenny asked the Taoiseach the remit of the internal review into the procedures within the Office of the Attorney General; and if he will make a statement on the matter. [25544/06]

The Taoiseach: I propose to take Questions Nos. 6 to 11, inclusive, together.

All the recommendations of the 1995 report of the review group on the Office of the Attorney General have been substantially implemented. In some cases, further developments have occurred in the intervening 11 years to enhance the means by which those recommendations were implemented.

One of the recommendations of the 1995 report was that “all important and sensitive cases (including every extradition case and cases involving minors) should be brought to the personal attention of the Attorney General”. That recommendation was implemented by way of a number of protocols and practice directions within the office. They have been supplemented and updated since, notably in 2002 and 2004.

Following the recent Supreme Court decision in the CC case, additional procedures have now been put in place to address a communications failure that resulted in the Attorney General not being informed about that case other than in the context of nominating counsel on 5 December 2002 to represent jointly the interests of the Director of Public Prosecutions and the Attorney General. Details of those are contained in the document I circulated to Deputies on 7 June 2006. Copies of that document have also been placed in the Oireachtas Library.

As I informed Deputies in the course of the detailed discussion about the communications failure during Leaders’ Questions on 7 June 2006, a review was instituted to identify any aspects of the organisation structure, systems, procedures or staffing arrangements within the Office of the Attorney General that may require to be amended to ensure that an information and notification deficit does not recur. The report of that review will be published shortly.

Mr. Rabbitte: Does the Taoiseach accept it is difficult for anybody outside Government to understand why, if the 1995 reforms had been implemented and policed, there should have been what he calls a “communications failure” in the CC case? I am sure he will accept there is scarcely anything more serious than the protection of our children yet, despite the commitment that cases affecting minors would be brought to the personal attention of the Attorney General, that did not happen on this occasion. Other than the Taoiseach pre-empting the inquiry by Mr. O’Sullivan by laying the blame at the door of an official, I am still unclear how this communications breakdown could have happened. We have established that there was a note for the attention of the Attorney General about the
implications of the CC case but we do not know if that note ever got to him.

I refer to section 2(6) of the 1974 Act establishing the Office of the Director of Public Prosecutions, which states, “The Attorney General and the Director shall consult together from time to time in relation to matters pertaining to the functions of the Director”. That statutory obligation states the director and the Attorney General “shall consult”, not “will consult”. As the Taoiseach is responsible for both offices, will he indicate whether there is regular consultation? If so, how could what happened in the CC case have transpired?

The Minister of Justice, Equality and Law Reform informed the House he had set up a committee, stating, “I have established, following discussions with my officials, a criminal justice group comprising representatives from the main agencies working in the criminal justice sector. . .”. The committee is chaired by the Secretary General of his Department and meets regularly to discuss matters such as this and especially matters of litigation relating to constitutional and policy considerations. I am entirely bemused that if the Minister had done that and if the group meets from time to time how this breakdown could have happened.

In respect of the 42 cases in which charges must be withdrawn following the Supreme Court decision, which it apparently took four weeks to compile information about, has there been contact with the DPP or arrangements put in place with the DPP that will ensure the Government is informed of progress in each case? As I understand it, what happens in any given case will not necessarily easily come into the public domain. Having regard to what happened, does the Taoiseach accept it is desirable that a channel of communication be created so that as these cases are gone through individually, the House is advised on progress on each one?

The Taoiseach: On the final question, in the normal course, I never get a report on cases the DPP takes against individuals. I am not advised by the DPP or the Attorney General. The Attorney General has regular communications with the Director of Public Prosecutions on various issues under the 1994 Act. For convenience purposes in many cases they use the same team, as they did in this case. That is a regular occurrence.

Regarding whether the Attorney General is advised on operations, I understand in many of these cases the DPP takes the lead and the DPP staff and the Attorney General staff co-operate. It is not the norm that I receive reports because at any time hundreds of cases are going through the process. I will ask whether a process on these cases can be outlined because they were the subject of considerable controversy.

Mr. Rabbitte: Is the Taoiseach stating that somebody could be free to walk as a result of the charges being withdrawn and new charges not being capable of being preferred and that we would not know about it?

An Ceann Comhairle: That is well outside the scope of the question.

The Taoiseach: In the normal course, not like this particular case but in any other—

Mr. Rabbitte: This is not normal.

The Taoiseach: It is not normal. However, it is not that abnormal either, unfortunately, that the Supreme Court strikes down law we pass in this House. We could have a long debate about who is right and wrong.

Mr. Rabbitte: I think they are having a long debate.

An Ceann Comhairle: Allow the Taoiseach to speak. We must move on.

The Taoiseach: In the normal course, I have to accept the position and that is how it operates. I would not normally know the results of any of these cases. Even when my inquisitive mind might know it, it is not the easiest way to find out information on these cases. The reason there was a delay in finding even this information — I know perhaps some people thought it was peculiar — was because it had to be trawled through and checked with every State solicitor in the country. It is not a process I have to go through too often but it is a fairly tortuous process to provide this House with information. I apologise for the length of time taken. It was not from lack of asking for the information for the House. I understand there is nothing to prevent the DPP from preferring charges on the 42 cases and I understand that is what will happen. Severe issues are raised. I will ask whether there is a process through which we could know. I do not know the answer to it.

Regarding Deputy Rabbitte’s question on procedures, I had a chance over recent times, not only this month but also when other issues arose approximately two years ago, of looking back to changes made on extradition in what became known as the 1995 report and the additional protocols. Considering the volume of international and European Court of Justice cases, ongoing litigation and other issues in which the Office of the Attorney General is involved, it works well.

Since the 1995 report, there have been an enormous amount of protocols, rulings and issues and I suppose all of that has built up. When something goes through the net there is a hell of a fuss about the matter, and we can all understand that. However, although none of these things should happen, it is not that hard to see why people get on with their jobs, undertake their tasks and per-
haps do not go through all of the procedures they should. That is not to give it justification. The protocols and procedures are there. However, I suppose people try to get on with their work.

In fairness to the staff, I acknowledge and appreciate the huge amount of successful work they carry out every day in the vast range of cases they process themselves in the Attorney General’s office and which are also processed in conjunction with the DPP. I acknowledge all of that work. In this case they also carried out and completed their work well. The difficulty was with one of the protocols which required that the Attorney General should have been kept in touch. I understand approximately seven or eight processes, by which the Attorney General is informed, should have been covered. In fact, there was only consultation on one of those, which was the nomination of the counsel, and it did not happen after that. The person involved said that from day one and that is the reason I was able to tell the House on 7 June.

The work is finished on the report, suggestions, recommendations and further issues to try to tighten up and follow the procedures. I promised I would do my best to have that report published before the House adjourns and I still hope I can do that. I appreciate the fact that people worked last weekend to do that. I hope to be able to publish the report before we break up on Thursday.

I do not believe there is anything sinister in all that. It was just that the procedures were not followed to the extent they should have been followed. We can have as many procedures as we like in place but human oversight in a procedure can happen. It is not that the person did not do their job; they did not do that element of their job. They got on with the job but did not inform the Attorney General.

I understand quite a number of recommendations will be put forward to improve matters and examine measures. I am told there are 19 new measures to try to minimise the risk of recurrence of these issues, as well as other improvements, and the Attorney General has told me he will implement those immediately.

**An Ceann Comhairle:** I call Deputy Ó Caoláin.

**Mr. Rabbitte:** I have one supplementary—

**An Ceann Comhairle:** There are two minutes remaining and I have called Deputy Ó Caoláin who submitted a question.

**Mr. Rabbitte:** I have a second question.

**An Ceann Comhairle:** I ask Deputy Rabbitte to have some respect for the House. Two of his colleagues have questions submitted. They are entitled to ask a supplementary question but, unfortunately, we will not be able to take the two of them.

**Caoimhghín Ó Caoláin:** Perhaps the Taoiseach will give the same interest to this question as it is a follow-on. He indicated 19 recommendations for changes. Are they in existing procedures that have applied heretofore or are they new procedures and ideas to avoid a repetition of the deficit of information flow to both the Attorney General and to the Minister for Justice, Equality and Law Reform? In this instance, when does the Taoiseach expect that all these recommendations will be in place and can he assure the House that the deficit of information will not be repeated?

Regarding what has happened heretofore, do I understand from the response the Taoiseach has given that it was not a case of a procedure not being in place but a failure to carry through on that, given that the both the Attorney General’s office and the Office of the Director of Public Prosecutions were represented in the Supreme Court case and therefore the information was in both critical offices. Is it the case that we are looking at an uncharacteristic glitch regarding this particular case or is it that the deficit of information flow would have presented itself in any and all cases presenting to the Supreme Court in the way that it showed in this instance?

**The Taoiseach:** The Deputy will appreciate that following a case such as this, the Attorney General’s office advised me on every case for a few weeks. It gave me 1,000 pages on every case to read over the weekend. It is clear there is a huge number of cases——

**Mr. Rabbitte:** The Taoiseach had no time to follow the Dubs.

**The Taoiseach:** Not if I was to read them all. A substantial number of complex cases go through the system all the time and, in fairness, of literally hundreds of cases, whatever case goes wrong will be a huge one. There is a vast array of cases and while procedures are in place to ensure every issue goes through the Attorney General, and it should under the protocols, people probably just follow a system, get careless about a system or whatever. That did not take from them doing their job in an excellent way. The 19 measures are new and are in place to minimise further the risk of recurrence, although when one considers the volume of submissions and cases, including cases to the European Court of Justice, compared with even five years ago, the volume and complexity of the cases, ones going on in so many other areas——

**Mr. Kenny:** It is enough to give one a heart attack.

**The Taoiseach:** I was never known or never purported to be a legal wizard in any form. I always had great difficulty grasping or understanding the law.
Mr. Kenny: The Taoiseach gets palpitations about it.

Ms McManus: ——signing all those blank cheques.

The Taoiseach: That was not a breach of the law. It was trusting people maybe more than I should have. At least we have followed the procedures and they are new measures. I will, as I promised Deputy Rabbitte some weeks ago, publish that report this week if I can.

Priority Questions.

School Evaluation Reports.

28. Ms Enright asked the Minister for Education and Science when a full whole-school evaluation report will be publicly available for every primary and post-primary school; and if she will make a statement on the matter. [26440/06]

Minister for Education and Science (Ms Hanafin): Last month saw a major advance in terms of the transparency of our education system as school inspection reports became available to the public for the first time. The publication of whole-school evaluation reports in particular will ensure that parents and other stakeholders have access to balanced and fair information on the wide range of activities in which schools are involved. WSE reports identify when schools and teachers are working to optimum effect and where improvements are needed. They provide a fair analysis of the strengths and weaknesses of schools in a way that can provide a real indication of school quality. In this way they not only provide valuable information for parents but also help to foster improvement in schools and spread best practice.

The reports do not contain exam results as these would give rise to league tables. Such tables can only provide a narrow and limited measure of the effectiveness of schools. Given the very negative experience with league tables in the UK, I remain puzzled why the Deputy is so eager to follow that bad example in this country. I remain opposed to proposals to judge schools purely on their exam results, thereby ghettoising schools in disadvantaged areas, penalising those with inclusive enrolment policies and encouraging an even greater emphasis on exams at the expense of the other activities in which schools are involved. Nonetheless, I appreciate that parents are eager for more information on our schools. The publication of inspection reports will go some way to meeting that desire.

By last Thursday, 29 June, a total of 154 inspection reports arising from inspections in primary and post-primary schools had been published. These include 36 WSE reports on primary schools, five post-primary WSE reports and 113 subject inspection reports. Each WSE report contains a summary of the main strengths and areas for development identified in the work of the school. In 2006 it is planned to undertake whole-school evaluations in 216 primary schools and 57 post-primary schools. The inspection rate may vary from year to year but, clearly, it will take some time to reach all schools.

However, whole-school evaluations represent just one aspect of the work of the inspectorate of my Department. At post-primary level, for example, in addition to WSE, 428 stand-alone subject inspections will be undertaken in post-primary schools this year. These inspections provide very valuable and focused information on teaching, learning and curriculum provision in an individual subject in a post-primary school. Taking WSE inspections and subject inspections together, it is expected that more than 470 of the 735 post-primary schools in the State will have an external evaluation by the inspectorate this year.

Additional information not given on the floor of the House.

In addition to external evaluation, schools are encouraged to undertake more frequent self-review. The “Looking at our School” guidelines sent to all schools by the Department were developed to aid such self-evaluation. Naturally, interaction with parents is a very important part of the self-evaluation process. Many schools also produce comprehensive newsletters and reports for parents. I have seen many excellent examples of these and strongly encourage all schools to do as much as they can to inform parents about their activities. While the publication of inspection reports means that parents will have access to a much greater level of information than ever before, this is just one of a number of initiatives to improve the quality of our education system and to provide more information for parents. I am committed to further measures to improve the quality of education provided to our children and young people.

Ms Enright: The Minister consistently misinterprets the Fine Gael policy. We have not called for league tables, rather greater information. The Minister quoted the UK as an example. In Northern Ireland, information is still published locally, which is what Fine Gael seeks.

Will the Minister to get to the point of the question? She has given me a timescale. She will admit there is a clear difference between subject inspections and whole-school evaluations. I am concerned that a school could be evaluated this year as some of them have been. I will not use the word “negative”. Parts of the report might show a need for change or improvement. The delay until the school is evaluated again leaves no real incentive for it to change. If it does change, it is impossible for it to get recognition for a considerable period until an evaluation takes place again. I ask the Minister to provide a clear time-
frame for the evaluation of the country’s 4,021 schools. Once that process is completed, what will be the timeframe for re-evaluation? If it will take 13 years to complete the evaluations, the many changes that will have taken place in the interim will not be addressed by updating the reports but will require a new series of inspections.

Ms Hanafin: Fine Gael’s policy is to publish exam results which, by their nature, give rise to league tables.

Ms Enright: Locally.

Ms Hanafin: Irrespective of whether the party advocates local or national league tables, it remains an exclusive and damaging policy.

Ms Enright: The Minister is already publishing league tables of college entry exams in the newspapers.

Ms Hanafin: Recently, I met the UK Secretary of State for Education and Skills and his officials, who outlined the damage done in that country by the publication of results. The Deputy is correct that whole school evaluations are only one element of the evaluation of a school. Evaluations will not be published on each school every year but even parents whose children do not attend schools for which evaluations were published last week learned a lot in terms of questions they could put to their own schools. For example, after learning from the website that a school did not give daily English or maths lessons, parents will ask about the curricula in their children’s schools.

We encourage schools to participate in self-reviews, and guidelines, Looking at our Schools, were published to enable schools to examine their own strength and weaknesses with regard to self-evaluations and interactions with parents. Many schools produce comprehensive newsletters and annual reports for parents.

While the staffing of the inspectorate can vary, 105 inspectors are currently employed. The extensive series of reports published by the inspectorate has generally been welcomed. However, it is not possible to indicate when a school will be inspected because that would depend on the number of inspectors employed in three or five years’ time.

Ms Enright: Members of the Committee on Education and Science have discussed with the Minister the issue of boards of management. Will she indicate the role played by whole school evaluations in investigating the operations of boards of management and the small number of cases in which boards cannot be formed? Does the whole school evaluation take account of interaction within boards of management or the potential for parents to make representations to the boards?

Ms Hanafin: All elements of the school community are evaluated, including the crucial part played by boards of management. The evaluation also takes account of school policies, which are developed by boards of management in conjunction with principals, parents and students. From time to time, boards of management do not function properly and have to be replaced by a single manager. In such cases, the inspectorate supports the school in restoring the system to normality. The good of the school is always paramount in such cases.

Disadvantaged Status.

29. Ms O’Sullivan asked the Minister for Education and Science when she expects decisions to be made on appeals from schools in respect of their inclusion under the DEIS initiative; if the anomaly will be addressed whereby some schools are excluded despite catering for largely the same families as others which are included; and if she will make a statement on the matter. [26132/06]

Ms Hanafin: DEIS provides for a standardised system of identifying levels of disadvantage and a new integrated school support programme. The school support programme will bring together, and build upon, a number of existing interventions in schools with a concentrated level of disadvantage.

The process of identifying primary and second level schools for participation in the school support programme was managed by the Educational Research Centre, ERC, on behalf of my Department and supported by quality assurance work co-ordinated through the Department’s regional offices and the inspectorate. As a result of the identification process, 840 schools were invited to participate in the school support programme. These comprised 640 primary schools, 320 of which were urban and 320 rural and 200 second level schools.

A review process has been put in place for both primary and second level schools. The review process applies only to those primary schools that participated in the ERC survey in May 2005 and only to those eligible second level schools for which data were available from the relevant databases. The closing date for receipt of review applications was Friday, 31 March 2006. The review process is operating under the direction of an independent person, who is charged with ensuring that all relevant identification processes and procedures were properly followed in the case of schools applying for a review. The reviewer is being supported by a nominated staff member from the ERC and an official from my Department.

In the case of primary schools seeking a review, applications must relate to data on the relevant variables included in the ERC survey of May 2005 and the reference date of 30 September 2004. In this regard, analysis of the survey returns
by the ERC identified the socioeconomic variables that collectively best predict achievement and these were then used to identify schools for participation in the school support programme. In the case of second level schools seeking a review, applications must also be based on the variables used to determine eligibility for inclusion in the school support programme.

Review requests must be based on evidence and the variables and reference dates used in the identification process for the school support programme. The review group will also consider the issue of association where it is evident that an associated school is serving the same families.

The review process is nearing completion and the review group will shortly make recommendations to my Department in the case of each school that has sought a review, following which each school will be written to as regards the outcome of their application.

Ms O'Sullivan: Do I understand from the Minister's reply that schools in which children of the same family are enrolled will be considered in the review? I have been informed that where children from the same family graduate to secondary school, it sometimes arises that the primary school is included whereas the secondary school is not. Why are the criteria for primary level different from those for second level? The Minister has outlined for me the variables with regard to primary schools, which include unemployment, local authority accommodation and lone parenthood. However, retention rates and exam results are the main criteria at second level. Why is that the case? Will the Minister consider a review of the policy because it can have the result that the same families are not included at second level?

How much additional money will be spent this and next year on the DEIS programme? How many appeals has the Department received from primary and secondary schools?

Ms Hanafin: Not surprisingly, given the extent of the programme, a number of schools have appealed their exclusion from the programme or the decision to designate them band two or band one status. Approximately 350 schools have appealed, of which 100 were second level.

Association is not as important in respect of primary students graduating to secondary school because account is not being taken of cross-sectoral issues and second level students may be drawn from a wide area. However, the Department is aware of cases in which boys from a family attend band one schools while their sisters attend undesignated schools. The programme does not take account of the geographical base because if two schools in a town are in the programme while the third is not, that does not mean the latter is disadvantaged.

An additional €40 million will be spent on the programme and the funding will be front-loaded over the first couple of years. Thus, for example, the extra teaching staff needed to reduce pupil-teacher ratios in the most disadvantaged schools to 20:1 and 24:1 will be available from September. Any band one schools which were not previously designated as disadvantaged will receive resource teachers on an 80:1 basis. Teachers for homeschool-community liaison will also be appointed this year. The early childhood element of the programme is being developed by the Minister of State at the Department of Education and Science, Deputy Brian Lenihan, and will be included next year. I will revert to Deputy O'Sullivan with the exact figures early next term.

Ms O'Sullivan: Will the most disadvantaged schools be prioritised in the first year? I refer in particular to those schools with high levels of literacy and numeracy problems.

Ms Hanafin: We have all agreed that the most disadvantaged schools should receive the most targeted support. They are being prioritised and that is the reason they are being given additional staffing. Other measures, such as the reading recovery programme and extra supports for the school completion programme, are being put in place in these schools with immediate effect. We are also working on the scheme for sabbatical leave for teachers and principals. Priority will be given to those in most disadvantaged areas.

Commercial Research.

30. Mr. Gogarty asked the Minister for Education and Science if she has carried out or will carry out a full investigation into revelations that a publicly-funded third level institution has been engaging in research in primary schools during school hours on behalf of commercial clients, in some cases without the sanction of parents; her views on such exploitative practices in general; if she intends to ban such commercial abuse of children; and if she will make a statement on the matter. [26442/06]

31. Ms Enright asked the Minister for Education and Science if she has requested or received a report from the schools involved in the testing of certain foodstuffs on their pupils in collaboration with a third-level educational institution. [26441/06]

Ms Hanafin: I propose to take Questions Nos. 30 and 31 together.

My Department has not received a written complaint about this issue.

Under Section 15 of the Education Act 1998, the board of management is the body charged with the direct governance of a school and is therefore responsible for making decisions on the types of activities in which the school gets involved. Clearly there are two different issues here — commercial links between companies and schools and food-testing in schools.
General commercial links include a wide range of activities. A school may be delighted to benefit from the sponsorship of its football kit by a local business or the provision of work experience opportunities for its students. Clearly, there are other far more sensitive issues and this is why my Department’s circulars, while entrusting the school authorities with deciding which activities to engage in, explicitly require them to ensure that pressure is not placed on parents to buy particular products.

My Department’s concern is to strike a balance between allowing schools to benefit from positive links with businesses and protecting children and their parents from inappropriate marketing. The decision as to whether to accept sponsorship, partake in promotions or engage with research is one for the board of management. Naturally, the board should only engage in activities that are in the best interests of its students.

I was surprised to hear that food was being tested in primary schools. Food companies have plenty of opportunities to test their products in supermarkets with the children’s parents present to decide what they want their children to eat, being mindful of allergies and healthy eating objectives etc. My Department has not received any written complaints from parents in the schools involved and if a parent has a difficulty with such activities the matter should be raised with the board of management of the school. Nonetheless, I believe that boards should be wary of getting involved in such activities, particularly given that each child has different dietary requirements.

My officials have been in touch with the Dublin Institute of Technology regarding this practice and have been assured that in any future activity of the Dublin Institute of Technology Food Product Development Centre that involves food testing by school pupils, it will request the written approval of parents.

Mr. Gogarty: This laissez-faire approach is, in effect, allowing our children to be abused. We have heard of child sexual abuse and other emotional abuse and this is commercial abuse. The Minister and the Minister of State, Deputy de Valera, should give consideration to introducing regulations. With or without parental consent, commercialisation in schools is a scandal. Will the Minister issue real and effective guidelines, as she does with curricula? Boards of management must teach the curriculum as well as anything else. Advertising in schools is becoming endemic.

Ms Hanafin: Circulars on the promotion of commercial products have been issued by the Department since the early 1980s. One addressed the promotion and marketing of commercial products throughout schools and asked boards of management to be careful in this regard. My Department met the INTO prior to this matter arising and discussed in detail the need to consider guidelines for schools, particularly for commercial schemes. Many bodies are cashing in on this. We do not wish schools to feel under pressure to participate in such a scheme. In working with the INTO we indicated we may revise the guidelines before the next school year.

Ms Enright: The Minister states she has not received any written complaint from a parent but serious questions still arise. The Minister may recall the issue of food availability with regard to public private partnership schools. In the first schools of this type the contract allowed them to serve fast food. The Minister is making changes to the contracts of the next cohort of these schools. The nutritional value of the food tested is a concern. I believe the foods tested included crisps and burgers, which are unsuitable for the school environment. Will the Minister consider giving policy direction to schools regarding the nutritional value of food, as distinct from research and testing of foods? Does the Minister know if the market research took place during school hours? Were the children taken out of class for this research or did it take place after school time? Were the schools involved offered payment? Was the consent of parents sought each time?

If a child had a peanut allergy and traces of nut remained in the food, has the Minister received legal advice on who would be responsible? Would legal responsibility rest with the Department or the board of management? Guidelines are necessary so that boards of management know their legal responsibility.

One would have more faith in an institute of technology but nothing is stopping the producer of particular food products carrying out research another time. Schools must be more aware and I urge the Minister to liaise with schools, through management representation bodies, to ensure greater awareness.

Ms Hanafin: I agree with Deputy Enright’s point that one would have more faith in an institute of technology. The Dublin Institute of Technology Food Product Development Centre is highly regarded. It supports the Irish food industry in analysing current trends. It tests food in a variety of ways but I do not accept that it must do so in schools. Pupils may have allergies and may be tempted by certain foods.

Approximately six schools were involved in this test. According to the Dublin Institute of Technology and the principal of one of the schools the test was used to teach science and
Ms Enright: Did the testing take place during school time?

Ms Hanafin: My understanding is that these tests were carried out during school time. The Dublin Institute of Technology indicated the schools used the tests as an introduction to science and scientific research. I do not approve of it and it is unnecessary. Many opportunities exist where parents are present, particularly given the sensitivities involved.

Mr. Gogarty: The connection between sexual or emotional abuse and commercial abuse is one of degree but does the Minister not agree that commercialisation of schools is an exploitative and abusive practice? Children have a right under the Constitution to an education that allows them to become free-thinking, independent-minded citizens who can contribute to the economy. Any commercialisation at a vulnerable age affects that.

Many parents feel obliged to support such commercial ventures because of the lack of funding provided by the Department of Education and Science. An example is the end of the physical education and sports grant, which enabled schools to buy physical education equipment. McDonald’s now provides corner flags with the McDonald’s logo, enabling schools to participate in sport. One must spend thousands of euro to receive a computer under Tesco’s computers for schools programme. It is high time somebody in Government, particularly the Minister, showed leadership on this issue by setting down clear regulations and guidelines, rather than leaving it to hard pressed boards of management and parents who are trying to do the best by the children and schools by securing funding through whatever means. In this context will the Minister acknowledge that funding is required from the Department for the schools and that clear guidelines and binding regulations are also required?

Ms Enright: On the issue of parental consent, does the Minister know whether parents were contacted by the schools before this was carried out? Will the Minister reconsider the idea of giving guidelines on the type of foods available in schools and the relevant standards? The HSE and the health promotion unit will do a certain amount in that regard but has the Department considered doing that?

Ms Hanafin: I will leave nutrition advice to the experts in nutrition. It is certainly a key element of social, personal and health education, with much input from various dietary experts who have given great support to schools in this regard. I understand that a general approval was given rather than a specific approval for individual events. This testing does not appear to have gone through the board of management. I do not know the situation in all the schools; I am just picking up information on it. However, any such activity should always be with the support and the specific approval of parents. I still do not believe in testing food products in schools.

In response to Deputy Gogarty’s point, one cannot isolate children from the commercial world.

Mr. Gogarty: One can try to protect them.

Ms Hanafin: No, one tries to get them to understand it. Their lives are not blocked off from advertising on television. That is the commercial world. Many children will go on to work in business and benefit from business. They need to understand the business world. There can be positive links between schools and businesses. One sees it particularly at second level, through work experience, the schools and business initiative and schools working with business groups at all levels. That cannot be cut away from children.

Mr. Gogarty: It can be regulated.

Ms Hanafin: What is important, with regard to any activity in which children are, is that parents do not feel under undue pressure to become involved. With regard to funding for schools, the capitation grant has increased substantially in recent years and is very generous now compared to what it was just a few years ago.

Ms O’Sullivan: It does not cover everything. Schools are still obliged to fund-raise.

School Staffing.

32. Mr. Crowe asked the Minister for Education and Science her proposals for dealing with the new challenges in education in the provision of English as a second language to newcomer children in schools, especially in view of difficulties being experienced in a school (details supplied) in Dublin 24. [26407/06]

Ms Hanafin: Ensuring that all children get the support they need to do well at school is a major priority for this Government. To ensure that children whose first language is not English can succeed at school, my Department gives additional support to their schools, which can take the form of financial assistance, additional temporary teacher posts or portions of teacher posts.

The level of extra financial or teaching support provided to any school is determined by the
numbers of non-English speaking students enrolled. The school referred to by the Deputy currently has three teachers to cater for the needs of non-English speaking students.

Recent years have seen a significant rise in the number of language support posts being provided by my Department. In the 2005-06 school year, 563 whole-time equivalent language support teachers were in place at primary level and 263 whole-time equivalent teachers were in place at second level to support such pupils, representing an investment of €47 million. This compares to 149 and 113 teachers respectively in the school year 2001-02. Thus, there has been a fourfold increase in language support teachers at primary level in just four years.

The Government has been increasing resources in this area in line with rising demand. However, this is a relatively new area and, as such, must be kept under review to ensure that children are getting the support they need and that this support is proving effective in helping them to make the most of their time at school.

My Department is currently reviewing the supports available to schools to support children whose first language is not English. In that context we are particularly looking at the pressures on those schools that have a great number of children whose first language is not English. Officials have visited the school referred to by the Deputy as part of this review process to see, at first hand, the challenges the school is facing.

The Deputy may also be aware that two weeks ago I met officials in London to discuss their experience of meeting the needs of non-English speaking students. I also visited two London schools to look at their policies in action. I was particularly interested to learn about which strategies have been successful in terms of engaging with these children’s parents as I am conscious that language difficulties are just one aspect of this issue.

As with all children, the interest that their parents show in their education is important and it is crucial to find ways of empowering them to get involved. Issues that have arisen in the context of the review include the different expectations of parents of different nationalities and the fact that the child may be in the only English speaker in the household. With regard to the latter, a DVD explaining the primary school system for parents was produced in several different languages earlier this year.

Other issues that have arisen in the context of the review include the current cap on the number of language support teachers available to a school and on the length of time for which an individual student can access language support. The draft new social partnership agreement includes the provision of an extra 550 language support teachers by 2009 and the reform of the current limit of two additional teachers per school. This major increase in investment will make a big difference to schools such as the school in question.

Mr. Crowe: The school in question has 230 newcomer children and only three additional teachers. The Minister spoke about a review. Did the schools she visited in London have classrooms? Did they have to subdivide their gyms? Did they have to do away with their libraries? Had they two prefabs which had been declared unfit for habitation by the health and safety authorities?

The Minister has described this issue as the new challenge facing us but she does not appear to be rising to that challenge. She is certainly slow to tackle it. Is the Minister aware of any other school in a similar situation with the same number or percentage of newcomer children? More than half the children are newcomer children. The Minister spoke about the importance of integration and so forth. What effect does this have on the school? In the past two or three weeks 17 children have enrolled in this school and all are newcomer children.

It is not enough for the Minister to announce new resources during the summer. The problem with this school is that there will not be room for the children. If there are new teachers, where will they go? There is no room in the school. I do not know if this problem is specific to the area in question but it needs to be resolved. The current situation is unacceptable to both the teachers and the children. There is a particular problem at this school. Millions have been spent on the school but that will just go down the drain if proper resources are not provided for the children.

Children in the school have all types of difficulties, aside from the background they are from. The resources are not being provided by the Department. Do any other schools have similar percentages of pupils? If the Minister believes that three new teachers, or one teacher per 110 pupils, is sufficient, she is living in cloud cuckoo land.

Ms Hanafin: Based on the figures provided by the Deputy, it is three teachers for 210 pupils, which does not come out at 110 each. Second, the Deputy should acknowledge that the provision of 800 teachers whose sole responsibility is teaching English to non-national children is a significant investment. That investment has grown substantially in recent years. I hope the acceptance and approval of the partnership agreement will result in the allocation of 550 extra language support teachers, which will enable us to make even further progress on this issue.

It should be remembered that not every non-national has a language problem. There are serious cultural issues among the various nationalities, not just with regard to language but also with regard to their attitude to education, how involved the parents wish to be and how supportive they are of getting their children to school. Those issues are equally important. I noticed in London that the schools had managed to get some of the non-national parents involved
in the school community. That had a major bearing on the success of some of the work they were trying to do. I am not sure the record in the UK in community building is one we would like to emulate, given the problems in many of its towns. We can learn from the mistakes that have been made in various places as well.

Following a visit by departmental officials, the school referred to by the Deputy was granted a third teacher immediately. The problem is not peculiar to this school but the situation is more serious in some areas than in others. I have visited some schools that have a high proportion of non-national pupils. The situation is not as intense in all areas as it is in this school, just in certain geographical areas.

Other Questions.

Garda Vetting Services.

33. Mr. Perry asked the Minister for Education and Science when all teachers, both new and practising, will be subject to vetting; the timescale for the full introduction of vetting in the education sector; and if she will make a statement on the matter. [25769/06]

85. Mr. English asked the Minister for Education and Science if all new teachers will be vetted, prior to taking up their teaching positions, from September 2006; and if she will make a statement on the matter. [25767/06]

86. Ms B. Moynihan-Cronin asked the Minister for Education and Science the categories of people in the education sector who will be subject to vetting from September 2006; and if she will make a statement on the matter. [25921/06]

Mr. B. Lenihan: I propose to take Questions Nos. 33, 85 and 86 together.

 Ensuring the protection, health and welfare of children is a key concern for the Government, parents, agencies that work with children and society generally, and the Government is determined to do all it can to keep our children and vulnerable adults safe.

In the education sector, vetting is currently available in respect of prospective employees of children in detention schools as well as special needs assistants and bus escorts to children with special needs. I announced a doubling of the number of staff employed in the Garda central vetting unit, which has been relocated to Thurles under the Government’s decentralisation programme, to ensure that it can handle a greater volume of requests from employers. The provision of additional staff resources will enable the Garda Síochána’s vetting services to be extended to all persons working with children and vulnerable adults. This will include teachers, caretakers, bus drivers and others working with children, whether on a full-time or part-time basis.

As a first step in the expansion of services provided by the vetting unit, it is proposed that new staff employed in the 2006-07 school year will be vetted. The vetting requirement will be extended to others, including existing staff, later on.

In the case of new teachers, vetting will form part of the process of the registration by the newly established Teaching Council. The council will be responsible for submitting the applications to the vetting unit. In the case of non-teaching staff, it will be the responsibility of the relevant school authorities, including vocational education committees where appropriate, to submit the applications.

The Department of Education and Science has had discussions with the relevant interests — school management authorities, unions, the Teaching Council and the vetting unit — on the procedures and processes which will apply in the vetting of persons in the education sector. Guidelines for school authorities have been finalised and have been published on the Department’s website. Hard copies of the guidelines will be issued to school authorities.

The issue of vetting of members of boards of management raises the wider issue of vetting of people who volunteer in the education sector. The determining factor in deciding whether such persons should be vetted is the extent to which they have unsupervised access to children or vulnerable adults. As the expansion of service provided by the Garda central vetting unit is rolled out, I envisage that any board of management members who may have unsupervised access to children would be included in this category.

Ms Enright: I acknowledge that there has been progress in this area but I am concerned about the pace of that progress. The Minister of State used the phrase “later on” but I would like a definite timescale for the retrospective vetting of existing employees.

It is difficult to put guidelines in place for this area. How will the Minister assess the extent of unsupervised access? It would be better if all board of management members were vetted because the idea of drawing up the extent of access each member has to children is not straightforward. We have learned from the Ferns Report that a number of people who abused children accessed them through boards of management.

The Minister of State, Deputy de Valera, is familiar with the youth council, which has called for vetting. Most of the affiliated organisations are volunteer based and they feel that vetting is necessary. The question refers to the education sector but that includes the youth work sector. Is there a timescale for retrospective vetting and the broadening of the process to youth organisations? Guidelines will be necessary on who can access
and provide the information within these organisations.

Mr. B. Lenihan: There is a plan to ensure a comprehensive roll-out of vetting to all sectors, as I outlined in my reply, with substantial unsupervised access to children. Deputies should not underestimate the task involved. In Scotland, a comparable jurisdiction, the number of vets sought and obtained in a calendar year can be as high as 8 million. The numbers involved are staggering. In England, Wales and Scotland separate vetting units were established with universal access to the vetting unit from day one of the operation of the unit. Within a matter of months, both units were in a state of total administrative collapse.

A decision was taken by the implementation group that I appointed to establish the vetting unit that we would roll it out on a phased basis. All new entrants to the education sector will be vetted from September 2006 and the Minister will issue the necessary circular this week. Detailed procedures have been put in place for liaison between the management bodies, the vetting unit and the Teaching Council. That has been negotiated with the relevant interests so the vetting unit will be as efficient as possible.

We are dealing with sensitive information and it is important that those who request the information know how to receive, assess and apply it in the context of any decision they must make. We intend to roll out this vetting system in the next three years to all sectors that have substantial, unsupervised access to children. That is the plan and there is a schedule. Our next priority is the national voluntary organisations with substantial dealings with children and we hope to accomplish that this year. The youth work sector is also of particular importance.

Work is ongoing in all these sectors to identify appropriate contact points and to train the persons who can seek and apply the information. There is a definite roll-out plan so it is not a question of simply announcing that one section of the education sector will be vetted. The vetting of those already engaged in the sector will be a major operation and will have to wait some time because it involves going back over staff, many of whom have been in their position for many years.

Boards of management generally do not have substantial unsupervised access to children. They meet in the evening on school premises. They have limited access to children and that is why they are not automatically included. The chairperson is sometimes in a different position and the Department will examine that. We are not applying a presumption, however, that they should be vetted.

In all these matters it is important to note, particularly for non-teaching staff, that the vet does not conclusively prove the person is not a danger to children. There is no substitute for principals making inquiries about anyone they wish to employ for a non-teaching position that involves substantial contact with children.

Ms Enright: Will the central vetting unit in Thurles require further personnel when the plan is rolled out? The more people who come into the system, the more people will be needed to run it. The Minister of State has examined the situation in Britain. This must operate on a North-South basis because of the ease of movement between both jurisdictions. What contact has the Minister of State had with the relevant authorities in Northern Ireland to ensure the system is streamlined?

Mr. B. Lenihan: The Deputy asked about the anticipated future staff requirement of the vetting unit. The personnel at present are sufficient to deal with work in the short term but the question of volume may arise if we move towards the Scottish model. We are trying to plan so that it does not automatically end up that way. Decisions will be taken on the need for an increase in staff and if charges should be introduced for vetting. The experience in the HSE was that in some cases employers submitted an excessive number of applications when a large number of people applied for a small number of positions. Too many of the applications for vets were wasteful. Clearly, that is an issue we will have to examine so the question of charging may arise. A decision was taken by the Minister for Justice, Equality and Law Reform to decentralise this unit to Thurles and there was an excess of applications to fill the number of positions available in the vetting unit.

Ms Hanafin: It is a very fine town.

Mr. B. Lenihan: There was no lack of enthusiasm to move to north Tipperary. Deputy Enright also raised the question of our liaison with pre-employment consultancy services in Northern Ireland. At the first meeting of the North-South Ministerial Council on 3 February 2000, the council decided to establish a joint working group on child protection as one of a number of working groups to take forward matters for co-operation having regard to the common concerns and interests of both sides. That group was to develop proposals in consultation with the relevant Departments to establish a confidential mechanism across the United Kingdom and Ireland for the reciprocal identification of persons who are considered to be unsuitable to work with children and young people. At the end of 2000, the group submitted a report. The council agreed on the broad approach taken by the group and signalled its desire to have detailed proposals for legislation prepared. The council also agreed that the Department of Education and Science would consult with the education partners on the recommendations made by the group.
The main thrust of these proposals is to provide structures so that people who are a risk to the safety of children can be prevented from being employed in schools. The proposed legislation would comprise the establishment on a statutory basis of a register for persons who are considered unsafe to work with children; a framework for co-operation and liaison between the relevant bodies in the health, justice and education spheres; provisions for access to the register which have due regard to child safety and the rights of individuals; the creation of a right of appeal against the registration to an appeals body; co-operation with the agencies responsible for similar registers in other jurisdictions; and cross-interrogation of the register in this jurisdiction by appropriate authorities in the others and vice versa.

The Department subsequently prepared a draft discussion paper on these proposals which it was intended to circulate to the education partners. However, before this work was completed the Department was informed of the establishment of the cross-departmental working group on Garda vetting. That working group examined the question about which Deputy Enright asked me. It was considered wiser to await the recommendations of that group before engaging in discussions with the various interest groups. Since then, most of the work has been given to extending the Garda vetting services.

In a decision earlier this year, the Government transferred responsibility for progressing this legislation from the Minister for Education and Science to me. I will take an interest in the matter. I must say, however, that the harmonisation of the child protection legislation in this jurisdiction with the legislation and practice that obtain in the United Kingdom is not a simple matter. The United Kingdom does not have a written constitution containing an unequivocal guarantee of protection for the good name and reputation of a citizen, whereas we do. That is a fundamental difference of approach with regard to restrictions. I am concerned to ensure that we forward proposals on child protection. The establishment of the vetting unit, with a mandate to extend the relevant protections to all sectors, was a necessary first step in developing a robust child protection system.

The next step we must examine is the full implementation of the recommendations in the Ferns Report. Legal advices have been obtained concerning the inter-agency groups, which suggest that particular recommendation will need to be put on a legislative foundation. I intend to bring proposals to Government in that regard. When that is accomplished, the wider North-South aspects can be examined. This is a complex area, however, and an intensive examination of these issues is being undertaken by the Attorney General’s office.

Ms O’Sullivan: Children with special needs who travel to schools by taxi are a particularly vulnerable group. Will the taxi drivers concerned be vetted in September? My second question may be more appropriate to the Minister for Education and Science. A large number of children — usually young teenagers — from other European countries come to Ireland to learn English during the summer. Is there any obligation on English language schools to check out the families with whom these young people stay? I would have thought they are another vulnerable group. The Minister of State may not know the answer but the matter needs to be examined. Obviously, in that case, the obligation would be on the schools because they are private institutions.

Mr. B. Lenihan: As regards special needs children who avail of a taxi rather than a bus service, I can confirm that this matter will be addressed within the scope of the protection envisaged by the Department. As regards protection for children of other nationalities who attend our schools from other parts of the world, I am not quite clear what point the Deputy is driving at concerning obligations.

Ms O’Sullivan: Young teenagers, aged 13, 14 or 15, stay with families in Ireland and they are vulnerable. I wonder if there is any obligation on the schools concerned to check out those families.

Mr. B. Lenihan: I cannot see that there is because children of that age would be in attendance at second level schools. Clearly, if the school was aware of a concern, the normal practice would be for the principal of the school to alert the local social services about the difficulty. That would be the best practice to follow for a school principal who was worried that there might be a child protection concern about a person resident with a family in Ireland. In that case, the principal would alert the social services and it would be up to the HSE to investigate the matter.

Ms O’Sullivan: I am not talking about secondary schools, but schools that run language classes during the summer.

Mr. B. Lenihan: Summer camps and the like.

Ms O’Sullivan: For example, many Spanish students come to Ireland every year and stay with families.

Mr. B. Lenihan: Yes.

Ms O’Sullivan: They are the people I am talking about.

Mr. B. Lenihan: It is a private matter. Agencies generally organise this and it would be their responsibility. We are currently examining whether we should have more robust requirements. The problem is that unless one lays down
this principle as a matter of general legislation, one is in the area of practice. Ultimately, it is a matter for the HSE to intervene if an abuse is established. In so far as one wishes to establish an anticipatory system of checking, however, one must have a legislative requirement. Alternatively, in advance of that, one must get the relevant interest to co-operate. It is easy to accomplish the objective in sectors such as the HSE, which has been vetted for a number of years, and education, which is now embarking on this course, in addition to youth work and child care where there is substantial public funding and we can make it a condition of funding that checks be made. It can be much more difficult, however, in informal sectors such as the one outlined by the Deputy.

Ms O'Sullivan: I just wanted to flag the issue as something that needs to be looked at.

Mr. B. Lenihan: I agree.

Mr. Crowe: If this was not such a complex area I am sure the legislation would have come before us a long time ago. The public is not really interested in how complex it is, however — it wants to know when the legislation will come before the House. Does the Minister of State have a reasonable timescale for introducing this immensely complex legislation? Will it be in September?

Mr. B. Lenihan: I am not sure to which legislation the Deputy is referring. A child care Bill was approved——

Mr. Crowe: The harmonisation legislation

Mr. B. Lenihan: Harmonisation legislation will take some time because it is difficult to harmonise a jurisdiction where the Queen is sovereign with one where citizens have written guarantees. There is an incompatibility between them. In my earlier reply I said that one cannot harmonise legislation with a country that does not provide its citizens with a basic guarantee of their reputation in the constitution, which therefore permits blacklists to be compiled about persons. We cannot go down that road in this jurisdiction. We are examining whether, as the Garda vetting report suggests, there is some other formula we can adopt, where in effect we assemble information about people who are deemed to be undesirable and give them some judicial right of appeal if they are found to be undesirable even though they have no criminal conviction. That is why I said it is a complex issue. I will bring proposals to Government on examining our child care legislation to see whether we can amend it to put on a statutory basis the approach that was suggested in the Ferns Report.

Education Welfare Service.

34. Mr. Allen asked the Minister for Education and Science the most recent information relating to the average caseload for each educational welfare officer; and if she will make a statement on the matter. [25729/06]

54. Mr. Ferris asked the Minister for Education and Science if she is satisfied with the resources allocated to the National Educational Welfare Board and the number of educational welfare officers at present. [25811/06]

84. Mr. Hogan asked the Minister for Education and Science the number of educational welfare officers employed by the National Educational Welfare Board; and if she will make a statement on the matter. [25727/06]

94. Mr. Sherlock asked the Minister for Education and Science if she will ensure that the National Educational Welfare Board is allocated sufficient funding in the 2006 budget to allow it to recruit its full quota of educational welfare officers to carry out its statutory duty; and if she will make a statement on the matter. [25932/06]

Ms Hanafin: I propose to take Questions Nos. 34, 54, 84 and 94 together.

The National Educational Welfare Board, NEWB, was established under the Education (Welfare) Act 2000 as the single national body with responsibility for school attendance. The Act provides a comprehensive framework to promote regular school attendance and tackle the problems of absenteeism and early school leaving. The general functions of the board are to ensure that every child attends a recognised school or otherwise receives a certain minimum education.

The board is developing, on a continuing basis, a nationwide service that is accessible to schools, parents, guardians and others concerned with the welfare of young people. For this purpose, educational welfare officers have been deployed throughout the country to provide a welfare focused service to support regular school attendance and discharge the board’s functions locally. The authorised staffing complement of the board is 94, comprising 16 headquarter and support staff, five regional managers, 12 senior educational welfare officers and 61 officers. Five regional teams are in place with bases in Dublin, Cork, Limerick, Galway and Waterford.

In deploying its service staff, the NEWB has prioritised the provision of services to the most disadvantaged areas and the groups most at risk. This deployment includes areas designated under the Government’s RAPID programme where an intensive full level of service is provided.

Since September 2005, every county in Ireland is served by an educational welfare service. I have been informed by the NEWB that the current average caseload is 138 per officer. This compares with an average caseload in July 2005 of 164 per
The decrease can be partially attributed to the appointment of ten more staff at the end of 2005. The budget allocated to the NEWB for 2006 is €6.15 million, with the allocation to the board having increased by more than 25% since 2004 to support it in delivering on its key objectives.

In addition to the NEWB personnel, 490 staff within the education sector are deployed in education disadvantage programmes whose work involves an element of school attendance, and significant scope exists for integrated working between these personnel and educational welfare officers. My Department is anxious to ensure that the maximum benefit is derived from these substantial personnel resources. Consequently, work is ongoing to develop appropriate protocols for all agencies and services to work together in collaboration and to ensure that optimum use is made of the resources deployed.

The Government is determined to do all that is possible to ensure that every child gets all the opportunities and support he or she needs to enable him or her to achieve his or her potential and participate fully in education. I will keep the issue of the NEWB’s staffing and financial resources under review in light of the roll-out of services, the scope for integrated working and any proposals that the board may put to me regarding clearly identified priority needs. In that context, the draft partnership agreement, Towards 2016, includes provision for an additional 100 posts for the NEWB and the National Educational Psychological Service by 2009, which I hope will be adopted by the partners.

Ms Enright: When one speaks to individual schools, their comment on the National Educational Welfare Board when contacted about an individual child is that it is good in coming back to assist that child. On the issue of officers being able to visit schools uninvited and look at the difficulties, the drop-out rates and the failure to make transition, the board does not have the time or resources to do that because of the number of caseloads. Will the Minister comment on whether that is an accurate assessment?

The Minister has mentioned that there is a need for protocols between them and educational welfare officers. My Department is anxious to ensure that those children can be targeted and the level of absenteeism reduced.

Ms Hanafin: The educational welfare officer should be the last port of call. It is only when a case has been dealt with by all the other bodies in respect of a particular child that the educational welfare officer should be called. That would allow them to look at the general position.

A substantial number of groups have a direct involvement with the child and his or her family but it would not be possible to designate each of them specific areas of responsibility because every child in the family is such a complex unit. There is a need for protocols between them and that is what we are working on. The assistant chief inspector is chairing the working group.

The bodies dealing with such children include the National Educational Welfare Board, the National Council for Special Education, because obviously children who may have particular learning difficulties are more likely to drop out of schools and particular attention has to be paid to them, the National Educational Psychological Service, the visiting teacher service for the hearing and the visually impaired, the home-school-community liaison scheme, the school completion programme and those directly employed in that area, and the visiting teacher service for Travelers. Through all those groups, 490 people work specifically with disadvantaged children and part of their remit is to ensure they regularly attend school. All those groups have been working together along with the National Association of Principals and Deputy Principals and the Irish Primary Principals Network with a view to developing protocols for each of those groups so that those children can be targeted and the level of absenteeism reduced.

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 Connolly — the remedial works scheme at Mullaghmatt in Monaghan; (2) Deputy Hogan — that the Minister clarify his policy on the broadcasting of religious services on local radio stations; (3) Deputy Pat Breen — the issue of the withdrawal of home tuition grants for pupils with autism or other intellectual disabilities who may also be attending full-time education; (4) Deputy Deenihan — the need for the completion of the Tralee town ring road; (5) Deputy Ring — that the Minister outline his plans to introduce legislation dealing with development which fronts on to or accesses national roads; (6) Deputy Cowley — that the Minister explain the reason Ballina Town Council has encroached upon a special area of conservation for a car park; (7) Deputy Burton — to consider the implications of the decision to locate two primary schools for 1,200 children on a four-acre site; (8) Deputy Finneran — that the Minister update the costings to 2006 levels in determining the grant level...
under the new farm pollution grant scheme; (9) Deputy McHugh — the decision of the Health Service Executive to cap the monthly allocation towards the purchase of incontinent wear for residents of nursing homes in County Galway; (10) Deputy Michael Smith — that the Minister ensure that a 22-bed unit and day care centre for the elderly is provided on an existing site in Borriskane; (11) Deputy Shortall — the need to fully fund a school group to prevent its closure in view of the critical service it provides; and (12) Deputy Fiona O’Malley — to discuss a report in one of the national newspapers about the legality of a certain situation regarding the Ryder Cup.

The matters raised by Deputies Michael Smith, Pat Breen, Burton and Ring have been selected for discussion.

Leaders’ Questions.

Mr. Kenny: I have been presented, as other Members have, with the second report of the Commission on Electronic Voting on the secrecy, accuracy and testing of the chosen electronic voting system. This is another nail in the coffin of the Government’s claim to competence, good judgment and ministerial capability. Just over two years ago, the Government tried to foist a dud electronic voting system on the people at a cost of €60 million. I remember the Taoiseach chiding us for not trusting this new wonderful facility. Everybody in the House was deemed to be a Luddite. On 17 April 2004 the Taoiseach said, “I am told that the reliability of the system has been tested and that it is good”. All the technical experts who questioned this system were derided and sneered at. The then Minister for the Environment, Heritage and Local Government, Deputy Cullen, said it was “secure, reliable and can be trusted by the people”.

Mr. J. Brady: It was more reliable than the Deputy.

An Ceann Comhairle: Allow Deputy Kenny to speak without interruption.

Mr. Kenny: I know Deputy Johnny Brady is warming up. He is a modest man with modest ideas, but he should keep them to himself. On the basis of today’s report, arising from a €60 million expenditure, I would not be inclined to trust the words of a large number of Ministers. The software system that the Government wants to use to count votes is a dud. This report clarifies that beyond “yea” or “nay”. It is a dud system. This is an independent report dragged out by Opposition claims that the Government do something about it. The report tells us it has not been developed in accordance with any recognisable standard. It is, therefore, open to major counting errors. It is less accurate than the paper system which the Taoiseach often referred to as the peann luaidhe system; they are not gone away yet. It is not good enough for what one might call a mission critical system. What can be more mission critical than the sending back to this House of the representatives of the people to form a Government with a mandate to govern?

Did any discussion take place at Cabinet on the accuracy of the software in respect of the counting system which cost €60 million of the public’s money? That €60 million would have provided 7 million hours of home help throughout the country for those who need it. Does the Taoiseach accept any responsibility for spending €60 million on what this independent report says is a dud counting system that could subvert the democratic decision of the people in three, four or five-seat constituencies? Surely, as leader of the Government it is time to stand up and accept some responsibility and blame for this €60 million debacle.

The Taoiseach: It is the old story. The report came out at 2.30 p.m.

(Interruptions).

An Ceann Comhairle: The Taoiseach without interruption.

The Taoiseach: The report came out at 2.30 p.m., experts have spent two years preparing it and the Opposition is an expert on it in half an hour and issues statements that are totally at variance with what it says, even on the courtesy remit.

Mr. Howlin: Did the Taoiseach read it?

An Ceann Comhairle: This is a Fine Gael question. I ask Deputy Howlin to allow the Taoiseach to make his reply without interruption.

The Taoiseach: Deputy Howlin is worse than Fine Gael. The only co-operation between the Labour Party and Fine Gael is when they keep making noise whenever I stand up to speak.

Mr. Howlin: Deputy O’Dea could comment on it yesterday.

The Taoiseach: After only a quick look at the report, we are an hour debating it here. I hope people study and examine this report and give it comprehensive consideration. Off the top of the head remarks, which are possibly based on reading just the first few pages, are an unsatisfactory way to deal with it.

(Interruptions).

An Ceann Comhairle: Allow the Taoiseach speak without interruption.

The Taoiseach: On behalf of the Government, I thank the chairman, Mr. Justice Matthew Smith and the members of the commission for their thorough work and the resulting second report on
the Nedap-Powervote electronic system. The report is, undoubtedly, one of the most comprehensive official reports ever produced on the matter of electronic voting.

I am particularly pleased with the commission’s overall validation of the €46 million investment in the voting machines and associated software, which is clear to anyone who reads the report. I have had the opportunity to do that because the report was given to Deputy Roche over the weekend.

Mr. McCormack: I hope Deputy Cullen reads it.

The Taoiseach: The commission’s overall validation of the €46 million investment in the electronic voting machines and the associated software is very pleasing and I hope Deputy Kenny will acknowledge that is the view of Mr. Justice Matthew Smith’s report. That is clear to be seen.

The commission concludes that the main hardware components of the system, including the voting machines, are of good quality and design. They are robust against failure.

Mr. Rabbitte: They should be, they are rust proof.

Mr. Ring: They are like the Government backbenchers.

The Taoiseach: A Cheann Chomhairle, there is no interest. I hope the national media that attends here will take more interest than the Opposition which is not prepared to look at an independent report produced over two years.

(Interruptions).

An Ceann Comhairle: The Taoiseach, without interruption.

The Taoiseach: I hope that a responsible media will see the cynicism of an Opposition that is not prepared to consider it. This is the usual outrage of an Opposition that will read nothing, understand nothing and put forward nothing.

The machines have been validated beyond question by an international commission, but Deputy Kenny will not recognise that. I want to give him the opportunity to recover himself on round two. He stated that the software cost €60 million. He does not understand that less than €500,000 was spent on the election management software.

Mr. Kenny: The Taoiseach should check the record or ask his people in the communications area to check it. I did not say the software cost €60 million. I said the software was dud software and that it was the cause of the problem. I agree the hardware is recommended as being of sound structure but it is like building a house of blocks and putting in an inferior heating system or having a shell of a car with no engine.

In the minute I have to recover, as the Taoiseach said, let me give him the facts behind the “off the top of the head” remarks from the Opposition. On page 150, the report states “The chosen system does not offer the same levels of transparency in the gathering, translocation, sorting and counting of votes since these processes are carried out by electronic means, largely out of sight.” Furthermore, “The potential for an inaccuracy in the counting of votes to go unnoticed is greater under an electronic system than under the paper system.” Page 153 of the report mentions trust and states: “However, the voter has no way of verifying that what appears on the display is what actually is recorded electronically on the ballot module within the voting machine.” This is what the Taoiseach calls a “top of the head” remark.

With regard to an audit, page 154 states that the system “is not subject to any meaningful independent audit of its voting recording function. Thus the paper system is superior in this regard.” Paper is best. On page 167 the report points out “the paper system provides a higher level of secrecy than the chosen system.” Who chose the system? It was the Government and it spent almost €60 million on it. Page 206 points out: “There is an increased need, in the context of electronic voting, for the establishment of a single independent statutory electoral commission for Ireland.”

These are not “top of the head” remarks from the Opposition. They are quotes from the report which was dragged from the Government through embarrassment and political pressure. The Taoiseach has not said who chose the system nor has he accepted any responsibility for spending €60 million of the public’s money on a hardware system and a software system that is now proven to be dud. Nobody doubts the authenticity of the recommendation in the report that the hardware is of sound physical structure. The dud system is the software, an engine that will not work. The Taoiseach intended to foist that on the people despite the fact the counting system could subvert their democratic decision. They will exercise that right in the next 35 weeks and remove the Government from office. Whether or not the Government intends to introduce an electronic voting system, the peann luaidhe will rule Ireland on the next occasion. The Taoiseach and the Government will be removed, not by just 1,000 strokes, but by more than 1 million.

The Taoiseach: My colleagues allowed Deputy Kenny make his point, so I hope the Opposition will allow me do the same. The Deputy said there was a negative conclusion in the report relating to the election management software. We have removed some €46 million out of the equation.
for the machines, and I am grateful to him for acknowledging that.

Mr. McCormack: Is the Taoiseach going to get it back?

The Taoiseach: The commission states it is unable to recommend the election management software. However, it goes on to say that alternative election management software compatible with the existing voting machine and other hardware and software components for the system could be developed at a reasonable relative cost.

(Interruptions).

The Taoiseach: The overall cost of the entire software component——

(Interruptions).

The Taoiseach: Deputy Kenny, please be serious for two minutes, if you cannot do it for any longer. The total cost of that software is €500,000. So, the Deputy has now acknowledged that the hardware is acceptable. He quoted the commission——

Mr. Kenny: I did not say it was acceptable. I said it was of sound structure.

The Taoiseach: Sorry, I thought the Deputy said it was of sound quality. The commission says the main hardware components of the system, including a voting machine is of good quality and design which is robust against failure and well suited to its purpose. Let us move on to the commission’s criticism, which relates to the election management software. It states that election software to be used with the existing voting machines and other software components of the system could be developed at a reasonable cost. The overall cost of the software was approximately €500,000. Their point is that it is at very little cost.

Deputy Kenny referred to the paper voting system and correctly quoted from the report. The report states that the paper voting system is moderately superior overall to the chosen electronic system as currently proposed and in some respects only marginally so. The conclusion at the end of that section of the report is that subject to the commission’s recommendation being implemented, — which the commission recommends should be implemented — the chosen system has the potential to deliver greater accuracy than the paper system and can provide similarly high levels of secrecy. This is the commission’s conclusion.

The Government has not made a decision because we have only received the report and my colleagues have not read the report. I ask Deputy Kenny to be fair.

Mr. English: Is the Government going ahead with using the system?

The Taoiseach: I have already given the House a commitment that the system will not be used in the next election. The commission has stated that these machines have a life span of 40 years, that the hardware is fine but that in its view the software has a minor defect which can easily be put right. Deputy Kenny may wish to make a political comment about the system; I am stating the views of the commission and the facts of this report.

(Interruptions).

An Ceann Comhairle: Allow Deputy Rabbitte without interruption.

Mr. Rabbitte: This is a shocking Government debacle and a shocking waste of taxpayers’ money. The first thing that strikes me as odd is that the commission’s terms of reference require it to present its report to the Taoiseach. I am surprised to learn that the Minister for the Environment, Heritage and Local Government, was given the report at the weekend.

The Taoiseach stated the Government has only read the first few pages. Judging from his effort to defend the system, it is clear he has only read the first few pages——

Mr. McCormack: He did not read it at all.

Mr. Rabbitte: I refer the Taoiseach to page 107 of the report which among other things, points out that in a tied vote, the system eliminates the wrong candidate. It also states:

It was noted that, in addition to selecting the incorrect candidate for elimination, the software makes a further error by reporting incorrectly through its user interface that a different candidate has been selected.

Mr. Ring: Is that the way Fianna Fáil do it?

An Ceann Comhairle: Deputy Rabbitte without interruption.

Mr. Rabbitte: It further stated that the software is not of sufficient quality to enable its use to be confidently recommended and that functional testing has revealed programming errors. It states there are significant and important vulnerabilities:

Firstly, it was found, when reading in votes at a count centre from a CD received from a service centre, that it is possible to read in the votes from an incorrect service centre. It was also possible to read in votes from the same service centre twice and those from another service centre not at all. This suggests that there are no checks carried out within the
software to ensure, for example, that election data, including votes, are attributed to the correct candidates. Thirdly, and most significantly, it was found possible to manipulate vote data by directly editing entries in the election file stored in the Microsoft Access database.

Is the Taoiseach seriously and with a straight face standing up in the House and defending this system? Is he telling the House that the hardware works well but not the software? It is like his Government; the hard necks work well but there is no software.

(Interruptions).

Mr. Rabbitte: The Taoiseach comes into this House and says we can go on and work this system. Is the Taoiseach saying he will spend the extra money to try and find a software system that would meet the requirements set down by this commission? I remind him that when his Minister rushed this through the House the first time, he made it a charge on the central fund. The entire €52 million was a charge on the central fund with the purpose of escaping scrutiny by the Committee of Public Accounts and the Comptroller and Auditor General. He did that deliberately and knowingly, with all this blather from himself and the Minister, Deputy Noel Dempsey about us being at the frontier of the intelligent island. There is nothing very intelligent about having wasted €52 million of taxpayers' money and where we now find ourselves tied into 25-year leases when the lifetime of the machinery is 20 years.

The Taoiseach: As I said to Deputy Kenny, the Government will consider the report in detail. The report has just been made available. We will report to the Government on the full implications of the commission's recommendations and we will consider the composition of a peer review group drawn from international electoral reform bodies and the IT industry to supervise any design. The decision remains to be made whether we will decide to use the design. We will report to the Government on confidence building measures and we will identify any other improvements that might need to be built into the system if we were to go ahead with it. These decisions will need to be considered when members of the Government, like everybody else, have an opportunity to read the report.

In answer to Deputy Rabbitte, three issues arise. There was an examination and investigation as to whether the hardware was a waste of money and a waste of time and whether it was deficient and I have answered that question. I have not answered the question but rather an independent report has answered the question. On the issue of software, the Deputy quoted a number of instances where the commission was not satisfied with the software. The commission has made it clear in its recommendations it is unable to recommend the election management software and I accept that recommendation. From the commission's detailed examination and analysis of alternative election management software compatible with the existing machines which it has examined, other hardware and software components could be developed at a reasonable relative cost. The existing cost of that software is €0.5 million. This country is the world's greatest exporter of software and there are many people available here who can deal with these issues for a very moderate cost. That is the position.

The commission also notes the errors, as referred to by Deputy Rabbitte. The commission's report states that the chosen system eliminates the casting of invalid votes which comprise 1.6% of all ballots cast at elections and referenda over the past 20 years. It also states that strong evidence suggests that minor counting errors are widespread and most inevitable in the paper system. The report points out how these issues should be dealt with and we should examine that. The commission is also of the view there is an increased need in the context of electronic voting for the establishment of a single independent statutory electoral commission. The commission would hardly make such a recommendation if it did not believe electronic voting should be introduced. The Government has not considered this issue but the Minister has stated on many occasions that he supports the principle. I hope all Members will consider this report. The Government will do so and will further discuss it next week and the following week. In the cool light of day and based on the hard work of a commission that has been working for two years, the Government will examine the issue and come to a conclusion.

Mr. Rabbitte: To what €500,000 is the Taoiseach referring? He said it would cost €500,000 to improve the software. How did he arrive at that figure?

I am glad that Deputy Roche had the opportunity to read the report but that figure is not in the report, nor does the judge say how much it would cost to renovate this system, if it is capable of renovation. I do not know from where the Taoiseach tosses up the sum of €500,000.

Every day of the week I meet people, as I am quite sure the Taoiseach does, who point out how much €52 million of taxpayers' money would do for respite care for women — it is usually women — who are charged with the responsibility of caring for people with intellectual and other disabilities, or as Deputy Kenny said, how much €52 million would do for the provision of home help. This cavalier decision was made not by one Minister but by two, and approved by the Government in the face of trenchant criticism from outside, impartial experts.

Mr. McCormack: That is right.
Mr. Rabbitte: These were non-partisan who came to offer advice in advance that what was being done was folly——

Mr. Durkan: Hear, hear.

Mr. Rabbitte:——but the Government ignored them and ploughed on. Tossing out a figure of €500,000 is entirely misleading. The commission never recommended anything of that kind. It stated that the system is rescuable, but it does not state whether rescuing it has merit.

Deputy Gilmore has drawn my attention to a very interesting final report from the returning officers in Dublin West and Dublin North, where the system was used in the last general election. It indicates a very significant and unexplained difference between the number of votes cast as recorded by the returning officer and the number of votes recorded on the ballot modules. This was not previously known to me. The number of votes are theoretically greater than the outcome in the two constituencies.

An Ceann Comhairle: The Deputy’s time is concluded.

Mr. Rabbitte: The terms of reference state: “The Commission, which shall be independent in the performance of its functions, shall prepare a number of reports for presentation to the Ceann Comhairle . . . . . on the secrecy and accuracy of the chosen electronic voting and counting system.” The Minister for the Environment, Heritage and Local Government, Deputy Roche, may be the Ceann Comhairle in the next Dáil, but he is not in the current Dáil.

Mr. Ring: Did Nora Owen lose her seat at all?

An Ceann Comhairle: The Taoiseach, without interruption.

Mr. J. Brady: What would Deputy English say?

Mr. English: I have been listening. I was not the fifth Deputy.

The Taoiseach: I wish to answer Deputy Rabbitte.

Ms McManus: Will the Taoiseach apologise to Nora Owen?

An Ceann Comhairle: In the interests of democracy in this House, Deputy McManus should allow the speaker called by the Chair to speak.

The Taoiseach: On Deputy Rabbitte’s first point, I was quoting the commission’s report. It states that the main hardware components of the system, including the voting machine, are of good quality and design, robust against failure and well suited to their purpose. That is an overall validation of the €46 million investment in voting machines and the associated hardware. Deputy Rabbitte asked me where I got the figure of €500,000 to fix the software.

Ms McManus: It was a dud.

The Taoiseach: I made the point on two occasions that the election management software only cost €500,000 in the first place.

Ms McManus: Yes, but it was a dud.

Mr. Rabbitte: That was the cost.

Mr. English: Is it just €500,000?

The Taoiseach: That was the cost.

Mr. English: It was unnecessary.

The Taoiseach: The report states that the election management system only cost €500,000. The commission has indicated that it is unable to recommend the election management software as it is.

Mr. McCormack: Why not sell it?

Mr. Rabbitte: Will we spend another €500,000 to try to get the equipment working?

The Taoiseach: I listened to the Deputy and I should be allowed to answer. The commission then stated that the alternative election management software compatible with existing voting machines and other hardware and software components of the system could be developed at a reasonable relative cost.

Mr. Gogarty: It is waffle.

The Taoiseach: The overall cost is €500,000, and we should not mix up the software figure with the hardware figure.

(Interjections).

The Taoiseach: I realise this does not suit the Opposition’s argument.

Mr. Durkan: It is a better argument than that.

Mr. Gogarty: The Taoiseach’s argument is waffle.

An Ceann Comhairle: Deputy Gogarty’s leader will have an opportunity to speak. He is not the leader of his party.

The Taoiseach: The hardware comes from a company that exports billions of euro worth of such equipment. The report states that it cost only €500,000, and to amend it is a relative cost. According to the report, the chosen system can
potentially enhance and deliver real efficiencies in the administration of elections in Ireland.

Mr. English: It was not needed.

The Taoiseach: Deputy English’s leader has finished his question. The Deputy should be quiet.

Mr. Roche: Perhaps Deputy English will tell us what he stated to his constituents about the system?

The Taoiseach: Since the Deputy keeps interrupting, he reminds me that in the last election in which he was elected, he and his colleagues put out a leaflet highly recommending the system in Meath.

Mr. English: I did not.

Ms Hanafin: This is aimed at Deputy English.

Mr. English: We explained it, we were not recommending it.

An Ceann Comhairle: Members on both sides of the House should allow the Taoiseach to continue without interruption.

Mr. Durkan: The system was not usable in the first place.

Mr. Roche: The poster read, John Bruton, Damien English, John Farrelly, 1, 2, 3.

The Taoiseach: The party stated——

Mr. Roche: There was no fifth Deputy.

An Ceann Comhairle: Deputy English should resume his seat.

Mr. English: I have a point of order.

An Ceann Comhairle: The Deputy should obey the Chair. I call the Taoiseach.

The Taoiseach: Deputy English put out literature that helped him to get into this House endorsing the equipment, and he stated that it was as easy as 1, 2, 3.

(Interruptions).

Mr. J. Brady: The Deputy can tell us the score.

Mr. English: I have a point of order.

An Ceann Comhairle: I ask Deputy English to resume his seat. There is no provision for the Deputy to intervene on Leaders’ Questions.

Mr. English: Will the Ceann Comhairle guarantee that the Taoiseach will answer my questions?

An Ceann Comhairle: When the Deputy is the leader of Fine Gael he will have an opportunity.

Mr. English: I have a point of order.

An Ceann Comhairle: There is no provision for a point of order on Leaders’ Questions except from the leader submitting the question. This is Deputy Rabbitte’s question. Perhaps if the Deputy did not interrupt he would not draw attention to himself. I ask him to resume his seat.

Mr. English: The Ceann Comhairle has a responsibility to protect my rights as well as those of the Taoiseach.

An Ceann Comhairle: The Deputy must resume his seat. He must find another way of raising his point.

Mr. English: We explained how to use the system.

An Ceann Comhairle: The Deputy cannot raise the matter on Leaders’ Questions. I ask the Deputy to resume his seat. The Chair does not wish to ask the Deputy to leave, but if he wishes to leave, the Deputy will facilitate him.

Mr. Cuffe: The Deputy is being bullied.

Mr. English: The Chair has a responsibility to protect my rights.

An Ceann Comhairle: There is no provision on Leaders’ Questions for intervention by anybody but the Chair and the leader whose question is being asked.

Mr. English: The literature explained how to use the system.

An Ceann Comhairle: If the Deputy does not resume his seat, I will ask him to leave the House.

Mr. English: I wish to ask a question.

An Ceann Comhairle: The Deputy cannot ask a question at this stage.

Mr. English: I wish to raise a point of order.

An Ceann Comhairle: There is no such thing as a point of order on Leaders’ Questions——

Mr. English: The Ceann Comhairle must protect my rights too.

An Ceann Comhairle: ——except by the leader who submitted the question.

Mr. English: When may I ask a question?

An Ceann Comhairle: The Deputy cannot do so at this stage. If the Deputy wishes to leave the House, the Chair will facilitate that. The Chair
will look after the Deputy’s rights but the rights of the House take precedence.

**Mr. English:** I wish to put my side of the argument on the record. I wish to clarify the issue.

**An Ceann Comhairle:** I ask the Deputy to resume his seat. If he does not do so, he will have to leave the House. I call the Taoiseach to continue without interruption.

**Mr. Gogarty:** We have spoken before about this matter.

**An Ceann Comhairle:** The same applies to Deputy Gogarty.

**Mr. McCormack:** Is it true the contracts were signed before the matter was brought before the Dáil?

**The Taoiseach:** I am sorry to frustrate the Ceann Comhairle. I would not have mentioned anything about Deputy English if he had not kept interrupting me. It was reported in the national newspapers that the Fine Gael candidates, including former Deputy John Bruton, endorsed the machines and stated they were as simple as 1, 2, 3.

**Mr. English:** We explained how to use them.

**An Ceann Comhairle:** The Deputy should allow the Taoiseach to speak. If he continues to interrupt he will continue to draw attention to himself. The Taoiseach, without interruption.

**The Taoiseach:** I was trying to answer the point raised by Deputy Rabbitte that this was a system which everybody was against from day one. This was satisfactorily used in elections.

**Mr. Durkan:** We do not know that.

**The Taoiseach:** People were very happy with the system.

**Ms Enright:** The people who got in were very happy.

**The Taoiseach:** The Government will make its decisions in due course, based on the report when it is examined. The Nedap electronic voting system was used satisfactorily on the Continent, for example, in the recent elections in the Netherlands and in Germany.

**Mr. Ring:** Was it used in Russia?

**The Taoiseach:** Angela Merkel told Deputy Kenny she thinks it is an excellent system.

**Mr. J. O’Keefe:** Not with our dud software.

**The Taoiseach:** The system is currently used in 90% of the electoral areas in the Netherlands. It is used in Cologne, Dartmouth, Brandenburg and Anhalt.

**Mr. McCormack:** Perhaps they could use our duds.

**Mr. Rabbitte:** There would be no difficulty in getting rid of them.

**The Taoiseach:** The machines have been used in elections in the Netherlands. The system was used in the EU referendum in 2005 and it has gained federal certification in the US which enables the product to be used in elections there.

**Mr. Gogarty:** The Taoiseach should not mention the US, Florida is there.

**The Taoiseach:** Is the Deputy anti-US as well?

(Interruptions).

**An Ceann Comhairle:** Allow the Taoiseach without interruption.

**The Taoiseach:** Since nobody in the Opposition is thankful for the work of Mr. Justice Smith and the commission, I thank them for producing this report. The Opposition is upset that it has not given them the ammunition that they wanted, but perhaps at least they will deliberate on the system, as the Government will, in the weeks ahead.

**Mr. McCormack:** He should be a comedian.

**Mr. Sargent:** The Taoiseach will be relieved to hear I will not be calling for a recount in Dublin North this close to a general election but many people will want to know where the 1,294 missing votes have gone.

As this is the last Leaders’ Questions this session in which the Green Party will have the opportunity of posing a question, I ask the Taoiseach to reflect on what his Government is elected to do. The Constitution, in its preamble, requires him “to promote the common good, with due observance of Prudence, Justice and Charity, so that the dignity and freedom of the individual may be assured”. Dignity and freedom, for many, means the wherewithal to afford a house and the 2005 reality was a housing waiting list of 43,864 applicants, that is, over 100,000 people, and others mortgaged up to their eyes and in ever increasing debt. Under his Government, debt has increased from 40% of disposable income to over 130%. The total personal debt in the country is just shy of €130 billion, that is, €32,000 for every man, woman and child. Essentially, an industrial wage is owed before a person starts earning a euro.

The OECD states the housing market is overvalued by 15%. Given the average house price is €300,000 and one third of that price comprises the site price, I ask the Taoiseach to acknowledge
that if that house was built on a site priced as agricultural land, that is, approximately €10,000, rather than the inflated price currently allowed, the price of the house would be approximately €210,000. Does the Taoiseach accept that by not acting on the report on building land by Mr. Justice Kenny of 1973, his Government is standing over——

An Ceann Comhairle: Deputy Sargent’s time has concluded.

Mr. Sargent: This is the important point. Does the Taoiseach accept he is standing over a kick-back for the builder for every house built of about €90,000? I ask the Taoiseach, over the summer, to try to square that kick-back for land speculators and developers with his conscience and his responsibilities and tell us whether he will consider at last long implementing the Kenny report on building land from 1973, as recommended by the All-Party Committee on the Constitution of 2004. A number of Deputies from the Taoiseach’s party were members of that committee and I ask if he will listen to them for a change as well.

The Taoiseach: I will answer Deputy Sargent directly on this issue. I was in favour of the Kenny report many years ago. I am still in favour of it.

Mr. Sargent: He is the Taoiseach.

The Taoiseach: Can I answer, please? I am in favour of the conclusions of the report of the all-party committee. The report of the all-party committee states that we should be able to deal with the fundamental issues by legislative means.

Mr. Sargent: Where is the legislation?

The Taoiseach: It is being drafted. I am pressing to get on with it and I do not disagree with what Deputy Sargent stated in that regard.

A significant number of people state that such legislation, on which I hope we will come to a conclusion over the summer, could well be challenged. If that is the case, we would need a constitutional referendum——

Mr. Gogarty: Let us do it.

The Taoiseach: ——of which I also would be in favour of trying. It was put forward by the committee — we debated the matter many times in the House — that we should try the legislative route and we are trying it. The Attorney General has not given me a final version of the report, but I hope we can do it by legislation and we will try to do it by legislation.

I will try to address it over the summer. Deputy Sargent has asked me a serious question for once and I am trying to give him a serious answer.

Mr. Gormley: For once, he is trying to give a serious answer.

The Taoiseach: I am aware he asked a serious question.

Mr. Sargent: The answer would be to tell me when the legislation is to be published and I ask him that. If the Taoiseach wants to give me a serious answer, I want to hear it. Fianna Fáil has been in Government for 20 years, apart from a short respite, and life continues to be unbearable for many of the people the Taoiseach claims to represent.

When it comes to building land, following rezoning in Shankill the value of land rose from €2 million to €200 million. If that had been done in accordance with the Kenny report, the land could have been acquired for €2.5 million. The local authorities must go cap in hand to the Minister for the Environment, Heritage and Local Government, Deputy Roche, for funds to acquire lands for housing at open market prices.

Why has the Taoiseach continued to allow the obscene profiteering, rack-renting, management company extortion and the cruel indebtedness by which people, even those with third level qualifications and good jobs who he states are doing quite well, are affected? Why has he continued to favour many people who, perhaps by coincidence, are his key supporters in the tent at the Galway Races? If, today, 4 July, I may paraphrase Lyndon Johnson, the Taoiseach’s interpretation of the common good so far has depended on whether he is inside or outside that tent. As an act of good faith, perhaps when he gives me his answer he might add that he will donate the proceeds of his party’s tent at the Galway Races to the Society of St. Vincent de Paul or the carers of whom Deputy Rabbitte spoke, to compensate not just for the wasting of €60 million on e-voting but also his lack of action in this area.

An Ceann Comhairle: Deputy Sargent, you have moved on to another question. You are entitled to a single question on one topical issue.

Mr. Sargent: That is very much a topical issue.

The Taoiseach: Obviously what prompts this question is that Deputy Sargent has seen yesterday that 200 affordable houses were handed over for between €145,000 and €195,000.

Mr. Sargent: A drop in the ocean.

The Taoiseach: But it is a significant development. Deputy Sargent should not see everything as a Z grade.

Mr. Cuffe: Less than 1%.

The Taoiseach: This was a considerable achievement, that——
Mr. Gogarty: Not when compared to the developer’s cut.

An Ceann Comhairle: Deputy Gogarty, your leader is entitled to hear the answer to his question.

Mr. Gogarty: When the Taoiseach gives a decent answer.

The Taoiseach: —yesterday almost 200 people got houses for €145,000 under the affordable housing initiative. We want to see far more of that.

I ask Deputy Sargent and his colleagues and every other party to help local authorities, which in so many areas of the city want to build social and affordable housing——

Mr. Sargent: They cannot afford to.

The Taoiseach: ——and are being blocked by Members of this House.

Mr. Sargent: The Taoiseach is joking.

The Taoiseach: Members are publicly used to block it. It is sad that Deputies come in here asking for affordable housing and then use their efforts outside to block them in many parts, including the parts of the city that Deputy Sargent mentioned.

Mr. Sargent: It is shameful.

The Taoiseach: The Government will press on with the legislation. We hope to have it ready shortly. I hope we will be able to move to deal with this issue.

Mr. Gogarty: Before or after the corporate donations.

An Ceann Comhairle: Deputy Gogarty, your leader is quite competent to ask his own questions and he does not need any help from you. The Taoiseach without interruption.

The Taoiseach: It is almost impossible, a Cheann Comhairle. They all ask questions every time one answers them.

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. Sherlock: 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 Minister for Finance to lift restrictions imposed under section 35 of the Credit Union Act 1997 in regard to the amount of money that credit unions can lend to Members over five and ten years, by increasing those amounts from 20% to 40% of loan books over five years and 10% to 20% of loan books over ten years.

Mr. M. Higgins: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the urgent need for Ireland and the EU to promote international initiatives that would seek a solution to the current crisis in Gaza, including the release of hostages, respect for democratically elected representatives, an end to attacks on civilians and end to the destruction by the Israeli authorities of the civilian infrastructure and a peaceful resolution of the issues that have led to the current crisis. In view of the importance of this issue, I hope the Chair will agree to this request. I cannot see but how it is urgent.

Mr. Morgan: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the need for the Taoiseach to immediately intervene, following the announcement by British authorities that they are going to hold on to land belonging to residents adjoining the British military base in Crossmaglen; the need for real progress in removing huge military installations from town centres and for a commitment by this House to deal with this issue seriously.

Mr. Ferris: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the continued occupation of residents’ property in Crossmaglen by the PSNI and its intention to continue to do so despite the fact it had committed itself to returning the property to its rightful owners and to call for the Department of Foreign Affairs to intervene and to meet and consult with the residents concerned.

An Ceann Comhairle: Having considered the matters raised I do not consider them to be in order under Standing Order 31.

Order of Business.

Mr. Rabbitte: On a point of order, would the Ceann Comhairle be kind enough to explain to the House how the terms of reference for the commission seem to have been abrogated in the manner of the handling——

An Ceann Comhairle: That has nothing to do with the Chair at this stage. I have no notion of getting into a dialogue on the floor of the House.

Mr. Quinn: Listen to the point.

Mr. Rabbitte: Was the report not forwarded to the Ceann Comhairle?
An Ceann Comhairle: The report was presented to the Chair.

Mr. Rabbitte: How did it get to Wicklow, Sir?

Mr. Durkan: Electronically.

An Ceann Comhairle: That has nothing to do with the Chair.

Mr. Quinn: Is the Chair not concerned?

An Ceann Comhairle: This is not a point of order. I call the Taoiseach on the Order of Business.

Mr. Rabbitte: The integrity of the terms of reference seem to have been abrogated and I am merely seeking to establish what is the Ceann Comhairle’s view and what he can tell the House.

An Ceann Comhairle: We are not having a debate. If the Deputy wishes to discuss it with me, he can call to my office. It is not appropriate to raise this at this stage. I have called the Taoiseach on the Order of Business.

Mr. Rabbitte: I will come to back it, Sir.

Ms O. Mitchell: This is democracy in action.

Mr. Stagg: What inquiries have been made?

The Taoiseach: It is proposed to take No. 18, Institutes of Technology Bill 2006 — Report Stage, resumed, and Final Stage; No. 19, Planning and Development (Strategic Infrastructure) Bill 2006 [Seanad] — Order for Report, Report and Final Stages; and No. 1 — Defence (Amendment) Bill 2006 [Seanad] — Second and Remaining Stages.

It is proposed, notwithstanding anything in Standing Orders, that (1) the Dáil shall sit later than 8.30 p.m. and Business shall be interrupted not later than midnight; (2) the proceedings on the resumed Report and Final Stages of No. 18 shall, if not previously concluded, be brought to a conclusion after 20 minutes by one question which shall be put from the Chair and which shall, in regard to amendments, include only those set down or accepted by the Minister for Education and Science; (3) the Report and Final Stages of No. 19 shall be taken today and the proceedings thereon shall, if not previously concluded, be brought to a conclusion at 9.30 p.m. tonight by one question which shall be put from the Chair and which shall, in regard to amendments, include only those set down or accepted by the Minister for Education and Science; and (4) the Second and Subsequent Stages of No. 1 shall be taken today and the proceedings thereon shall, if not previously concluded, be brought to a conclusion at midnight and the following arrangements shall apply: (i) the proceedings on Second Stage shall, if not previously concluded, be brought to a conclusion after 85 minutes; the speeches shall be confined to a Minister or Minister of State and to the main spokespersons for the Fine Gael Party, the Labour Party and the Technical Group, who shall be called upon in that order and who may share their time, which shall not exceed 20 minutes in each case; and a Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed five minutes; (ii) the proceedings on the Committee and Remaining Stages shall, if not previously concluded, be brought to a conclusion at midnight by one question which shall be put from the Chair and which shall, in regard to amendments, include only those set down or accepted by the Minister for Defence. Private Members’ business shall be No. 56, motion re Government Record.

An Ceann Comhairle: There are four proposals to put to the House. Is the proposal for the late sitting agreed? Agreed. Is the proposal dealing for with No. 18 agreed? Agreed. Is the proposal for dealing with No. 19 agreed?

Mr. Kenny: This is not agreed. We have pointed out on a number of occasions in the past that ample opportunity was available to have more discussion on this critical legislation and we have made the point about bundling Stages of Bills together. From that perspective, I object to No. 19 being taken as proposed.

Mr. Rabbitte: My party has been broadly supportive of this Bill but 240 amendments have not been reached yet and it is proposed to guillotine it in this fashion.

Mr. Quinn: Bad law.

Mr. Rabbitte: If we have learned anything, that is not the way to make law but, time and again, this has been repeated by the Government. It is not acceptable and I am also opposed to it.

Mr. Sargent: This Bill is another example of shifting influence away from the communities affected by the projects in mind to the unaccountable part of our State. That is unacceptable to the Green Party. While infrastructural development is needed, incinerator proposals are not acceptable while the question mark over the introduction of nuclear power in the future is also not acceptable.

An Ceann Comhairle: The Deputy cannot discuss the contents of the Bill.

Mr. Sargent: We are opposed to the proposal because sufficient time has been not set aside to ensure the legislation is properly amended, if it is to be passed at all.

Caoimhghín Ó Caoláin: We cannot support the proposal. With the Dáil due to go into summer previously concluded, be brought to a conclusion after 85 minutes; the speeches shall be confined to a Minister or Minister of State and to the main spokespersons for the Fine Gael Party, the Labour Party and the Technical Group, who shall be called upon in that order and who may share their time, which shall not exceed 20 minutes in each case; and a Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed five minutes; (ii) the proceedings on the Committee and Remaining Stages shall, if not previously concluded, be brought to a conclusion at midnight by one question which shall be put from the Chair and which shall, in regard to amendments, include only those set down or accepted by the Minister for Defence. Private Members’ business shall be No. 56, motion re Government Record.
recess on Thursday, the Government is seeking to ram through with minimum debate its most obnoxious legislative proposals. This is clearly one of them when one considers what is intended by this Bill. It is not only about incinerators but about incinerating local democracy further. When the legislation is passed, we will see the advent of a network of incinerators around the country and other developments where communities, local authorities and other bodies will be denied the opportunity to properly engage on their suitability. The constraint on time and opportunity to properly debate the legislation makes it an impossible proposal and, therefore, on behalf of Sinn Féin Deputies, I oppose it. I urge the Taoiseach to remove the guillotine and provide further time.

Question put: “That the proposal for dealing with No. 19 be agreed to”.

The Dáil divided by electronic means.

Mr. Kehoe: As a teller, under Standing Order 69 I propose that the vote be taken by other than electronic means.

An Ceann Comhairle: As Deputy Kehoe is a Whip, under Standing Order 69 he is entitled to call a vote through the lobby.

Question again put: “That the proposal for dealing with No. 19 be agreed.”

The Dáil divided: Tá, 77; Nìl, 55.

Tá

Ahern, Bertie.
Ahern, Michael.
Ahern, Noel.
Andrews, Barry.
Ardagh, Seán.
Brady, Johnny.
Brady, Martin.
Brennan, Seamus.
Browne, John.
Callanan, Joe.
Callely, Ivor.
Carey, Pat.
Carty, John.
Cassidy, Donie.
Collins, Michael.
Coughlan, Mary.
Cowen, Brian.
Cregan, John.
Cullen, Martin.
Curran, John.
Davern, Noel.
de Valera, Síle.
Dempsey, Noell.
Dempsey, Tony.
Dennehy, John.
Devins, Jimmy.
Ellis, John.
Fahey, Frank.
Finneran, Michael.
Fitzpatrick, Dermot.
Fleming, Seán.
Fox, Mildred.
Gallagher, Pat The Cope.
Gleeson, Jim.
Grealish, Noel.
Hanafin, Mary.
Harney, Mary.
Haughhey, Seán.
Healy-Rae, Jackie.

Nil

Breen, James.
Breen, Pat.
Broughan, Thomas P.
Bruton, Richard.
Burton, Joan.
Connolly, Paudge.
Costello, Joe.
Crawford, Seymour.
Crowe, Seán.
Cuffe, Ciarán.
Deasy, John.
Deenihan, Jimmy.

Durkan, Bernard J.
English, Damien.
Enright, Olwyn.
Ferris, Martin.
Gogarty, Paul.
Gormley, John.
Gregory, Tony.
Higgins, Joe.
Higgins, Michael D.
Hogan, Phil.
Kehoe, Paul.
Kenny, Enda.
Question declared carried.

**An Ceann Comhairle:** Is the proposal for dealing with No. 1, the conclusion of Second and Subsequent Stages of the Defence (Amendment) Bill 2006, agreed?

**Mr. Kenny:** It is not agreed. Deputy Timmins has spoken on this matter. While we support the principle of the Bill, I do not agree that it should be rushed through all Stages as proposed. The Taoiseach is aware of our views on the matter. The Bill should be discussed properly and thoroughly, and I will vote against the proposal on that basis.

**Mr. Rabbitte:** I am reminded of the correspondence between the Minister and Deputy Sherlock on the matter. The Deputy brought to the Minister's attention the necessity for primary legislation on the issue. The Minister, including in his letter of 11 April, dismissed the idea on the basis of previous advice from the Attorney General. We then find, just as we are about to fold our tents for the summer recess, that the Minister discovers that primary legislation is necessary in cases where the UN subcontracts peacekeeping. Broadly we have supported the Bill and I do not take issue with it.

There is no reason the House could not sit next week to finalise various important Bills that are being railroaded through and to deal with various reports that have been withheld to date. I am advised that the Dalton report has been issued in the past few hours. Again this is an issue that this House needs time to discuss.

**An Ceann Comhairle:** The Deputy cannot move on to other legislation.

**Mr. Rabbitte:** I will not. On this matter the Labour Party is opposed to concluding the Bill in this fashion. It is not the way to make law and we are opposed to it.

**Mr. Sargent:** Apart from the covert and truncated nature of the debate the Government proposes to conclude at midnight, what is planned will give approximately six minutes to our party to make any comments, which are extensive and will not be made within six minutes. It is unacceptable given the import of the Bill which, from the assessment made by us and by others outside the House who have expertise legally and in terms of the operations under the sanction of the United Nations, will trigger Irish military involvement in the battle groups.

**An Ceann Comhairle:** We cannot discuss the content of the Bill.

**Mr. Sargent:** I will not discuss the content. However, the significance of what is proposed in the Bill deserves a debate in its own right without a guillotine. We are willing to come back next week to debate it so that we can make clear that this is bad legislation.

**Caoimhghín Ó Caoláin:** I also oppose the proposition regarding the so-called Defence (Amendment) Bill 2006. The Government seeks to have the Bill passed through all Stages by midnight tonight over a period of less than two and a half hours. It is seeking to ram through all Stages of a Bill which clearly undermines Irish neutrality and has profound implications for Irish foreign policy. The net effect of the Bill is that the basis of overseas service by the Defence Forces will be changed. We cannot do it justice within the time the Government is presenting. It is an insult to the Dáil, the Defence Forces and Ireland's role in international peacekeeping efforts. We should accommodate this legislation in proper discourse at each Stage and should carefully analyse it. Tonight will not provide that opportunity. As with the previous legislation, it is another example of the Government railroad ing to get its way before the recess.
Question put: “That the proposal for dealing with No. 1 be agreed to.”

The Dáil divided by electronic means.

Mr. Stagg: Given the importance of the issue at hand and that an adequate debate will not be held, as a teller, under Standing Order 69 I propose that the vote be taken by other than electronic means.

An Ceann Comhairle: As Deputy Stagg is a Whip, under Standing Order 69 he is entitled to call a vote through the lobby.

Question again put: “That the proposal for dealing with No. 1 be agreed.”

The Dáil divided: Tá, 77; Níl, 56.

Tá

Ahern, Bertie.
Ahern, Michael.
Ahern, Noel.
Andrews, Barry.
Ardagh, Seán.
Brady, Johnny.
Brady, Martin.
Brennan, Seamus.
Browne, John.
Callanan, Joe.
Callely, Ivor.
Carey, Pat.
Carty, John.
Cassidy, Donie.
Collins, Michael.
Coughlan, Mary.
Coven, Brian.
Cregan, John.
Cullen, Martin.
Curran, John.
Davern, Noel.
de Valera, Síle.
Dempsey, Noel.
Dempsey, Tony.
Dennehy, John.
Devins, Jimmy.
Ellis, John.
Fahey, Frank.
Finneran, Michael.
Fitzpatrick, Dermot.
Fleming, Seán.
Fox, Mildred.
Gallagher, Pat The Cope.
Glennon, Jim.
Grealish, Noel.
Hanafi, Mary.
Harney, Mary.
Haughey, Seán.
Healy-Rae, Jackie.
Hoechter, Maíre.
Jacob, Joe.
Kelleher, Billy.
Kelly, Peter.
Killeen, Tony.
Kirk, Seamus.
Kitt, Tom.
Lenihan, Conor.
McEllistrim, Thomas.
McGuinness, John.
Mooney, John.
Moynihan, Donal.
Moynihan, Michael.
Mukahy, Michael.
Nolan, M. J.
Ó Cuív, Eamonn.
Ó Fearghaíl, Seán.
O’Connor, Charlie.
O’Dea, Willie.
O’Donnell, Liz.
O’Donoghue, John.
O’Donovan, Denis.
O’Flynn, Noel.
O’Keeffe, Batt.
O’Keeffe, Ned.
O’Malley, Fiona.
O’Malley, Tim.
Parlon, Tom.
Power, Peter.
Power, Seán.
Sexton, Mac.
Smith, Brendan.
Smith, Michael.
Treacy, Noel.
Wallace, Mary.
Walsh, Joe.
Woods, Michael.
Wright, G. V.

Níl

Breen, James.
Breen, Pat.
Broughan, Thomas P.
Bruton, Richard.
Burton, Joan.
Connolly, Paudge.
Costello, Joe.
Crawford, Seymour.
Crowe, Seán.
Cuffe, Ciarán.
Deasy, John.
Deenihan, Jimmy.
Durkan, Bernard J.
English, Damien.
Enright, Ólwyn.
Ferris, Martin.
Gilmore, Eamon.
Gogarty, Paul.
Gormley, John.
Gregory, Tony.
Higgins, Joe.
Higgins, Michael D.
Hogan, Phil.
Kehoe, Paul.
Kenny, Enda.
Lynch, Kathleen.
McCormack, Pádraic.
McEntee, Shane.
McGrath, Finian.
McGrath, Paul.
McHugh, Paddy.
McManus, Liz.
Mitchell, Olivia.
Morgan, Arthur.
Murphy, Catherine.
Murphy, Gerard.
Naughten, Denis.
Neville, Dan.
Ó Caoláin, Caomhghín.
O’Dowd, Fergus.
O’Shea, Brian.
O’Sullivan, Jan.
Nil—continued

Pattison, Seamus.
Penrose, Willie.
Perry, John.
Rabbitte, Pat.
Ring, Michael.
Ryan, Seán.
Sargent, Trevor.
Sherlock, Joe.
Stagg, Emmet.
Stanton, David.
Timmins, Billy.
Twomey, Liam.
Upton, Mary.
Wall, Jack.

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

Question declared carried.

Mr. Kenny: As Deputy Rabbitte has indicated, the Dalton report has been published. The Committee of Public Accounts will meet this week and the former chairman of Bord na gCon will appear before the committee. How will this be dealt with, given that the report has been published but the order of Dáil business is such that there is no opportunity to discuss the report in the House?

The instrument that set up the Grangegorman development agency is a most important infrastructural development. The Dublin Institute of Technology Students Union has been involved in the integral discussions leading to the development agency but is not part of the agency. The Government will make five appointments to the agency.

An Ceann Comhairle: We cannot discuss that at this stage. It does not arise on the Order of Business.

Mr. Kenny: One of these appointments should be representative of the students. It would be in their interests. I know that the Taoiseach will take that on board. Will the Land and Conveyancing Law Reform Bill to give effect to the Law Reform Commission report on the modernisation of land law and conveyancing law be published in 2006?

The Taoiseach: On the Dalton report, I have tried to have a number of these reports completed and published in this session. The issues of the Committee of Public Accounts are related but that is a matter for the committee. The Land and Conveyancing Law Reform Bill is on Committee Stage in the Seanad so obviously the Dáil will not debate it until the autumn.

Mr. Rabbitte: According to the terms of reference, the report on electronic voting was to be entrusted to the Ceann Comhairle on behalf of the Members of the House. It emerges that it was given to the Minister of the Environment, Heritage and Local Government, to enable him to prepare for revelation to the public of its catastrophic conclusions?

The Taoiseach: I mentioned this in the course of questions today. When the Government met this morning it had not received the report. The report was given to the Department as a courtesy but no member of Government has seen it. We must read and discuss the report next week.

Ms McManus: That is not what the Taoiseach said earlier.

The Taoiseach: That is what I said.

Ms McManus: No, it is not.

The Taoiseach: There is no point in me saying anything if Deputy McManus always says I never said it. The commission forwarded a copy of its final draft report to the Department of the Environment, Heritage and Local Government last week. The nature of the commission’s work required it to engage with that Department and the companies which promoted the voting system. Several times during the course of its work in the past two years, it engaged directly with the Department, as is clear from the first few pages of the report. In these circumstances, as a courtesy, it is entirely normal for independent groups to provide a draft report for the bodies concerned. The Minister did not circulate the report to other Ministers. Ministers would like to have read the report but none did other than the Minister for the Environment, Heritage and Local Government because his Department received it.

Mr. Rabbitte: The record of the House will show that the Taoiseach stated that the report was given to the Minister over the weekend.

The Taoiseach: That is correct.

Mr. Rabbitte: The Taoiseach just stated that the report was only given to the Department and that the Minister got it at the Cabinet meeting this morning.
The Taoiseach: Please stop. The commission gave it to the Department and the Department gave it to the Minister.

Mr. Rabbitte: When?

The Taoiseach: On Friday, I think, but the Minister did not circulate the report.

Mr. Rabbitte: I did not say he did.

An Ceann Comhairle: We cannot have a debate on the matter now.

The Taoiseach: Neither was it shown to the members of the Cabinet. The Minister spoke to me over the weekend but did not give me the report.

Mr. Rabbitte: Under the terms of reference of the——

The Taoiseach: I am not talking about the terms of reference, I am just trying to be helpful and tell the Deputy what happened.

An Ceann Comhairle: We cannot have a debate at this stage.

Mr. Rabbitte: This situation arose famously in 1994 in a different context.

An Ceann Comhairle: The commission can explain it.

Mr. Rabbitte: The terms of reference——

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

Mr. Rabbitte: I am not seeking a debate on it.

An Ceann Comhairle: It is not even a matter for the Order of Business.

Mr. Rabbitte: This is an important procedural point. We had this in 1994. The terms of reference state that the report is to be presented to you in your capacity as Ceann Comhairle. It now emerges that the Minister had it on Friday. That does not appear to vindicate the integrity of the terms of reference. We should have got this report in the House——

An Ceann Comhairle: That should be taken up with the commission. It is not a matter for the House or for the Chair. The Chair was presented with a copy this afternoon.

Mr. Rabbitte: The Ceann Comhairle is the office mentioned.

An Ceann Comhairle: Yes, but it is not a matter for the Chair at this stage.

Mr. Kehoe: Who is it for then?

An Ceann Comhairle: The Chair was presented with a copy today. It is a matter for the commission and I am sure the commission will be able to explain it. I believe it is better to leave it that way.

Mr. Rabbitte: From a parliamentary point of view, that is most unsatisfactory.

An Ceann Comhairle: I call Deputy Sargent. I intend to hear him and then I intend to move on to the next business.

Mr. Durkan: No way.

An Ceann Comhairle: It is now 6 p.m. and Members have voted twice to move on with the business of the House.

Mr. Sargent: With regard to the Dalton report, if a request were made under Standing Order 31 to call for the suspension of business to deal with it, I ask the Ceann Comhairle to bear in mind the content of the report when evaluating his decision. Earlier today the Taoiseach said legislation would arise on foot of the Kenny report on building land. What title will that legislation have so we can watch out for it? Will the Taoiseach indicate a timeframe for its publication? The charities regulation Bill is on the B list of proposed legislation. I am aware that it is a complex and large Bill, as the Taoiseach has told me repeatedly so there is no need for him to repeat it. The Bill was to be published in 2005. The heads were approved last March by the Cabinet. Will it be included on the A list of proposed legislation and will it be published any sooner than late in 2006?

The Taoiseach: It has priority in the Department, which is trying to have it ready for the autumn.

Mr. Sargent: It will be on the A list in the autumn.

The Taoiseach: Yes. I hope to publish it then.

Mr. Sargent: What about the Kenny report?

The Taoiseach: I cannot recall the name at this stage but the Department is working on it.

Mr. Gormley: What is it called so we can look it up and ask about it?

An Ceann Comhairle: We now move on to No. 18.

Mr. Gormley: On a point of order, we have asked a simple question. What is the name of this legislation?
An Ceann Comhairle: Deputies are supposed to know the name of the legislation they are asking about.

Mr. Gormley: The Taoiseach is supposed to know the legislation. He promised it in the House today. What is the name of the Bill?

The Taoiseach: I do not know the title of the legislation. It will implement the all-party committee report.

Mr. Sargent: We will ask the Taoiseach again tomorrow. Perhaps he can find out the title by then.

Institutes of Technology Bill 2006: Report Stage (Resumed) and Final Stage.

Amendments Nos. 52 to 54, inclusive, not moved.

Minister for Education and Science (Ms Hanafin): I move amendment No. 55:

In page 23, to delete line 41 and substitute the following:

“disadvantaged persons, by persons who have a disability and by persons”.

Amendment agreed to.

Ms O’Sullivan: I move amendment No. 56:

In page 25, line 30, after “conditions” to insert the following:

“(including conditions providing for the tenure of members of the academic staff)”.

Amendment put and declared lost.

Ms O’Sullivan: I move amendment No. 57:

In page 25, line 33, after “determines” to insert the following:

“, provided that a member of staff of the institute shall enjoy a tenure not less favourable than would obtain if the institute were governed by the Universities Act 1997”.

Amendment put and declared lost.

Ms O’Sullivan: I move amendment No. 58:

In page 25, line 39, after “policy” to insert the following:

“, unless asked for such an opinion on a specific matter during questioning at a meeting of an Oireachtas Committee”.

Amendment declared lost.

Mr. Gogarty: I move amendment No. 61:

In page 27, line 46, after “be” to insert “, but not later than 3 months,”.

Amendment agreed to.

Amendment No. 63 not moved.

Mr. Gormley: The Taoiseach is supposed to know the legislation. He promised it in the House today. What is the name of the Bill?

The Taoiseach: I do not know the title of the legislation. It will implement the all-party committee report.

Mr. Sargent: We will ask the Taoiseach again tomorrow. Perhaps he can find out the title by then.

Institutes of Technology Bill 2006: Report Stage (Resumed) and Final Stage.

Amendments Nos. 52 to 54, inclusive, not moved.

Minister for Education and Science (Ms Hanafin): I move amendment No. 55:

In page 23, to delete line 41 and substitute the following:

“disadvantaged persons, by persons who have a disability and by persons”.

Amendment agreed to.

Ms O’Sullivan: I move amendment No. 56:

In page 25, line 30, after “conditions” to insert the following:

“(including conditions providing for the tenure of members of the academic staff)”.

Amendment put and declared lost.

Ms O’Sullivan: I move amendment No. 57:

In page 25, line 33, after “determines” to insert the following:

“, provided that a member of staff of the institute shall enjoy a tenure not less favourable than would obtain if the institute were governed by the Universities Act 1997”.

Amendment put and declared lost.

Ms O’Sullivan: I move amendment No. 58:

In page 25, line 39, after “policy” to insert the following:

“, unless asked for such an opinion on a specific matter during questioning at a meeting of an Oireachtas Committee”.

Amendment declared lost.

Mr. Gogarty: I move amendment No. 61:

In page 27, line 46, after “be” to insert “, but not later than 3 months,”.

Amendment agreed to.

Amendment No. 63 not moved.

Ms Hanafin: I move amendment No. 64:

In page 29, line 38, after “practicable” to insert “but not later than 12 months”.

The purpose of this amendment is to place a duty on the governing body of the Dublin Institute of Technology, DIT, to direct its president to prepare a strategic development plan within 12 months of this section’s commencement. On Committee Stage I agreed to an identical amendment put forward by Deputy Enright in respect of the other institutes of technology.

Amendment agreed to.

Amendments Nos. 65 and 66 not moved.

Ms O’Sullivan: I move amendment No. 67:

In page 33, to delete lines 9 to 13.

Question, “That the words proposed to be deleted stand”, put and declared carried.

Amendment declared lost.

Ms O’Sullivan: I move amendment No. 68:

In page 36, to delete lines 35 to 39.

Question, “That the words proposed to be deleted stand”, put and declared carried.

Amendment declared lost.

Mr. Gogarty: I move amendment No. 69:

In page 36, line 39, after “policy” to insert the following:

“, unless asked for such an opinion on a specific matter during questioning at a meeting of an Oireachtas Committee”.

Amendment declared lost.

Ms O’Sullivan: I move amendment No. 70:

In page 37, to delete lines 32 to 36.

Question, “That the words proposed to be deleted stand”, put and declared carried.

Amendment declared lost.

Mr. Gogarty: I move amendment No. 71:

In page 37, line 36, after “policy” to insert the following:

“, unless asked for such an opinion on a specific matter during questioning at a meeting of an Oireachtas Committee”.

Amendment put and declared lost.
Bill, as amended, received for final consideration and passed.

An Leas-Cheann Comhairle: The Bill will be sent to the Seanad.

Planning and Development (Strategic Infrastructure) Bill 2006 [Seanad]: Order for Report Stage.

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O’Keeffe): I move:

“That Report Stage be taken now.”

Notice taken that 20 Members were not present; House counted and 20 Members being present,

Question put and agreed to.

Planning and Development (Strategic Infrastructure) Bill 2006 [Seanad]: Report Stage.

An Leas-Cheann Comhairle: Amendments Nos. 2, 6, 8, 9, 24, 28 and 31 are related to amendment No. 1. Amendment No. 7 is an alternative to amendment No. 6, amendment No. 25 is an alternative to amendment No. 24 and amendment Nos. 29 and 30 are alternatives to amendment No. 28. We will discuss amendments Nos. 1, 2, 6 to 9, inclusive, 24, 25 and 28 to 31, inclusive, together by agreement.

Mr. Gogarty: I move amendment No. 1:

In page 5, lines 10 to 12, to delete all words from and including “CERTAIN” in line 10 down to and including “STATE” in line 12 and substitute the following:

“DEVELOPMENTS SO DETERMINED BY AN BORD PLENA ´ LA TO BE DEFINED AS DEVELOPMENTS CONTRIBUTING TO THE STRATEGIC ECONOMIC, SOCIAL AND ENVIRONMENTAL IMPORTANCE TO THE STATE, AS SO LISTED IN SECTION SEVEN OF THE ACT”.

Amendment, by leave, withdrawn.

Mr. Gogarty: I move amendment No. 2:

In page 5, lines 14 to 16, to delete all words from and including “FOR” in line 14 down to and including “GENERALLY” in line 16 and substitute the following:

“OF OTHER DEFINED DEVELOPMENTS UNDER THE DEVELOPMENT CATEGORIES LISTED IN SCHEDULE SEVEN OF THE ACT”.

Amendment put and declared lost.

Amendments Nos. 4 and 5 not moved.

Mr. Gogarty: I move amendment No. 6:

In page 6, lines 13 and 14, to delete “if the following condition is satisfied” and substitute the following:

“if following determination by the Board, with reference to the projects listed in Schedule Seven”.

Question, “That the words proposed to be deleted stand”, put and declared carried.

Amendment declared lost.

Amendments Nos. 7 to 9 inclusive, not moved.

An Leas-Cheann Comhairle: Amendments Nos. 11 to 13, inclusive, and amendment No. 18 are related to amendment No. 10. Amendments Nos. 14 to 17, inclusive, are alternatives to amendment No. 13. Amendments Nos. 19 to 22, inclusive, are alternative to amendment No. 18. We will discuss amendments Nos. 10 to 23, inclusive, together by agreement.

Mr. Morgan: I move amendment No. 10:

In page 5, lines 10 to 12, to delete all words from and including “CERTAIN” in line 10 down to and including “STATE” in line 12 and substitute the following:

“This amendment is logical. It places greater emphasis on the accountability of developers of strategic infrastructure. This is a sensible amendment.

Amendment No. 22 seeks to strengthen environmental safeguards in the Bill. It deals with significant ecological elements that are not securely anchored in the Bill, such as the effects
of component structures and the functioning of affected ecosystems. The Bill ignores those important elements and I seek to address that in this amendment.

Mr. Gilmore: Amendment No. 14 in my name seeks to delete section 3(b). This set of amendments is really what the Bill is all about. The legislation has been represented to us as a means of fast tracking the planning process for what is called critical infrastructure. What is being set up in the legislation is a fundamental change in the country’s planning laws. Under this Bill, the promoters of projects described as critical infrastructure will be given a new means of getting planning permission. First, they will go to An Bord Pleanála where they will have a pre-application consultation with officers of the board. Following that, An Bord Pleanála will issue them with a statement which says they are cleared for take-off in the category that qualifies for the fast-tracking procedure provided in the Bill. They will then go back to An Bord Pleanála where they will be advised on how to write their EIS. They will then apply to An Bord Pleanála for planning permission. There will then be a make-believe consultation process under which An Bord Pleanála goes through the pretence of hearing what the local authority and elected councillors have to say over a ten-week period. At the end of that period, An Bord Pleanála will grant permission for the development. The whole thing is prejudged, of course, because from the day the applicant obtains clearance from An Bord Pleanála that they are free to submit an application, unless the promoter makes an almighty hames of submitting the application, they are virtually guaranteed to get permission.

When the Bill was first put forward, the idea was that it would cover major critical infrastructure, including transport programmes and road projects. The Schedule, however, contains a range of projects which can now be covered. One such project, for example, concerns wind farms. In many parts of the country concerns are developing over planning applications for wind farms. A wind farm promoter will no longer have to go to a local authority at all. They will be able to apply directly to An Bord Pleanála under this legislation and away they go.

As long as one satisfies one of the categories described in section 3 that qualifies for this fast-tracking procedure one will be in business. Section 3(2)(a) states, “the development would be of strategic economic or social importance to the State or the region in which it would be situated”. That is a pretty wide definition. I will come back to section 3(2)(b). Section 3(2)(c) states “the development would have a significant effect on the area of more than one planning authority”. That is fair enough. If it straddles two planning authorities there probably is a case for having it dealt with by An Bord Pleanála rather than by one or other of the individual authorities. I see some logic in that. However, the second criteria, outlined in section 3(2)(b), states “the development would contribute significantly to the fulfilment of any of the objectives in the National Spatial Strategy or in any regional planning guidelines in force in respect of the area or areas in which it would be situate”. That definition is wide open because, even as it stands, there probably is not a residential, road, airport, seaport or other development of any significance in the country which would not satisfy some element of the national spatial strategy or regional planning guidelines. If it did not, however, the national spatial strategy and regional planning guidelines are not law — they are documents produced by the Government and may be changed by the Government. Therefore, if there is any doubt about whether a project will qualify for the fast-tracking procedure, the Minister has only to amend the regional planning guidelines and in it goes.

We recall there was a debate over the idea of large retail outlets, such as IKEA. The latter could now qualify as critical infrastructure if the Minister puts some provision into the regional planning guidelines or the national spatial strategy when it is reviewed. My amendment is seeking to address section 3(2)(b), which leaves the door open for any type of development to qualify. Under that provision, the Government, through the Minister, will be in the driving seat and can effectively change the planning goalposts at the stroke of a pen. That should not be permitted.

Mr. McCormack: In what manner will the ten-week consultation process take place? What input will local authority members have in the area where planning permission is sought on the fast-track, critical infrastructure model through An Bord Pleanála? Would an incinerator be considered critical infrastructure and, if so, would there be any opportunity to speak on it during the consultation process? As Deputy Gilmore has said, the terms of reference are so broad that anything that contributes to the national spatial strategy can be considered as critical infrastructure. That almost includes any development within a local authority area and means it would go directly to An Bord Pleanála. Before the application is made, there will be the equivalent of a pre-planning meeting with the proposed developers and the board. I presume that will, or should, iron out the attitude of the board one way or the other towards an application. After that, it becomes a formality. After the pre-planning meeting and the application is lodged with An Bord Pleanála, what opportunity will anybody, particularly members of a local authority or the
Mr. O'Dowd: I wish to speak to amendments Nos. 17 and 18. Amendment No. 17 reads as follows:

In page 6, lines 27 and 28, to delete “significantly” and substitute “substantially”.

It is important we should strengthen the Bill in the context of the proofs required to include projects under the national spatial strategy or regional planning guidelines. The issue is that projects must be of serious import to be dealt with other than at local government level. The amendment seeks to introduce a significant change. I understand the Minister’s amendment No. 13 more or less takes that point on board. I am not sure when we will debate the Minister’s amendment. It is being indicated that it will be taken contemporaneously with the others and I welcome that because it strengthens the Bill as well as strengthening the test before a project can be considered strategic infrastructure. My amendment No. 18 seeks, in page 6, to delete lines 34 to 36. This is a critical issue because what we have done in the Bill so far is to identify the strategic importance of the infrastructure. Section 3(2)(a) states:

the development would be of strategic economic or social importance to the State or the region in which it would be situate,

Section 3(2)(b) states:

the development would contribute significantly to the fulfilment of any of the objectives in the National Spatial Strategy or in any regional planning guidelines in force in respect of the area or areas in which it would be situate,

Section 3(2)(c) states:

the development would have a significant effect on the area of more than one planning authority.

Given that we are concerned about the inclusion of paragraph (c) we seek its deletion from the Bill. It could refer to anything.

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O’Keeffe): Deputy Gilmore has said he has no problem with that aspect of the Bill.

Mr. O'Dowd: He is entitled to his opinion as I am entitled to mine.

Mr. B. O’Keeffe: Will the Deputies get their policies together?

Mr. Naughten: The Minister of State need not worry. I suggest he straighten up his own act on the other side of the Chamber.

Mr. B. O’Keeffe: I am only pointing out the differences that exist already in policy.

Mr. O'Dowd: It is important to point out what I see as reality in the Minister’s proposal regardless of what he thinks of it. In the area where I live three local authorities come together — Meath County Council, Drogheda Borough Council and Louth County Council. While most developments of a commercial or industrial nature whether built in the county of Meath or the county of Louth all impinge directly on, say, the town of Drogheda, what the Minister of State is saying is that the fact that it affects two adjoining local authorities would mean it would not be a matter for decision-making locally if it falls in the test of the special strategy or the other test mentioned and would go straight to An Bord Pleanála strategic infrastructure board. I am concerned at that because there is no real test. If a decision affects two local authorities, it affect everybody. If a decision in an adjoining rural council affects an urban area the urban area will not participate in and cannot be part of the initial decision-making process and it goes straight to An Bord Pleanála. While it does not exclude the report from the manager or the views of elected members it takes the decision-making process out of the local arena. There is no test in paragraph (c) other than the fact that the development would have a significant effect on the area of more than one planning authority. That is not a good provision to have in the Bill. There are many issues that would be local in nature but will end up with the strategic infrastructure board. I am concerned that local democracy will lose out as a result.

Drogheda, Limerick and Waterford are examples of large towns or growing cities expanding into rural areas. The relevant test should be the local development plan. The adjoining local authority may want to do something that would be against the objectives of that plan. Therefore, the Minister of State should delete lines 34 to 36 in page 6, because they go against local democracy and the strategic objectives of the development plan. It takes away decision-making from the local arena without any real test in terms of strategic nature. The development would have a significant effect on the area of more than one planning authority. It does not necessarily have to contribute to the national spatial strategy and it does not necessarily have to be stated in any regional planning guidelines. Guidelines in respect of local development plans are not included. Local development planning guidelines would be excluded and ignored in the Minister of State’s proposal as I see it.
Mr. Naughten: I support my colleagues on these amendments. There is a concern that these powers will be abused. That is the genuine concern of all Members on this side because the powers being granted are significant. I accept that in projects such as the Dublin metro, the western rail corridor and so on there is a need for a fast track approach. The reasons these amendments have been tabled is to get the balance in place. There will be controversial projects that are profit driven such as a regional shopping centre. It will be argued that it is in the interests of the public good and that the national spatial strategy states that this should be a regional centre. As a consequence it goes before An Bord Pleanála rather than via the local authority.

The point made by Deputy O’Dowd needs to be taken into consideration. I am in the unfortunate position where two local authorities, Ballinasloe Town Council and Athlone Town Council, encroach into County Roscommon. Based on the legislation, if a proposed development straddles the border between the two counties it can go directly to An Bord Pleanála if it would have a significant effect on the area. That could be something as simple as a traffic effect on the area because traffic would have a significant effect on any community. Whether it is a housing development or a local commercial enterprise I do not see why it should be taken out of the remit of the local authority. The legislation forces local authorities to come together and look at issues such as this. Sometimes it can be difficult to get agreement but in the long run it is in the interests of all the communities involved that it actually happens.

I am concerned that as Deputy Gilmore said the rules can be changed at the stroke of a pen. It is important that the legislation is transparent and that it is not open to a Minister to change the goalposts at some future date.

In regard to the fast tracking of controversial projects Deputy McCormack mentioned the issue of incineration. There is concern at local authority level that the local authority cannot consider public health and safety issues or bring in expertise to deal with infrastructural projects such as incineration. That public health cannot be considered to any great extent is a significant failing in the Bill and will come to the fore when the issue of incineration is dealt with in detail. The powers conferred to local authorities should include taking into consideration the public good and health issues. That is not part of the legislation as it should be.

Mr. B. O’Keeffe: All of these amendments relate to the board’s screening decision on whether a proposed development is or is not strategic. We had a long discussion on the matter on Committee Stage and I am happy that the criterion on which the board will base its decisions on whether a seventh schedule project is strategic infrastructure are clearly set out in the new section 37A to the 2000 Act. Issues to be considered by the board in reaching its determination include the importance of the proposed development to the relevant region, the contribution the development makes to the fulfilment of the objectives of the national spatial strategy and the national development plan and the potential effects of the development on more than one local authority.

On foot of those discussions we have brought forward amendment No. 13. This amendment will amend the criteria to require that the project would contribute substantially to meeting an objective of the national spatial strategy. Deputy O’Dowd will remember that I agreed to consider doing this on Committee Stage. This makes amendment No. 17 unnecessary as it seeks to do the same.

The other Opposition amendments seek to tie the hands of the board in reaching its decision. Deputy Morgan’s proposed amendment would require that a project be listed in the Seventh Schedule and that it meet all the criteria listed. This is too strong a test and would substantially reduce the efficiency gains the new proposals aim to achieve.

The amendments in the names of Deputy Cuffe — amendments Nos. 11, 12, 16, 19 and 20 — Deputy O’Dowd — amendments Nos. 15 and 18 — and Deputy Gilmore — amendment No. 14 — seek to amend the criteria. In particular, they propose that when the board is making its determination on a proposed development, specific objectives and locations should be indicated in the NSS or the new NDP before the development can be deemed of strategic importance. I outlined on Committee Stage the nature of and interrelation between the NSS and the forthcoming NDP because there appeared to be a misunderstanding of the nature of the two policy documents. Due to the nature of both, these amendments are not viable.

I outlined previously that the Government’s national spatial strategy sets the national agenda for balanced regional development while regional planning guidelines, RPGs, spell out how the NSS agenda is applied at regional level. Neither is site specific. Instead, they set out a broad framework within which Ireland and its regions can develop to their full potential. The NDP is a funding framework which will be firmly based on the spatial priorities set out in the NSS. These amendments would not work because they propose a level of detail, in terms of precise locations and specific objectives in the NSS, RPGs and the NDP, that does not exist.

It is also appropriate that we should rely on the expertise of the board to make the correct decisions. Deputy Gilmore said the board is involved in make believe, but I know he does not
really believe that. There is little point in empowering the board to make decisions of great significance if we insist on micromanaging every step of the decision-making process. This would hardly represent an ideal means of overcoming unnecessary delays in the planning process.

Amendment No. 21 in the name of Deputy Cuffe is a drafting amendment which I will not accept. I appreciate the intent behind amendment No. 22. An extensive range of potential effects of a proposed development is set out in the amendment, but I am satisfied that the term “proper planning and sustainable development” used in sections 37B(3)(a) and elsewhere in the Bill fully embraces these considerations. I will not accept any of these amendments.

Mr. O’Dowd: Will the Minister address the issue relating to amendment No. 18. The Bill proposes that the development must fall within one or more of the categories. It need not be of strategic economic or social importance, in the national spatial strategy or regional planning strategy, but if it affects two adjoining local authorities it will be included. Why is that?

Mr. B. O’Keeffe: I remind Deputies that a proposed development must fall within the Seventh Schedule and must meet one of the criteria in section 37A. Not just any development will be deemed strategic. Even if a development falls within the area of more than one local authority, it would still have to be a development of a class listed in the Seventh Schedule. That should overcome any difficulties that might arise.

Mr. O’Dowd: I take the Minister of State’s point, but I do not see a reason to include this. I have no difficulty with including something that is in the national spatial strategy or in the regional planning guidelines. However, I can see no reason to include the provision relating to adjoining local authority areas. There is enough power in the Bill under A and B to do what the Minister of State wants. I accept what he says about the Seventh Schedule. I do not see why he wants to include this because it makes it easier——

An Leas-Cheann Comhairle: I draw the attention of the House to the fact that we are on Report Stage and Members may make a second contribution of only two minutes.

Mr. B. O’Keeffe: I am satisfied with it. Deputy Gilmore is quite happy and can see the logic of what we are doing here. It is quite logical for us to state that a development must be deemed strategic and that it must be included in the Seventh Schedule. This protects the issue, irrespective of how many local authorities it would straddle.

Mr. Morgan: The Minister of State has significant back-up which will make it difficult for us to win any of these arguments. In amendment No. 10 I seek to unite the three conditions. Currently, one or more of the following applies: the development would be of a strategic, economic or social importance. Strategic or economic importance would obviously cover an incinerator. Would social importance mean that a super-pub could be built under the terms of the Bill? Other “or” conditions applying are that the development would contribute significantly to the fulfillment of any of the objectives of the national spatial strategy — Deputy Gilmore outlined adequately paragraph (b) of section 37A — or the development would have a significant effect on the areas of more than one local authority.

These conditions leave the matter wide open as no development could fail to acquire permission under them. I seek to join the three conditions to put some rein on the hands of the board. The Minister of State accepted we are trying to tie the hands of the board. That is exactly what we are trying to do. It is a minor tie because the three conditions are very broad as they stand.

With regard to amendment No. 22, the Minister of State suggested there was a substantial lifting already, but it is not sufficiently substantial and does not deal with the issues I raise in this amendment, particularly the ecological effects of a development which are completely ignored. The aesthetic, historical and cultural effects are also omitted. I want these included to strengthen this area. Amendment No. 22 would strengthen the Bill significantly and it is unfortunate that it will not be accepted.

Mr. Gilmore: I wish to refer to the Minister of State’s response to my statement that the consultation process provided for in the Bill is make believe. It is make believe. Let us be clear about what will happen. The projects in the Seventh Schedule will get permission from An Bord Pleanála. The only circumstance in which they will not get permission is if a dog’s dinner is made of writing the environmental impact study, and that would be very difficult because the developers will go to An Bord Pleanála before making an application, will be taken by the hand and walked through what is required in the environmental impact study. Not one project in the Seventh Schedule would not qualify under section 37A as strategic infrastructure. If there were any doubt about it, there is a separate definition of strategic infrastructure contained in section 6, Part 3 of the Bill. All these projects will qualify as strategic infrastructure and so they are in the tent. In what set of circumstances will An Bord Pleanála, having first decided they are strategic infrastructure, decide to refuse planning permission for them? The only circumstance in which it will decide to refuse planning permission is if the environmental impact survey is totally messed up. We should be honest about the posi-
tion. The decks are being cleared; the planning process is being cleared. It will remain on paper and remain as make-believe. The provisions that the file and the proposals be sent back to the local authority for consultation and allowing this number of weeks for observations, is all codology. Once it qualifies as a strategic infrastructure project and the environmental impact survey is written as guided by An Bord Pleanála, it is a done deal and planning permission will follow.

I cannot envisage An Bord Pleanála making a decision to refuse permission for any of these projects, of which there already is an example. The An Bord Pleanála inspector gave 15 reasons why permission should be refused for the toxic waste incinerator in Ringaskiddy following an oral hearing. This is in the Minister of State’s constituency. There were 15 reasons why it should be refused but the board gave it permission. It gave permission in that case because it is this Government’s policy to build it. Once the environmental impact survey is written on any of these projects and with all the boxes ticked as guided by An Bord Pleanála, planning permission will be granted.

A lot of guff is being talked in the House about process but the process is fake. This is removing these projects de facto from real decision making about planning permission. There is not a doubt in the world that any of these projects such as an incinerator, a wind farm, a landfill, a major road, a port or harbour or Greystones marina, will get permission once they qualify under these criteria.

Mr. Naughten: I refer to Deputy O’Dowd’s amendment No. 18. I do not dispute the point made by the Minister of State. If it is the case that it must come under the Seventh Schedule, what is the need for writing this if it already comes under the Seventh Schedule? Will the Minister of State state the reason he is stating the obvious?

There is significant concern that local power will be taken away. It is accepted by everyone that critical infrastructure needs to be fast tracked. We are all aware of the numerous delays in the planning and legal process. It must be ensured that not every project will be included in these categories but it seems every project under the sun will fall under some of the categories in one way or another and can then be fast tracked. The right balance must be achieved. We must ensure local people have their say and that they are heeded. Provision must be made for health and safety expertise within the planning process. Local authorities must be allowed take the health implications of a project into consideration. The legislation must be amended to address this issue.

Ms C. Murphy: I agree with Deputy Gilmore. I have never seen an environmental impact survey argue against a project. The items listed as critical infrastructure under the Seventh Schedule of the Bill include items of critical importance. Last week, An Bord Pleanála granted permission for an expansion of a water treatment plant and this needs to be implemented quickly. I remind the Minister of State that one must be careful of what one wishes for because it might come true. Will all items listed receive funding? It will be very difficult for the public to understand if a project defined as critical is fast tracked and is then on a list for funding. The planning process and the opportunity for people to interact is being jettisoned. A project might stand on a list for several years before it receives funding.

Mr. B. O’Keeffe: In answer to Deputy Morgan, a super pub would not come under the Schedule as it cannot be defined as being of any strategic importance. The Government was generous to the Deputy regarding his amendment No. 22 as it could understand the motive for the amendment. The Government is quite happy that the term “proper planning and sustainable development” which is used in section 37B(3)(a) and elsewhere in the Bill, fully embraces all the considerations which the Deputy has in mind.

I am quite concerned with some of the terms used by Deputy Gilmore when referring to An Bord Pleanála and that he would describe that organisation as a make-believe organisation——

Mr. Gilmore: I did not describe the organisation as make-believe. I described the process which the Minister of State is providing for it as make-believe. The Minister of State should not come between me and An Bord Pleanála.

Mr. B. O’Keeffe: The Deputy is saying that anything that comes before An Bord Pleanála will be prejudged and therefore it is a make-believe organisation. As such I disagree absolutely with the Deputy.

Mr. Gilmore: I did not say it was a make-believe organisation. I said the process which the Minister of State provided in the Bill is make-believe.

Mr. B. O’Keeffe: The Deputy is trying to turn this Bill and its innovative provisions on its head——

Mr. Morgan: It needs to be turned on its head.

Mr. B. O’Keeffe: These provisions will provide for better quality planning applications and will provide for better quality environmental impact statements. This will ensure people and communities will have the best possible information available to them.

Just because An Bord Pleanála determines that something is strategic does not automatically
mean it will grant permission. Permission will be granted on foot of the application and how it stands up to due planning process. This process will build on the excellent decision-making experience of the board in making the correct decisions about the correct developments in line with proper infrastructural developments. This will provide an opportunity to ensure important strategic developments desired by all sides of the House are fast tracked.

The issues, fears and considerations outlined by the Deputies will be covered in the Seventh Schedule. They will be deemed as strategic projects within that Schedule. It is in the best interests of good planning that where a plan straddles different local authorities, this provision will ensure that proper strategic planning will be in place as a result of this Bill.

Debate adjourned.

Private Members’ Business.

Government Record: Motion.

Mr. Rabbitte: I move:

That Dáil Éireann, noting that it is now more than four years since the last general election:

deploiring the many failures of the current Government including:

— the failure to deal with rising crime rates, the lower detection rates and the continuing unacceptable level of crime, ranging from gun murders to vandalism and anti-social behaviour;

— the failure to adequately protect the children of the nation by its incompetent, disjointed and ill-judged response to the issues raised by the Supreme Court judgment in the CC case;

— the failure to ensure value for taxpayers’ money and the shocking waste of public money on such ill-judged and mismanaged projects as electronic voting and PPARS, a health sector computer project which ran dramatically over budget without delivering an effective payroll system;

— the failure to deal with the crisis in accident and emergency units and to clear all hospital waiting lists within two years, as promised in May 2002;

— the failure to deliver affordable child care for hard-working families;

— the failure to provide adequate school buildings in developing areas; the increase in the number of children in classes of 30 or more; and the reneging on the commitment to reduce class sizes for children under nine to below international best practice of 20:1;

— the failure to honour the commitment that 80% of all taxpayers would pay at the standard rate; the delay in closing off loopholes that allow a number of super-rich individuals to avoid paying their fair share of taxation; and the reliance instead on more than 50 stealth taxes;

— the failure to deal with rising prices which has now resulted in an annual inflation rate of almost 4%;

— the failure to deliver the required level of broadband roll-out to meet private and commercial needs;

— the failure to deal with escalating house prices which have increased at nine times the rate of inflation since 1997 or to deliver the required level of social and affordable housing;

— the failure of the Government to deliver an adequate strategy for road safety, particularly in regard to the implementation of the penalty points system;

— the failure to ensure that the benefits of economic growth were shared out fairly, as a result of which, according to Central Statistics Office figures published this week, 21% of the population are at risk of poverty; and

— the failure to halt the decline in the numbers engaged in farming and the continuing low level of income for many farm families;

— censures the Government for its many failures;

— believes that this arrogant, tired and fractured Administration has lost initiative and coherence and has descended into aimless drift; and

— concludes that the interests of the country and people would therefore best be served by the dissolution of the 29th Dáil and the holding of an early general election.

I wish to share time with Deputy Kenny.

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

Mr. Rabbitte: This Labour Party Private Members’ motion is the last of the Dáil term and the last of the parliamentary year in which the
[Mr. Rabbite.]

Dáil met for 95 days, 55 days fewer than our neighbouring Parliament at Westminster. It has been the hallmark of this Taoiseach to contrive as few sitting days as the Government can get away with. No Ministers are more anxious to see the shutdown of the Dáil than the Tánaiste and the Minister for Justice, Equality and Law Reform, who, for all their high-minded pledges on this side of the House, readily acquiesce now in the abridged Dáil year.

I am pleased to share my time with Deputy Kenny, leader of Fine Gael, and to share sponsorship of this motion with Fine Gael. The substance of the motion deserves the support of other parties in Opposition and of Independent Members. If Fianna Fáil backbenchers were genuine about this Government having lost its way, they too would support our motion.

This motion focuses on the issues that have caused such upset to the Government backbenchers. It is the neglect and mishandling by the Government of these same issues that has caused such electoral panic to rage on the Government backbenches.

We have tabled this motion because we believe this to be an arrogant, tired and fractured Administration. It has lost initiative and coherence and has descended into aimless drift. It is out of touch and out of time. Although it may seek to linger for another year, like a crowd outside a closing pub who cannot go anywhere else, the country will be ill-served by that year.

It will be ill-served and significantly damaged by a Government whose record is one of using the public purse to buy votes. Fianna Fáil and the Progressive Democrats are prepared to put our economic prosperity at risk to stay in power. They did it in 2001 and 2002. The fragilities in the economy are now more serious. The property spiral alone threatens to undermine a delicately balanced economy. A repeat of the reckless conduct coming up to the 2002 general election could be disastrous for the country and its people. An early general election would avoid that danger.

With Deputy Kenny, I believe that our country would be far better served by a general election and the return of an alternative Government, with a fresh mandate and the drive to bring about change. It would not just be a different Government, but a better Government. It would be a Government in touch with the needs of the people who get up at 6 a.m. to go to work or care for others. It would be a Government that would address the crisis in our hospitals and put gardaí working in the community, responsive to the community, and committed to the community. It would invest in families and children, and tackle the growing divide in society. In short, it would be a Government that would drive the changes that would make tomorrow better than today for hard-working families.

The people cannot afford another year of arrogance and drift, and the Exchequer cannot afford another bout of Fianna Fáil and Progressive Democrats vote buying. This motion lists a succession of Government misjudgments and disasters. Unfortunately, they are but a sample from a much longer list of failings. There are some common threads running through the selected issues.

There is a thread of arrogance and disconnection from the lives of real people, which saw €162 million lost on the PPARS system in the Department of Health and Children. That level of loss was described by a Minister, Deputyle Noel Dempsey, as being “relatively very very small”. To the people who get up at 6 a.m. to go to work and care for others, €162 million of their money is most certainly not small.

There is a thread of Progressive Democrat ideology, which afflicts more than half the Cabinet, and insists on doing irreparable damage to the health service by making it investor-led rather than patient-led. There is a thread of myopic conservatism which refuses to see the opportunities our new wealth brings us and insists on muddling along with old ways and in old mindsets.

It was once said of Seán Lemass that he told the people to mount their camels and their asses and he would lead them to the promised land. It was said of Jack Lynch that he told them to light a Camel and sit down on their asses because this was the promised land. It was said of Charles Haughey that he was raising the price of camels, kicking their asses and mortgaging the promised land.

The present Taoiseach has convinced himself that he, personally, has brought his people to the promised land, and that our duty is to thank him for it in perpetuity. The most recent example of this was last Wednesday when he finally intervened to reply to arguments raised by Deputy McManus on behalf of a small group of people infected by blood products supplied by a State body. The Taoiseach restricted his reply to complaining about the length of time he is detained in the Dáil.

The truth is the Taoiseach was the fortunate inheritor of an economy on the cusp of a boom. For all his incessant campaigning, he is strangely disconnected from the reality of most peoples’ lives and whose ingratitude to himself he finds so disconcerting. Self-praise is no praise, but self-congratulation is positively dangerous, and this Government has succumbed to that delusional state.

In his daily 65 seconds on the airwaves, the Taoiseach yesterday criticised our motion for being what he termed as “badly drafted”. By this, he apparently means that there is nothing there to praise the Government. He runs a Government which has quite simply failed to stay in touch with the realities of a country and a people that have
changed beyond all recognition. Rather than address what those changes mean and respond to them, the Government has contented itself with being a cheerleader for its members. One can almost imagine pom-poms being handed out at Cabinet meetings.

I have just done an interview with the Minister for Arts, Sports and Tourism, Deputy O’Donoghue. He stated that a report came out today praising the initiative for electronic voting. There is no point in trying to argue with a man who states that black is white. We know the reality. The commission was chaired by a High Court judge and is comprised of eminent persons. Nothing more symbolises the waste, failure, arrogance and remoteness of this Government than the electronic voting debacle.

The promised land is a land of broken promises. In reality, the promised land is a place where most families, no matter how hard they work, struggle to get by. In the real Ireland, the promised land is a place where basic things do not function, and where a camel might well come in handy to get through the queue for the toll bridge in the morning.

This is a Government whose reference point, for every answer from the Taoiseach, is 1997. It is a Government now ten years out of date. This country is different now, and its people’s expectations are different. There is a generation of people for whom 1997 might as well be 1897. They are right to think that way. Prosperity has wrought change, and we live in an Ireland that is more confident in its abilities. What it has not seen is confident or able Government. New stresses and strains have been thrown up by our new society to which the Government seems patently incapable of responding.

Our public services seem to be run on the assumption that prosperity is an aberration, rather than the norm. The public sector has been encouraged to run itself as a slightly adjusted, but essentially unchanged, version of its pre-Celtic tiger self. The old processes, the old mind sets and the old boundaries to attainment are still in place. To the self-confident, able and can-do Ireland, that simply is not good enough any more. The trail of wasted public money, and the incapacity of public services to respond to new needs, sits ill with a people who have proven their abilities on any stage one cares to name. It is also a source of endless frustration to the talented and dedicated public servants, who are ready to embrace change and who want to provide world-class public services.

The task of the next Government is to reform and renew the role of Government itself. We need public services that meet modern needs and aspirations. Our economy needs investment in the infrastructures and services demanded by the global knowledge-led market place. Our society needs a commitment to public service and public services that will restore and augment the public realm — that place in our lives where we meet each other as equal citizens. We will only achieve those things when we shift out of old mind sets, and adjust ourselves to the requirements and the possibilities of a prosperous country.

That is why Labour and Fine Gael have set out an ambitious agenda for public sector reform. In “The Buck Stops Here”, we have outlined a series of proposals to address the problem of ministerially-driven wasteful spending, of which the e-voting fiasco is only one emblem. However, we go beyond that, setting out a reform agenda which will deliver, not just better value for money but better services.

Some of those changes will be difficult. They will require negotiated change in the public service, not least in opening up recruitment in senior grades, but they will be led by a Government with a strong commitment to public service and public services and with the ambition and vision to make the most of the opportunities our new wealth has brought us.

What we will not do is engage in the wanton destruction of the public service, in the form of the mindless decentralisation programme, driven only by short-term electoral panic. Negotiated planned decentralisation can and will make a contribution to balanced regional development. We will not make demands on others that we are not prepared to make on ourselves. We will develop and codify new structures of responsibility in the public service, but we will begin with applying the principle of accountability to ourselves. We will not hide from public scrutiny as the present Government so regularly does.

This Government has avoided such responsibility and scrutiny on every occasion. The Minister, Deputy Martin’s absence without leave from the Department of Health and Children during the PPARS and nursing home debacles is only two examples; the Ministers’ — Deputies Noel Dempsey and Cullen — reckless disregard for taxpayers’ money thrown away on electronic voting is another. That each remains in Cabinet is a testimony to the contempt in which this Government holds the people who elected it.

They seem to hold each other in fair bit of contempt also, particularly where the two Progressive Democrats Ministers are concerned.

Mr. McCormack: Look at them over there now.

Mr. Rabbitte: It is clear that the Government is fractured and factional. Its eye is anywhere but on the ball, and disasters like the statutory rape crisis drive it ever further into its mental bunker. As it wanders aimlessly towards the general election, we will see more of this disconnection from the real needs of families and communities.

We may well also see a concerted effort to buy the election. Before the general election of 2002,
public expenditure in Ireland was increased by 21% per annum. Money was thrown at anything that might yield up a few votes and any consideration of getting value for money was abandoned. The Exchequer was, for 18 months, turned into a Fianna Fáil and Progressive Democrats war chest. For all the talk of the McCreevy/Progressive Democrats wing of the Government, when it came to trying to buy the election, fiscal responsibility was abandoned.

As soon as the election was over, engines were reversed. Far from delivering on expensive promises, we entered into a period of cuts, curtailment and stealth taxes increases. Increases in more than 50 stealth taxes have been imposed since 2002, most of them in the immediate aftermath of the 2002 election, and all to pay for the attempt to buy votes.

We all know how it will be done. We know that cheques will fall on to mats a few weeks before the election. We know that they will be accompanied by glossy information leaflets, designed and paid for by the taxpayer, featuring the relevant Minister as prominently as possible. We know how money will be spent and how announcements will be made of more money to follow. There will be three-year plans, with phase one this year, and phases two and three if one votes them back in. We know phases two and three never happen. This is precisely what went on in 2001 and 2002.

The Irish economy simply cannot afford a repeat of that exercise. With inflation at 4%, approximately twice the target of the European Central Bank, the Irish economy can ill afford another inflationary splurge. What the Government ignored in 2001 and 2002, and what it will ignore again if it can, is the discipline inherent in monetary union.

That kind of splurge will work its way out of the Irish economy, in the form of inflation, falling competitiveness and job losses. Whatever short-term gains voters will enjoy, will be clawed back through higher stealth taxes after the election. There is every risk of damage being done to our economy in the dying days of this Government. The economy does not need another dose of this type of politics. What it needs is a sustained and sustainable commitment to using the additional resources being generated to make incremental improvements in quality public services.

Taxes are down and will stay down. Labour will not increase taxes. What we will do is use the revenues being generated for the Exchequer in a manner that addresses the needs of hard-working families. We will invest in and reform health care, tackling the crisis in accident and emergency services and dealing with the underlying problems in the health service that create it. We will: provide more beds, ensure the hospitals are cleaned, keep care as local as we can, tackle waste, and keep health as a community service, not give away vital health service sites to private investors. We will tackle crime, by a radical overhaul of policing to put gardaí, who are committed to communities, into communities and make them responsive to communities.

We will invest in families and children, by developing a new system of child care that puts children first and respects the rights and wishes of parents. We will build that system around the five pillars of affordability, time for parents, quality assured child care, more places and one year’s free pre-school education. We will tackle the problems of deprivation that are clustered in so many parts of urban Ireland. Like the fuse box in a house, these are the areas where every wire and strand of inequality and disadvantage come together. These are the same areas where so much was promised in advance of the last general election, and where the door was slammed in peoples’ faces as soon as the coalition was safely back in office. We will tackle disadvantage and poverty, through reforming the social welfare system, eliminating poverty traps, and building the welfare system into a springboard of opportunity rather than an inadequate safety net.

The alternative Government will simply not tolerate that in today’s Ireland one in every seven children lives in poverty. I want every child to grow up in a community that is secure, in an area of which he or she can be proud. I want every child to have a place to play, and a warm place to do homework. I want all children to go to a school which gives them the attention they deserve, and which prepares them for the opportunities of modern life. It is only through education, innovation and training, upskilling and retraining that we will lay down the basis for a high-tech economy and extend opportunity to all our people, including those losing their jobs to cheaper locations. There is much to be proud of in our education system but there are also real problems. At primary level, we want to unshackle school principals and give them the budgets they need to be real educational leaders rather than harassed administrators and to make Irish primary schools places of nurturing and learning.

It is an appropriate occasion at the end of the term to assess the Government’s performance, which, by any standards, has been lamentable, especially over the past year. If Fianna Fáil backbenchers are serious about their revulsion at the policies being pursued, they should support our motion tomorrow night.

Mr. Kenny: I thank the Labour Party for tabling this joint motion and I thank Deputy Rabbitte for sharing time.

The Taoiseach is not present, though he will speak later. His comment yesterday that the Opposition would suffer a heart attack if he called a general election indicated he is confused,
and confusion is one of the symptoms of heart failure. I looked up a number of medical journals earlier and other symptoms include memory loss, a feeling of being sick to the stomach, pressure and palpitations, tiredness and fatigue, anxiety and restlessness and impaired thinking. These are the symptoms of the Government Members rather than the Opposition and, therefore, the likely candidates for heart failure are on the Government benches.

In addition, the Taoiseach stated the motion was “a rant” and that, apparently, we do not acknowledge what he calls “the good things”. We most certainly do. First, we are proud to acknowledge that Ireland is a marvellous country, but it is a pity it is run so badly. Second, we acknowledge something equally marvellous, which is that even if the Taoiseach does not call an early election, his incompetent Government will still be gone inside 12 months. Third, we acknowledge something even better. I thank the Taoiseach for banging on and on about the economy in the newspapers today because that proves our point perfectly. His back-to-the-wall comments prove, beyond any doubt, that we need an election now because they show how utterly disconnected the Government has become from what worries people daily as they rear their children, run their businesses, care for their mother or father, go to work, commute for the equivalent of a day a week and pay the mortgage, the bills and their taxes.

People have every confidence in the economy, as they should, because it is theirs. They built it up and Depute Rabbitte and I are making it perfectly clear to them that we will keep that economic success right on track. This is nothing new as we have done it previously and we will do it again. The last test of this was the first Government in 27 years to generate a budget surplus. In the short time the Government has left, it should give the people some credit. They know perfectly well that the Government did not gift them the economy and, therefore, the threat, “our Government gave you all this and a new government can take it all away” does not wash. It is a gross insult to their intelligence because no government in the world can create wealth, no matter what claims it makes to the contrary.

Instead, governments can and should create the best conditions to allow business to thrive and create and sustain wealth, and that is exactly what the next new government of the Fine Gael and Labour parties will do. We have published our ideas on the business proofing of all legislation to limit obstacles to growth. However, even better than that, we will get wealth working so that people can have the first-class services they are tired of waiting for and deserve, and the lack of which they raise constantly with public representatives, services such as, critically, health care when and where they need it, based on medical condition rather than how much they have in their pockets, more gardai on the beat and proper educational facilities — 100,000 children are being taught in classes of more than 30 pupils and 33,000 students leave school with difficulties in reading and writing. At long last, people will see the success and the high standards of their personal lives reflected in the public space.

On 14 June 2004 the Taoiseach stated in the House:

I have worked throughout my political life to bring this country off its knees, from being an underdeveloped, third-rate country which nobody cared a damn about and which was riddled with violence. We are advancing. His critique of his Government consists of ignoring the facts but, as it is Independence Day, I will recall Benjamin Franklin who stated, “Well done is always better than well said.”

Despite what all the Government members say endlessly, expansively and expensively, the entire country knows the truth, which is that they have said an awful lot but they have done remarkably little. After nine years of spending €359 billion of people’s hard earned money, the advances the Taoiseach talks about are not even a quarter of what they should be when it comes to the make-or-break issues in people’s lives such as getting their health looked after when they need to, making the streets and communities safer, giving people a proper and decent chance to buy their own home, reining in the soaring cost of living and being part of a society with values at its heart. Fine Gael and the Labour Party have put forward detailed ideas in each of these areas.

The Government parties have had the power, time and money, but they did not address these issues and, therefore, if they could not do it in ten years, what in God’s name makes them believe they could do in another five? They will not do so because they have failed to grasp two fundamentals. First, spending alone is part of the problem, not the solution. Depute Rabbitte mentioned the €60 million spent on electronic voting, the €120 million bill of the PPARS debacle and the Ceaucescu-like Bertie bowl costing €100 million. This money could have been used to greater effect. Second, time alone, whether it is ten or 15 years, does absolutely nothing. What matters is what is done with the money and the time in planning, strategy, responsibility, demanding value, taking charge and accepting responsibility. That is how results are achieved.

Serious violence is the only thing advancing in the country. On the watch of the Minister for Justice, Equality and Law Reform, crime is up while detection is down. Many criminals carry on
[Mr. Kenny.]

regardless and, the chances are, they will never be punished because they will never be caught. Glocks have become the weapon of choice while crime lords run their European empires from jail and sometimes they go global. Drive-by shootings, “hits” and gangland execution have, unfortunately, become an everyday part of life in some parts of Dublin.

The Government’s incompetence is exceeded only by its arrogance because the Government parties are so out of touch with the people, their ignorance of what is really going on in their lives is encyclopaedic. Mr. Haughey, God rest him, had the measure of the Government. He stated, “‘The worst government in the history of the State; they have no plan; nothing works.” He should know because he knew all the Government members so well. The Government parties have no plan and now we see why. I want to be clear about this because it is obvious that many of the problems Ireland faces have their genesis here. Today, Ireland is no longer governed by a two-party coalition. It is run by a federation of factions. The de Medici had nothing on the Government. This is a deluded, damaged and dysfunctional Government out of touch, out of order, and now almost out of time.

Last week, the Taoiseach might have administered his soothing ways to the not-so-sweet 16 smiling and shifting on the backbenches behind him. However, I assure him that between the heat on the doorsteps and the humidity in here, these fissures continue to fester.

Ego has shattered the fragile ecosystem of the Progressive Democrats. They are tearing each other apart. As they see it, everyone can be a leader so it is every man and woman for himself and herself. It reminds me, Deputy Cassidy, of the words of Julius Caesar, “The fault, dear Brutus, is not in our stars, but in ourselves, that we are underlings”.

(Interruptions).

Mr. Kenny: That is dangerous because while the Government implodes and is at war with and between itself, in the real world serious problems have now become intractable, such as those in health.

Nothing defines this Government like the health crisis. The Tánaiste asked that she and the Government would be judged on this——

Mr. Naughten: I hope they are.

Mr. Kenny: ——and they will be. Health should be the number one issue for any Government because health is the number one issue in almost everyone’s life. We know now that the crises in health and elsewhere come behind ambition, appeasement and survival.

Away from the talking heads, the revolting backbenchers and the egotistical battles of the wannabe leaders, accident and emergency departments have become somewhere to be avoided, not attended. People are happier to take their chances at home than make the choice of going to casualty. For too many people, hospitals have become sources of life-threatening infection not healing. Many medical professionals now work to the limits not of their ability but of their endurance.

We have the intractable problem of putting a roof over one’s head. Shelter is good and the Government has advanced here too. It has advanced adolescence to what used to be middle age, condemning 43,000 30-somethings to life at home with mammy and daddy. The Government has advanced so much it has created a new breed of Dubliner, the “Dulchie”, who are born, reared and work in Dublin and hoped to live there. However, they can be found all over the new suburbs of Wicklow, Wexford, Kildare, Laois, Carlow and Louth. The Government left them out in the cold and did not plan for their future because the only thing it plans for is the next election, local or general.

It is epitomised by the comment of the Minister for Defence, Deputy O’Dea, that he was surprised the recent poll was not worse for the Government, effectively stating its Members can do what they want because they have a right to govern, and because they do, the “Dulchies” leave this city in droves. If the traffic is moving they will commute to work for only 25 hours in their five-day working week. The Government has stranded them miles from their jobs, social fabric and the supports they will need in the years ahead.

One could state the Government’s solution to help first-time buyers has done for them what Fr. Ted did for Bishop Brennan. If Government Members do not know what that was, I am sure Fr. Dougal’s dad, who normally sits in the Chair, will advise them. To help first-time buyers, the Government abolished the first-time house-buyer’s grant, failed to meet its own social housing commitments in the national development programme, hiked up VAT on houses and supported levies that will put an extra €10,000, on average, onto the cost of a new house. Proposals were made on this side of the House on special SSIA type schemes for deposits, stamp duty abolition and on front-loading mortgage interest relief for the first seven years.

Now to the intractable problem of inflation. People might hear about inflation from George Lee. However, they feel and live with it in almost every area of their lives every day. With inflation now running at almost 4%, prices go through the roof. Every time one fills one’s car or one’s trolley, goes out for a meal, pays a bill, paints the house or gives the children a treat, it costs much
more. Is it any wonder Ireland tops the EU as the most expensive place to live? In the worldwide stakes, Paris, Vienna, Miami and even Los Angeles are all cheaper than Dublin. That should shake the barley of the Minister for Arts, Sports and Tourism, Deputy O'Donoghue, but it probably will not.

That top-of-the-range expense is not surprising when one considers that in the 12 months to 2005, Government sector prices absolutely rocketed. They increased at six times the rate of regular inflation. Under the Government’s control they are out of control. The costs of hospital charges, health insurance and primary and secondary education have all increased by more than one tenth. Considering the rate rise in ESB and gas bills is enough to give people heart failure. To add insult to injury, the Government has hit the public with a battery of stealth taxes. Add that to rising mortgage rates and couples and families really start to feel the pain.

In the end, the most worrying aspect of the Government for the Opposition and people is the potent mix of blind panic and blinder ambition which has put Ireland in a state of permanent contingency. We wondered about the fatigue, casualness and inertia mentioned by Deputy Rabbitte, and the growing contradictions, ambiguity and see-sawing between the former partners and now we know why.

Thanks to the action of the noblest Roman of them all, Brutus himself, we know the most important business, the public business, hangs not on what the people need or on what the Government plans, if it does plan. The public business of what happens in our hospitals and classrooms and what happens to our competitiveness, our old people, the criminal justice system and our children all hang on one thing alone. They hang on the latest twist of the love-hate saga between Fianna Fáil and the PDs.

Above all else, that is why an early general election is necessary. This Government, this federation of factions, is damaged and fractured beyond repair. There is no trust between the parties in Government nor is there any trust within them. Therefore, they should not be trusted to run the country. Confusion reigns throughout this Government. That confusion is contagious and it dampens every useful undertaking. In the fiasco of the rape legislation we watched that confusion spread like wildfire across the country, as the Taoiseach left for the United States and left leadership when it was needed to the Opposition benches. We believe Ireland cannot afford or does not deserve another minute of that confusion, paranoia or contingency, never mind five more years.

What we must remember about this Government and the promises it made is not just that it has broken its promises, which it has, it is more that it kept all the promises it intended to keep. Because of those promises made, kept or broken we have slaughter on our roads——

(Interrupts).

Mr. Kenny: ——a deficit in child care, crime on our streets, growing incivility in our society, a neglect of our elderly, a denigration of values, a deep void that affluence has failed to fill and an epidemic of suicide where loneliness kills and cries of anguish are not answered, principally because the Government reduced the budget from 11% to 6%.

The Government will not solve these problems, because to solve a problem it must first be faced. If the Government will not face a problem, it will not take responsibility nor make a decision. For the year it has left, it will be business as usual. It will continue to use the people’s hard-earned money to do what it does best, subsidise problems not solve them. Tonight, the Acting Chairman would be correct to state the Government’s time is almost concluded because not only does it have zero insight, it has zero energy, zero competence and zero credibility.

Ten years ago, the people gave the Taoiseach their vote, the most precious possession a democracy has, but they also gave him their trust. What did he give them in return?

Mr. McCormack: Nothing.

Mr. Kenny: A situation where seeing is believing. In the second richest country in Europe, we have people with end-stage cancer spending their most precious moments, because they are their final moments, vying for space on chairs and trolleys. Crime and criminality has become rampant. We see a society where civility and respect has diminished, aided and abetted by the Taoiseach’s Government. For that reason I fully support the motion in the name of Deputy Rabbitte and the Labour Party and urge those 16 backbenchers in particular, some of whom are here now——

Mr. S. Ryan: Johnny is here. One of the 16.

Mr. Kenny: ——arranging for the four day meetings over the month of July, to put forward their fabulous views on policies to support this motion.

Mr. Durkan: Hear, hear.

Mr. Kenny: I know they will not but if they had any courage, guts or gumption they would do that. Let us have an early election and let the people make their decision.

Deputies: Hear, hear.

The Taoiseach: I move amendment No. 1:
[The Taoiseach.]

To delete all words after “General Election” in the first line and substitute the following:

“commends the Government for the strategic vision which it has displayed and the competence with which it has discharged its duties, such that:

— more than 600,000 jobs have been created since the Government took office in 1997 while the rate of unemployment has been reduced from 10.3% to 4.3% over the same period;

— a new strategy for science, technology and innovation to 2013 is being implemented, involving the initial investment of €2.7 billion up to 2008, which will drive economic growth, continue to create high quality and high paying jobs and facilitate social advancement;

— a truly integrated national transport network is being developed in Ireland through a record €7.8 billion investment in transport infrastructure over the past 9 years and a further €34.4 billion investment under Transport 21, which is the largest infrastructure programme ever undertaken in this State and will mean that €9.4 million is invested in transport every day for the next 10 years;

— the introduction of a national disability strategy has supported and reinforced the equal participation in society of people with disabilities through a €900 million multi-annual investment programme for disability support services and the implementation of a range of new legislative measures;

— the Office of the Minister for Children was established giving a clear focus on the needs of children at the heart of Government with the responsible Minister at the Cabinet table and an integrated approach to the implementation of the National Children’s Strategy across all the relevant Departments;

— countless deaths and serious illnesses caused by second hand tobacco smoke are being avoided and the quality of people’s lives have been vastly improved because the Government took the courageous step of introducing a smoking ban in workplaces across the country;

— the economy is being managed in a way that delivers increased prosperity for all citizens, allows increased resources to be used to improve public infrastruc-
significant improvements have been achieved over recent months in some of our 35 A & E departments through the substantial actions and unprecedented focus by management to address the problems that existed there;

there has been a five-fold increase in investment in school buildings, a new proactive approach to school planning in developing areas has been introduced and by next September there will be 4,000 more teachers in our primary schools;

an unprecedented programme of resourcing and reform of the criminal justice system has been undertaken, including bringing the strength of the Garda Síochána up to 14,000, so that serious crime rates are now lower per head of population than 10 years ago;

the Prison Service had sufficient resources to end the scandal of the ‘revolving door’;

the most comprehensive range of legislative measures to combat crime and anti-social behaviour in all its forms was introduced;

there was an immediate response by the State in successfully appealing to the Supreme Court the decision of the High Court to release ‘Mr. A’ and that emergency legislation was speedily enacted to deal with the issues arising from the Supreme Court judgment in the ‘CC case’;

a new comprehensive approach to road safety was introduced involving the establishment of the Road Safety Authority and the Garda Traffic Corps, the expansion of the penalty points system including the introduction of a fully computerised nationwide system from April and the soon to be enacted Road Traffic Bill 2006 will introduce mandatory alcohol testing, privately-operated speed cameras and a ban on hand-held mobile phones when driving;

the €499 million Equal Opportunities Childcare Programme 2000-2006 was implemented, securing the creation of 41,000 new quality child care places by programme end, of which 29,000 were in place by the end of 2005;

the €575 million on-going investment in the New National Childcare Investment Programme 2006-2010, will create an additional 50,000 child care places;

there have been substantial increases in child benefit, which has quadrupled since 1997, and is now supplemented by the early childcare supplement, a universal payment of 1,000 euro per annum in respect of each child under the age of six;

there have been very substantial improvements in maternity benefit, parental leave and adoptive leave since the Government took office;

radical reform in the area of consumer protection was introduced by establishing the new Consumer Agency and abolishing the Groceries Order, which kept prices artificially high;

the regional broadband strategy has resulted in a rapidly growing, competitive broadband market that has seen a tripling of broadband take-up, falling prices and greater choice in services and providers for the consumer;

the largest ever spending on social welfare at €13.5 billion (equivalent to double the spend in 2000) was introduced in the last budget benefiting 1.5 million people;

the commitment in the programme for Government to increase child benefit to €150 for the first two children and €185 for each subsequent child was achieved in this year’s budget;

the carer’s allowance was increased to €200 per week for those over 66 (an increase of almost €43 in two years) and €180 per week for those under 66 (an increase of more than €40 in two years) and that the respite care grant increased to €1,200 (up from €835 in two years);

pensioners have a decent income by increasing rates this year by €16 to €193.30 (contributory) and €14 to €182 (non-contributory);

the policies and investment were put in place to deliver record increases in housing supply, including the building of one third of all houses in Ireland in the period since 1997 — more than half a million new homes — and the needs of almost 100,000 households were provided for through various social and affordable programmes in the same period; and

concludes that the best interests of the country and the people are served by allowing the Government to complete its programme before the dissolution of the 29th Dáil and the holding of a general election, which is due next year.”
I wish to share my time with the Minister for Justice, Equality and Law Reform, Deputy McDowell, and Deputies Curran, O'Connor and Mulcahy.

A Deputy: The Tallaght 16.

Mr. McCormack: That is some combination.

The Taoiseach: Across the country, young men and women, whose future depends on the quality of leadership politicians can give them, have recently completed their examinations. Over the next few weeks, they will nervously await the results that will determine the immediate future options that are open to them.

Here in Leinster House, we have our own end of term ritual. The Opposition fills in the Government’s report card without bothering to check the exam paper. They pick a grade out of thin air. The result is never an A that reflects Ireland’s achievements. It is always an F that holds up a mirror of failure to the Irish people.

McCormack: The Taoiseach should look in the mirror.

The Taoiseach: Tonight, the Opposition members have come into the House to try to justify themselves once again. It might not be fair or accurate, but it is the kind of politics and the level of debate that we have learned to expect from an Opposition that has nothing to offer the young people awaiting their exam results, planning their future and anticipating their turn to lead Ireland forward.

The politics of Fine Gael and of Labour is the politics of attack. It is the politics of power for power’s own sake. It is politics devoid of policy. It is politics empty of vision and utterly lacking in any real leadership.

The last end of term censure motion was from the Labour Party in June 2003. That night, the attack on this Government was about hospital waiting lists——

Ms McManus: It is still a problem.

A Deputy: We are still waiting.

(Interruptions).

The Taoiseach: ——the recruitment of 2,000 extra gardaí, extending medical card eligibility, improving our school buildings, providing child care places and delivering to disadvantaged communities through community employment and RAPID. Three years later, on all of these issues and many more——

Ms Lynch: Are the same.

Mr. Stagg: Or worse.

The Taoiseach: ——there has been real measurable progress of which the Irish people can be proud.

Ms McManus: There has not been any progress.

The Taoiseach: Garda numbers have already increased by almost 2,000 and will expand further in the year ahead, reaching a level of 3,500 more than when Deputies Rabbitte and Kenny sat at the Cabinet table and agreed a cut in Garda numbers.

There will be 4,000 extra primary school teachers in our schools next September compared with 2002, which means there are 7,000 more teaching at all levels today than when Deputies Rabbitte and Kenny agreed a cut in teacher numbers.

On medical cards, the Government has met and exceeded its commitment to provide an additional 30,000 medical cards.

Mr. Stagg: It has not.

(Interruptions).

Mr. Stagg: That is a direct lie.

A Deputy: The Taoiseach is misleading the House. The problem is many of them will not get their medical card.

Acting Chairman (Mr. Carey): The Taoiseach, without interruption.

The Taoiseach: In addition, we have introduced the GP visit card for low income families. On child care places, we have met and passed out our commitment. A total of 30,000 child care places have been provided.

Ms Lynch: How many have been withdrawn by the Minister, Deputy McDowell?

Acting Chairman: The Taoiseach, without interruption.

The Taoiseach: On disadvantaged communities, some 250,000 people, including 100,000 children, have been lifted out of consistent poverty. A total of 21,000 places for people in CE schemes have been provided and a refocused RAPID programme is building stronger communities and supporting people at the margins.

Mr. Durkan: That is a big help.

The Taoiseach: Where Deputy Kenny and Deputy Rabbitte have done nothing except complain, mislead and promise everything to everyone, this Government has worked with the people to deliver success.
Tonight, the Opposition members have a different list of issues, but they still have the same tired and cynical script. They attack and attack, but they offer absolutely no alternative, policy or substance.

Mr. Stagg: The Taoiseach was not listening.

The Taoiseach: I was, unfortunately. They accuse the Government of what has yet to be done on crime, health, child care, education, the economy, house prices, road safety, social inclusion and farming.

Mr. Stagg: Grimms’ fairy tale.

(Interruptions).

The Taoiseach: I understand the Opposition members have a duty to hold the Government to account. That is an account I am glad to give, and I will. Tonight, however, they are posing as an alternative Government in an election they claim they want now. If the Irish people know absolutely nothing about what this alternative Government plans to offer for the future, they do remember what they offered in the recent past.

A Deputy: Hear, hear.

The Taoiseach: On a night when we are being asked to think about broken promises from this Government, let us think about the nightmare scenario if Fine Gael and Labour had been given the opportunity to keep their promises and implement their programme from the last election. Their promise in the last election was to borrow more, spend more and tax more. Labour wanted to double capital gains tax.

Mr. Rabbitte: That is not true.

The Taoiseach: Fine Gael wanted to pay off everyone from taxi drivers to Eircom shareholders.

Ms McManus: Will the Taoiseach give way?

The Taoiseach: Their programme for Government——

Ms McManus: I am entitled to ask if the Taoiseach will give way.

The Taoiseach: Not at all.

Ms McManus: On a point of order, the Taoiseach is misleading the House.

Acting Chairman: That is not a point of order. The Taoiseach to continue.

Ms McManus: All Members of this House must abide by the rules.

The Taoiseach: Their programme for Government was a reckless, cynical gamble with the future of the young people who have completed their exams and are setting off in life this July.

Looking back on the last motion of censure from the Opposition members three years ago and the issues they highlighted then, one thing is clear. If this Government does not have instant solutions to all the challenges we face and if, unlike them, we do not have one for everyone in the audience, we do have real, realistic and costed plans that step by step, issue by issue are delivering a better and brighter future for this country.

Mr. S. Ryan: The Taoiseach should ask his backbenchers.

The Taoiseach: On the issues, the facts speak for themselves. On crime, more gardaí and increased resources are being delivered effectively.

Mr. Stagg: Where are they?

The Taoiseach: In a population that has increased by 14% since Deputy Kenny and Deputy Rabbitte sat at the Cabinet table, crime has dropped in relation to our population.

Mr. Kenny: Nineteen murders this year.

The Taoiseach: What has also changed is that unlike then, we now have a Government that knows that any level of crime, especially violent crime, is unacceptable.

Mr. Stagg: What is the Taoiseach doing about it?

The Taoiseach: We are determined to tackle crime, build jails and put criminals behind bars.

Mr. Durkan: Will we be safe?

The Taoiseach: On health, radical reform is in progress and real results are being delivered in many areas. Waiting lists have been successfully reduced to months instead of years.

Mr. Stanton: That is not true.

A Deputy: They cannot get on the waiting lists.

The Taoiseach: In accident and emergency units, service is being improved in many hospitals. In others, where real problems remain, we are working with the Health Service Executive and the staff to deliver long-term and effective solutions for patients.

(Interruptions).
The Taoiseach: On schools, since Deputy Kenny and Deputy Rabbitte sat at the Cabinet table, 7,000 extra teachers are now working with 6,000 extra special needs assistants in smaller classes, in a system that now has a clear focus on the needs of students who most need additional help.

Ms Lynch: Class sizes are bigger than ever.

The Taoiseach: On child care, the Government is building on its delivery of more than 30,000 additional child care places. A new early child care supplement worth €1,000 per annum is payable in respect of children under six.

Ms Lynch: When?

The Taoiseach: Child benefit has almost quadrupled from €38.10 per month in 1997 to €150 today. The facts on these issues and others that my colleagues will deal with in detail speak for themselves. They speak of the steady and planned progress being made on the issues that really matter to people.

Ireland has seen a great deal of progress over the past ten years through the hard work of the people and a Government that has worked with them. It is truly extraordinary that the Opposition can launch a lengthy debate about the state of the nation and fail to even once mention, job creation and the economic policies that have successfully delivered an end to mass unemployment and high emigration.

Deputies: Hear, hear.

The Taoiseach: Since 1997, 600,000 people are at work in Ireland in new jobs, giving opportunity to people and a massive lift to our economy.

This is an Opposition that has nothing to say about massive increases in pensions and in children’s allowances. Its members remain silent about repeated and radical reductions in income tax. They have nothing to say about the relentless effort to build a just and a lasting peace on this island.

Mr. Stanton: We led the way on that.

The Taoiseach: They say nothing because they stand for nothing except the pursuit of power for the sake of power.

Deputies: Hear, hear.

The Taoiseach: Deputy Kenny and Deputy Rabbitte have nothing to say because they have nothing to offer. Having learned the lessons of 2002, they have now resolved to say nothing at all.

The duty of Government is to ensure public safety, improve public services and deliver support for those most in need but Fine Gael and Labour repeatedly refuse to explain to the people what they will better deliver if elected. They call for a reduction in spending and waste but refuse to explain which programmes they would cut in government.

Mr. Hayes: We would not waste money like the Government.

The Taoiseach: They refuse to publish new policies accompanied by detailed costings. Their irresponsible economic policies proposed in the last general election campaign would threaten hard won progress on job creation, tax reduction and economic growth. On vital social issues such as health and education, they refuse to consider the tough decisions required for effective investment and reform. It is extraordinary that on the basis of so short and scant a paper trail Fine Gael and the Labour Party are clocking up a split a week simply on the basis of the issues arising.

Mr. Durkan: Do not mention the war.

(Interruptions).

The Taoiseach: Last week Fine Gael introduced the Criminal Law (Home Defence) Bill which Deputy Howlin rejected on behalf of the Labour Party. A week ago last Sunday, at their joint press conference, the leaders of Fine Gael and the Labour Party admitted that they could not agree on the question of the age of consent, and on and on it goes every week.

Mr. Durkan: What is the age of consent?

The Taoiseach: What a fine mess this country would be in with a Government trying to move in two directions at once.

(Interruptions).

Acting Chairman: Please allow the Taoiseach to continue.

The Taoiseach: It shows a lack of confidence in the two leaders that all Members believe they should be able to speak for them. I do not mind. On 28 March 2004 Deputy Kenny promised a comprehensive policy programme within 18 months. It has been the longest 18 months and the shortest comprehensive programme in recent Irish political history. Fine Gael and the Labour Party could write their long promised comprehensive programme on the back of a post card from Mullingar.

Mr. Kehoe: The then Minister for Transport, Deputy Brennan, said the Luas had been costed on the back of an envelope.
The Taoiseach: Deputies Kenny and Rabbitte have a single issue agenda: power. Afraid of the issues and having nothing new to offer, they are trying to patent policy-free politics. They want to have an issue-free election. Their strongest argument is that after waiting all of their political lives in the doldrums of opposition to secure a mandate for government, now it is their turn. I have a message for them tonight. No one has an entitlement to govern.

Deputies: Hear, hear.

Mr. McCormack: I am glad the Taoiseach has admitted it.

Acting Chairman: Please allow the Taoiseach to continue.

The Taoiseach: It is an insult to the public to come here tonight and pretend that they have even begun to have a serious debate about the future of the country. The Government intends to finish the job that the people gave us to do.

A Deputy: The Government will finish the people.

The Taoiseach: We will then ask for their judgment, not only on a record of achievement but also on the real promise of future delivery, based on real costed plans for the future, not empty promises.

It took Ireland 30 years to become an overnight success. It took the hard work, innovation and education of the people to turn the country around. Now there are new challenges. Building a 20th century infrastructure, building an education system from the crèche up, resourcing and reforming the health system——

Ms Burton: On a point of information——

Acting Chairman: I ask the Deputy to resume her seat.

The Taoiseach: One by one, the Government is thinking through these issues and we are bringing our proposals forward in a costed and coherent way. We are planning for the future of a changing Ireland in a challenging world.

Mr. McCormack: And a change of Government also.

The Taoiseach: What about the Opposition parties? Tonight we heard what they have to offer — nothing but cynicism and scorn as usual. It is the same motion as was tabled in 2003, without one new innovative idea or policy. They just try to shout me down as they have been doing for years and wasting their time.

(Interruptions).

Acting Chairman: Please allow the Taoiseach to continue.

The Taoiseach: Their formula for winning power is politics minus policy. I remind Deputy Kenny that there is more to leadership than ambition.

Mr. Kenny: There is truth in that statement. Responsibility is also needed.

The Taoiseach: The 17 and 18 years olds who are waiting for their examination results need hope and a Government with real plans for the future.

A Deputy: What is the Government’s plan?

Mr. S. Ryan: Bring it forward.

The Taoiseach: Tonight we have yet again been shown how the Mullingar accord is a deal for grabbing power, not a vision for realising Ireland’s future. It is a squalid deal that is rotten before it is ripe. We will continue to work, while the Opposition continues to complain. Next year the people will decide who has the better record, the better plans and the best vision to build on the remarkable and unprecedented progress of the last decade. I very much look forward to that day.

Mr. Durkan: Will the 16 backbenchers please stand up?

Mr. Hayes: They are gone.

Minister for Justice, Equality and Law Reform (Mr. McDowell): I profoundly disagree with the political motivation behind the motion. The Opposition charges us with being tired, divided and arrogant. Is it not ironic that the main pro-
[Mr. McDowell.] poser of the motion, Deputy Rabbitte, has left on the record of the House the charge that the Ceann Comhairle is congenitally incapable of being fair? It was not enough that he had charged the Ceann Comhairle with being unfair. He had to bring his family into it and make a wildly unfair allegation. Having made this unfair charge, he steadfastly refused to withdraw it, never mind apologise for it. When it comes to arrogance, we on the Government side are only in the ha’penny place compared to Deputy Rabbitte.

(Interruptions).

Acting Chairman: The Minister to continue without interruption.

Mr. McDowell: The Opposition parties charge us with being tired. It is they who are tiring. We are tired of the same old lines they put out repeatedly. The Government is not tired. I have set myself many tasks in my area of justice, equality and law reform for the next 12 months that I intend to achieve. I want to use the next 12 months to implement in full the Garda Síochána Act. I want to see the office of the Garda ombudsman and the Garda inspectorate operational. I also want to introduce the Garda reserve and local policing committees and have them commence their important work.

Mr. Hayes: The Minister does not have the agreement of the Garda to do that.

Acting Chairman: Please allow the Minister to continue.

Mr. McDowell: This month the Garda Commissioner takes over as Accounting Officer for the force. I want to use the next 12 months to recruit another 1,100 trainee gardai to make irreversible our goal of a Garda force of more than 14,000.

The Taoiseach: Hear, hear.

Mr. McDowell: I reject the politics of Deputies Kenny and Rabbitte who at the Cabinet table reduced the number of gardai. I want to pass the Criminal Justice Bill and bring it into operation. I want to roll out the application of anti-social behaviour orders and make our prisons drug-free. I want to build new prisons at Thornton and on Spike Island.

(Interruptions).

Mr. McDowell: I want to pilot through the House our reforms in the area of defamation and privacy laws.

Mr. Hayes: On a point of order——

Acting Chairman: I call Deputy Hayes on a point of order.

Mr. Hayes: What has the Minister been doing for the past three years?

Mr. McDowell: A hell of a lot more than you will ever do in your lifetime, buddy.

(Interruptions).

Acting Chairman: That is not a point of order. I ask the Minister to continue.

Mr. McDowell: I want to secure passage of legislation providing for a legal services ombudsman.

Mr. Kehoe: It is all “I want, I want”. What will the Minister do?

Mr. McDowell: I want to introduce a new national property services regulatory authority to control the auctioneering profession.

Mr. Durkan: Is there anything the Minister does not want?

Mr. McDowell: The Government is not tired. Every one of my colleagues has a packed agenda which we intend to implement in the next year. Just let the Opposition wait.

Ms McManus: It is the Minister’s own agenda.

Mr. McDowell: My real objection is with the implicit suggestion in the motion that something is on offer from the opposite side of the House.

Mr. Rabbitte: Why is the Minister always trying to join us then?

Mr. McDowell: Since 1970, Fine Gael and the Labour Party have governed together for 12 years out of the 35. There have been just five years when real income per head in Ireland fell. In every one of those periods Fine Gael and the Labour Party were in government together. Fine Gael and the Labour Party equal slump. That is the fundamental equation of Irish politics. Anybody with any memory knows that Fine Gael and the Labour Party together form a slump coalition.

(Interruptions).

Mr. McCormack: The Minister was in Fine Gael once.

Mr. McDowell: When one adds to Fine Gael and the Labour Party, the Green Party, Deputies Joe Higgins, Cowley, Gregory, Finian McGrath, Healy and others, it would be a recipe for a major slump. When we have Deputy Kenny’s Stan Laurel and Deputy Rabbitte’s Oliver Hardy, this is
another fine mess into which they hope to get the people.

**Mr. Kenny:** The Minister has some neck.

**Mr. McDowell:** A slump coalition of Fine Gael and the Labour Party would mean increased unemployment. When the rainbow coalition left office in 1997, unemployment stood at a figure of 10.9%.

**Mr. Howlin:** We were creating 1,000 jobs per week.

**Mr. McDowell:** That is what the Labour Party and Fine Gael stand for.

**Mr. Penrose:** The Minister will shortly be unemployed himself.

**Acting Chairman:** Please allow the Minister to continue.

**Mr. McDowell:** I want to discuss the cohesion of the Opposition. As the Taoiseach has noted, last week Fine Gael introduced the Criminal Law (Home Defence) Bill 2006 and Labour Party Deputies sat squirming with embarrassment because they knew it was a stunt.

**Mr. Kehoe:** Sinn Féin voted with the Government. The Minister and Gerry Adams were together.

**Acting Chairman:** I ask the Deputy to stop interrupting in that manner.

**Mr. Penrose:** They supported the Minister.

**Mr. McDowell:** On the question of the age of consent, Fine Gael and the Labour Party are sharply divided.

**Mr. Howlin:** The Progressive Democrats are hopelessly divided.

**Mr. McDowell:** Let us turn to tonight’s business, defence and neutrality. Fine Gael wants a European defence capability but the Labour Party and the Green Party do not agree. A Fine Gael candidate in my constituency wants a European army.

**Mr. Rabbitte:** We are neutral on the Progressive Democrats’ leadership contest.

**Mr. McDowell:** On the question of neutrality, does Deputy Kenny propose to give the Labour Party and the Green Party a double veto on the triple lock?

**Mr. Kenny:** Address the motion.

**Mr. McDowell:** On simple issues such as the European Union, the Opposition is hopelessly divided. Where is it with regard to neutrality and other serious political subjects?

**Mr. Howlin:** The open war is in the Progressive Democrats.

**Mr. McDowell:** I want to rehearse for the House a solemn promise from Deputy Kenny.

**Mr. McCormack:** A promise that he will be leader next time.

**Mr. McDowell:** If he will not listen to me, he might listen to himself. Referring to co-operation in the Oireachtas, he is quoted in the *Sunday Times* of 28 March 2004 as saying:

> I think we can expand that over the next 18 months into a comprehensive programme — that is what I’d like to do. You are going to have to deal with areas of health and education and crime; you are going to have to deal with the overall response that you get from the economy — how you use the fruits of that ... Essentially it is a question of laying out a credible alternative, of saying “before you go to vote the next time you are going to have a clear choice”, and we are going to give them that.

**Deputies:** Hear, hear.

*(Interruptions)*

**Acting Chairman:** Please allow the Minister to continue.

**Mr. Penrose:** The Minister will not be climbing up a lamppost next time.

**Mr. McDowell:** That promise——

**Mr. McCormack:** It was true.

**Mr. McDowell:** ——to produce an alternative programme for Government within 18 months was made more than two years ago but the Opposition has failed miserably. It has no ideas and is bereft of any policy. As the Taoiseach told the House, if the parties opposite are breaking promises while in opposition, God help us when they get into government.

**Mr. Durkan:** The Minister would know all about breaking promises.

**Mr. McDowell:** I will finish on this point. The Labour Party, Fine Gael, the Green Party and the far left coalition behind them are a recipe for a slump in the economy.

**Mr. Kenny:** Fianna Fáil, the Progressive Democrats and Sinn Féin.

**Mr. O’Dowd:** The only slump will be in the Government’s vote.
Mr. McDowell: The people know that if they put the Labour Party and Fine Gael into office, the cranes will disappear from the skyline, the unemployment queues will grow and growth will stop.

Mr. Howlin: The Minister should calm down.

Mr. McDowell: That has been our experience. The Deputy may laugh but when he last left office ——

Mr. Penrose: Sit down, Walter Mitty.

Mr. McDowell: —— the unemployment rate was over 10%. Such a rate has brought down other governments in Europe but was good enough for the Labour Party because, as far as it is concerned, it feeds off poverty and inequality without doing anything to solve them. It is a disgrace.

Deputies: Hear, hear.

Mr. Durkan: The emperor has no clothes.

Mr. Curran: I totally reject the sentiments expressed in this grossly inaccurate motion. Its sponsors are being disingenuous with the people on the progress made in recent years in areas such as the economy, education, social welfare and justice. The advances made by the Government have been remarkable. Radical changes in all areas of Irish life have been made possible by the revenues generated from a well managed and buoyant economy. This did not happen by chance, as Opposition colleagues often suggest, but as a result of careful management of the economy and the adoption of appropriate policies. Employment was created through low taxation; entrepreneurship was incentivised, while risk takers were rewarded. The fruits of the success of the economy allow the Government to adopt new and radical policies which will affect many areas of Irish life.

Recently, the Green Party stated it would spend an extra €1 billion per year on education if it was in government. Unfortunately, as the members of that party are not present tonight, I cannot remind them that the Government has increased spending by that amount in all aspects of education. We are spending more on primary, secondary and tertiary education and investing in special education and school building programmes. The education budget for this year is nearly £5 billion, or two and a half times the figure when the rainbow coalition left office in 1997. In recent years an additional 5,000 teachers have been hired, the largest increase in teacher numbers since the introduction of free education. More than 5,000 primary teachers have been employed to work solely with children with special needs, in addition to the individual supports provided by almost 6,000 special needs assistants. There were fewer than 300 when the rainbow coalition was in government but I suppose the Opposition does not want to make that point.

When asked how he would fund the extra €1 billion for education, Deputy Boyle is reported to have replied that he would make savings in areas such as justice. That is the wrong answer. The policies followed by parties on his side of the House and those on my side are considerably different in that respect. We do not cut spending but increase it by growing the economy. That has been the source of the success we enjoy.

The recent promise by the Labour Party to increase the strength of the Garda Síochána to 15,000 is somewhat cynical. When the party was last in government, Garda numbers fell. Under the Government, Garda numbers are at an all-time high. The Garda budget for this year is €1.3 billion, twice what it was when it came to power and it will not be cut.

I remind Fine Gael and the Labour Party what happened when they were last in power. They were not tough on crime. The number of gardaí fell during the years the rainbow coalition was in power from 10,800 to 10,700. It failed to provide even one new prison. It supported the cancellation of the prison building programme at a time when almost 20% of sentenced prisoners were on permanent temporary release because of the shortage of prison spaces. It repeatedly opposed legislation which would impose mandatory ten year sentences on substantial drug dealers and deal with serious offences committed by those on bail and voted against legislation which would have allowed persons convicted of serious offences to be subjected to a curfew. When it comes to justice and crime, the words of the Labour Party ring hollow. There is no doubt that the confusion in its policy contributed to the recent reshuffle of the justice portfolio.

The public is right to be tired of politicians who spend their time talking about the process of policy alternatives and the best road forward for the country but such a debate is not possible if one side refuses to set out its position. The Opposition has not brought forward any policies. It is the most negative in recent Irish history. It wants us to sit back and allow it to duck all the difficult decisions and is doing everything it can to avoid an honest debate.

I am pleased to support the Government amendment.

The Taoiseach: He has a lot of injury time because he was interrupted so much.

Ms McManus: Did he feel the pain?

Mr. Howlin: Unlikely.

Mr. O'Dowd: He is well able for it.
Mr. O'Connor: I could easily be overawed by an occasion like this but I am not. I was in Tallaght on Saturday and listened to RTE who reported that the last time I spoke in the Dáil, on Friday, I spoke to only a few people. I am glad the Taoiseach is here but also that the Opposition shows such interest. I wonder where is the Green Party.

Mr. S. Ryan: Where are the Government backbenchers?

Mr. O'Connor: I cannot wait for the vote tomorrow night because I would like to see what the Green Party and the Independents will do. Who will vote for an election?

I spoke to someone in Firhouse who said there was no sign of an election. In the old days, the Taoiseach called an election, parties held conventions and candidates worked hard for three weeks. We have been working for the past two years since the convention. In my case I have not stopped working since the last general election. I look forward to Deputy Kenny confirming I am his number one target. Bring on the candidate.

Mr. Kenny: Hear, hear. Senator Brian Hayes is after you.

Mr. O'Connor: I will not be distracted by talk of when the election will take place. It will be in at least 330 days before an election is called. I will continue representing my constituents and the Dublin region.

Ms Lynch: On the motion, Charlie.

Mr. O'Connor: I will continue talking to the Government and the Taoiseach when he is not on State business.

Mr. Stanton: Is he listening?

Mr. O'Connor: All this nonsense talk about——

Mr. Howlin: Policies and things.

Mr. O'Connor: ——different groups in Government is incorrect. We are happily working in Government and will see the Opposition in 330 days.

Mr. Mulcahy: Am I not included on the list?

An Leas-Cheann Comhairle: I call Deputy Enright.

Ms Enright: I welcome the opportunity to speak on this motion, the perfect opportunity to assess the record of this Government after nine years gelling together and falling apart. Deputy O'Connor’s sterling defence of his record led me to believe we had tabled a motion of no confidence in him. I wish to address this Government’s failure to protect children and class size as well as other unfulfilled commitments.

Nothing could highlight incompetence and arrogance better than the attitude of Government to the CC case a few weeks ago. Despite the release of a convicted sex offender from jail, the Taoiseach fled the country and the Minister for Justice, Equality and Law Reform, Deputy McDowell, reacted with his usual bluster, believing that if he could talk everyone down then he would win the argument. He eventually adopted legislation that he admitted was flawed.

We have heard much about how this Government prioritises child safety but all we have seen is limited action. I questioned the Minister of State, Deputy Brian Lenihan, on this point earlier today. Some limited progress has been made on vetting but we are nowhere near having a comprehensive response that deals with all those having contact with children. The register of persons considered unsafe to work with children has languished in section C in this House since I was elected in 2002. Rather than reacting to every crisis as it comes along, a real response involves planning, taking responsibility and providing leadership on tough decisions.

The Taoiseach referred to a previous motion by Fine Gael and the Labour Party from 2003. It is a pity he did not examine the record from December 2003 when Fine Gael, with the support of the Labour Party, provided comprehensive solutions to child care, particularly with regard to vetting. Two and a half years later we have seen no action from the Government.

In 2002, Fianna Fáil and the Progressive Democrats pledged to reduce the average class size for children under the age of nine to a ratio of 20 pupils to one teacher. Today more than 111,000 primary school children nationally are now being taught in classes of 30 or more. In 2002 An Agreed Programme for Government stated: “Over the next five years we will progressively introduce maximum class guidelines which will ensure that the average size of classes for children under 9 will be below the international best-practice guideline of 20:1.”

This firm promise to reduce class sizes was quickly reduced to a noble aspiration. The latest figures show 287 pupils in classes of 40 or more, 9,863 in classes of 35 to 39 and 101,608 in classes of 30 to 34. There remains only 12 months to reduce the ratio to 20:1 and this cannot be done in time. The overall maximum class size guideline for primary schools is 29 pupils but this is exceeded in schools in all parts of the country. The Government and the Minister have blamed individual schools for these larger classes but this is totally unacceptable. This is a Government cop-out to distract attention from the failure to deliver on the commitment to reduce class sizes.

Some 50% of primary schools across the country have no access to the National Educational Psychological Service and a further 133 schools lost cover between 2005 and 2006. The Minister
Mr. Naughten: Six farmers leave agriculture per day. In 2005 the average Irish farmer lost €3,900 even when the single farm payment is taken into account representing an average loss of €75 per week per farm family. At the same time stealth taxes and input costs are increasing on a daily basis. The Government is putting the squeeze on farmers. Farm profits have fallen by almost 25% since 1995, two thirds of which is due to the rising costs of farm inputs such as feed-stuffs, fertilisers, fuel and veterinary expenses, which have increased by 44%.

Teagasc claimed that the current WTO proposals of complete abolition of EU export subsidies and major reductions in import tariffs will mean that one third of cattle farmers and one third of tillage farmers would find it more lucrative to leave land lying idle and claim the single farm payment. This is in stark contrast to the commitment given in the 2002 An Agreed Programme for Government.

The stated aim was the continued enhancement of agriculture. If it continues any longer there will be no one left. The Government stated that decoupling would give the freedom to farm. In fact, the Government has introduced more bureaucracy and red tape. As a result of the nitrates directive, a farmer must use a thermometer before spreading fertiliser or he or she could end up in jail for six months or facing a fine of €3,000. No effort is being made to secure a derogation which the Government on numerous occasions committed itself to seek.

In the past two years the Government introduced new rules and regulations relating to animal medicines and transport. It also introduced new rules relating to the flock register for sheep which nobody, not even the Department’s officials, can implement. The Minister presided over the demise of the sugar industry and failed to protect it. She turned her back on the people of Carlow and the employees of the sugar factory. Now she is preparing to give the lion’s share of compensation to private interests, not to farmers who need the money to stay in farming and diversify.

On biofuels, the Government made many promises. After almost ten years in office, it still has not published an energy policy and does not know where it going on the issue. It gave commitments on food labelling. A consumer who purchases beef in a supermarket does not know where in the world it, or any other food product, originated. The Government has stood over this situation and not provided the resources to enforce food labelling. Beef being passed off as Irish could contain clenbuterol or antibiotic residues. It could, in fact, come from another part of the world. However, it appears to be satisfactory to turn a blind eye to this. The response of the Minister for Agriculture and Food is that it is a matter for the Minister for Health and Children. Again, this is a case of passing the buck — so much for joined up government.
The Government’s policy on agriculture, the Agri-Vision report, contains no indications about funding commitments and sets no strategic targets for the future. Instead of hollow promises, Fine Gael is prepared to deliver for farmers and consumers and the economically important agri-food sector which the Government has ignored in the past eight and a half years. We will improve labelling to ensure consumers will know exactly what they are buying and where it originated from; promote Irish food through a green label which the Government promised to do four and a half years ago but is still only considering; reduce red tape instead of introducing more rules and regulations; and set up a viable biofuels industry. We are prepared to make the changes and the decisions. It is about time the Government gave us the opportunity to do so.

Mr. Timmins: It is a given that the electorate is tired of the Government. This has been the case for the last couple of years. Blinded by arrogance and a detachment from the people it purports to represent, the results of the 2004 elections and the messages they contained went unnoticed and unheeded. In recent months a string of opinion polls which reflect the mood of the electorate has finally hit home and we have the spectacle in Fianna Fáil of politicians turning inward in fear as each scrambles for survival. In the Progressive Democrats self has been placed before service to the country and more energy has been expended in seeking to manipulate the media than in addressing the many problems in health and justice.

The Government has measured its effectiveness in the quantity of funding that it dispenses. Nobody else who will go to the polls at the next general election will make their judgment on the same basis. The Government is seeking to rewrite history. It seeks to claim that it created the Celtic tiger but I cannot imagine Deputy Martin, Deputy Cullen and Deputy O’Dea creating it when history will show that they destroyed the fruits of the economy with a series of ill-judged and mismanaged projects, with which we are familiar. In time, I expect many more will come to realise what they are buying and where it originated from; promote Irish food through a green label which the Government promised to do four and a half years ago but is still only considering; reduce red tape instead of introducing more rules and regulations; and set up a viable biofuels industry. We are prepared to make the changes and the decisions. It is about time the Government gave us the opportunity to do so.

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The Government has shown no vision for or commitment to the people. I listened to the bluster of the Minister for Justice, Equality and Law Reform, Deputy McDowell, and recall how he claimed that a Private Members’ Bill which I had presented to assist volunteers was flawed. He was wrong, just as he was wrong last week in his rejection of Fine Gael’s home protection Bill. The humble pie he had to eat following his disastrous handling of the age of consent issue and his climbdown following the infantile attack on Deputy Bruton seem to have been ill digested, given that he said tonight “a hell of a lot more than you will do in a lifetime” in response to a heckle. Such arrogance is the root cause of the Government’s problems. The Minister also alluded to Fine Gael’s position on the triple lock. It is clear he does not talk to his party’s chairman, Senator Minihan, although this is not surprising. Senator Minihan stated last week in the Seanad that he supported our position on the matter.

The Government’s amendment refers to resources for the Prison Service. On 4 May bed capacity in Mountjoy Prison was 445 but the number in custody was 500; bed capacity in the Dochas centre was 85 but there were 96 in custody; bed capacity in Cork Prison was 253 but the number in custody was 256; bed capacity in Castlerea Prison was 206 but there were 214 in custody. It is no wonder the Minister cannot do his job.

Mr. McDowell: The rainbow Government let them all out on temporary release through the revolving door.

Mr. Timmins: The Minister is on the radio and television more often than the top broadcasters put together. It is a wonder RTE does not give him a job, although it is probably overburdened with comedy and cannot take on any more.

Dr. Upton: I decided to emulate Deputy O’Connor and use some local issues to highlight how the Government had failed the people I was elected to represent. I will start with transport.
[Dr. Upton.]

Every morning in Terenure one can sit in one’s car, have a cup of tea, read a couple of newspapers and make a few telephone calls because there is no rush. One will sit for at least an hour in the traffic jam.

Transport 21, a wonderful idea, has been promised but Terenure, Walkinstown, Kimmage and Crumlin have been left out of the loop. One of my colleagues, Deputy Mulcahy, is of the opinion that he will bring the Luas to Terenure. We look forward to this. I hope it happens sooner rather than later. My colleague, Deputy Shortall, calculates that one would be better off travelling from Ballyfermot to the city centre by horse and cart as it would take only 33 minutes, whereas if one travels by bus, it will take 52 minutes. That demonstrates a gap in the quality of our transport system.

On crime, I am glad the Minister for Justice, Equality and Law Reform is present. It was said the number of gardaí was at an all-time high. That might be true for some parts of the country but not for Dublin South-Central. In fact, the number of community gardaí in one area of Crumlin has been reduced from five to four. There are reports that Sundrive Garda station will close and Ballyfermot Garda station——

Mr. McDowell: Rubbish.

Dr. Upton: I am delighted to hear it but I occasionally believe some of what I read in the Sunday newspapers and that was one of the stories reported.

Ballyfermot Garda station has been downgraded to a sub-station and no longer has a superintendent. The number of gardaí is sadly lacking in my constituency. A constant complaint is the absence of gardaí on the streets. In fairness, those who are based there are doing their best and doing a good job but there are simply not enough of them.

There has been an explosion in the number of apartments in my constituency. While this is welcome from the point of view of housing, where is the infrastructure to support those apartments? It simply is not there. Management companies are a thorn in the side of the people who live in these apartments. There appears to be no legal redress in terms of their adequate management.

Deputy Enright spoke about schools and I support everything she said. It is not unusual in parts of my constituency for the headmaster to find himself or herself cleaning out the lavatories occasionally. There is an absence of resources in certain areas, while bureaucracy and red tape surround every detail of the facilities and services provided for schools. In fairness, the constituency has acquired some new sports halls, which is most welcome. Inchicore has been given a very nice community hall but, unfortunately, there is no funding to keep it open for the community. While we have the facility, we do not have the people to run it.

I must mention farming and support everything Deputy Naughten said. In recent days, labelling and the import of products that leave much to be desired in quality terms have been highlighted. Farmers here are required to put the highest standards in place and they face heavy sanctions if they do not. We have no problem, however, allowing the importation of products with no labelling, country of origin or idea what substantial transformation has taken place. It is fine to impose standards and strict conditions on products produced here but we allow consumers to eat products from areas where we have no record of their origin.

We are also putting pressure on the farming community to compete with inferior products. We have the worst record for the numbers of farms producing organically. There are no plans for agriculture and no progress or innovation, although there are lots of promises.

Debate adjourned.

Planning and Development (Strategic Infrastructure) Bill 2006 [Seanad]; Report Stage (Resumed).

Debate resumed on amendment No. 10:

In page 6, line 21, to delete “one or more” and substitute “all”.

—(Deputy Morgan)

Mr. Morgan: In preparing and debating amendments, there is a general expectation that if the amendment improves the legislation, it will be accepted. In my time in the House, fewer than half a dozen Opposition amendments have been accepted, demonstrating how the Government ignores the opportunity to improve legislation.

In this legislation, the Government is running roughshod not just over Opposition Deputies or local authorities but communities. This legislation is a retrograde step. Even simple amendments that would include ecological considerations have been brushed aside as the Government tries to rush through a Bill that will result in a development free for all that will take years to address. It is an outrage that the Government is getting away with this on the last few days of a Dáil session instead of giving us the proper opportunity to discuss this legislation in detail and highlight all of its faults.

There are many amendments and I would like to give other Deputies a chance to speak on them but I am disgusted with this legislation.

Question, “That the words proposed to be deleted stand”, put and declared carried.

Amendment declared lost.

Amendments Nos. 11 and 12 not moved.
Minister for the Environment, Heritage and Local Government (Mr. Roche): I move amendment No. 13:

In page 6, to delete lines 27 and 28 and substitute the following:

“(b) the development would contribute substantially to the fulfilment of any of”.

Amendment agreed to.

Amendment Nos. 14 to 17, inclusive, not moved.

Mr. O’Dowd: I move amendment No. 18:

In page 6, to delete lines 34 to 36.

Amendment put.

The Dáil divided: Tá, 44; Níl, 75.

Tá

Breen, James.
Breen, Pat.
Burton, Joan.
Crawford, Seymour.
Crowe, Seán.
Deasy, John.
Durkan, Bernard J.
Enright, Olwyn.
Gilmore, Eamon.
Gogarty, Paul.
Gormley, John.
Hayes, Tom.
Higgins, Joe.
Howlin, Brendan.
Kehoe, Paul.
Kenny, Einda.
Lynch, Kathleen.
McCormack, Padraic.
McEntee, Shane.
McGrath, Finian.
McGrath, Paul.
McHugh, Paddy.

Níl

Ahern, Michael.
Ahern, Noel.
Andrews, Barry.
Ardagh, Seán.
Brady, Johnny.
Brady, Martin.
Brennan, Seamus.
Browne, John.
Cahalan, Joe.
Callely, Ivor.
Carey, Pat.
Carty, John.
Cassidy, Donie.
Collins, Michael.
Cooper-Flynn, Beverley.
Coughlan, Mary.
Cowen, Brian.
Cregan, John.
Cullen, Martin.
Curran, John.
Davern, Noel.
de Valera, Sile.
Dempsey, Noel.
Dempsey, Tony.
Dennehy, John.
Devins, Jimmy.
Ellis, John.

Question, “That the words proposed to be deleted stand”, put and declared carried.

Amendment declared lost.

Amendments Nos. 19 to 28, inclusive, not moved.

Mr. Morgan: I move amendment No. 29:

In page 7, line 3, after “application” to insert the following:

“and public notice must be given of any meeting regarding such advice and that members of the public can attend”.

Amendment put.

Ahern, Michael.
Ahern, Noel.
Andrews, Barry.
Ardagh, Seán.
Brady, Johnny.
Brady, Martin.
Brennan, Seamus.
Browne, John.
Cahalan, Joe.
Callely, Ivor.
Carey, Pat.
Carty, John.
Cassidy, Donie.
Collins, Michael.
Cooper-Flynn, Beverley.
Coughlan, Mary.
Cowen, Brian.
Cregan, John.
Cullen, Martin.
Curran, John.
Davern, Noel.
de Valera, Sile.
Dempsey, Noel.
Dempsey, Tony.
Dennehy, John.
Devins, Jimmy.
Ellis, John.

Morgan, Arthur.
Murphy, Catherine.
Murphy, Gerard.
Naughten, Denis.
Neville, Dan.
Ó Caoláin, Caoimhghín.
O’Dowd, Fergus.
O’Keeffe, Jim.
O’Shea, Brian.
O’Sullivan, Jan.
Pattison, Seamus.
Penrose, Willie.
Perry, John.
Quinn, Ruairí.
Rabbitte, Pat.
Ryan, Seán.
Stagg, Emmet.
Stanton, David.
Timmins, Billy.
Twomey, Liam.
Upton, Mary.

Fahey, Frank.
Finneran, Michael.
Fleming, Seán.
Fox, Mildred.
Gallagher, Pat The Cope.
Glennon, Jim.
Grealish, Noel.
Harney, Mary.
Haughey, Seán.
Hector, Máire.
Jacob, Joe.
Keaveney, Cecilia.
Kelleher, Billy.
Kelly, Peter.
Killeen, Tony.
Kirk, Seamus.
Kitt, Tom.
Lenihan, Brian.
Lenihan, Conor.
McDowell, Michael.
McEllistrim, Thomas.
McGuinness, John.
Moloney, John.
Moynihan, Donal.
Moynihan, Michael.
Muckahy, Michael.
Nolan, M.J.
Amendments declared lost.

Amendments No. 30 and 31 not moved.

An Ceann Comhairle: Amendments Nos. 32 to 36, inclusive, are related and may be discussed together.

Amendment No. 32 not moved.

Mr. O’Dowd: I move amendment No. 33:

In page 7, line 39, after “authority” to insert the following:

“, and in the case of paragraph (c) of section 37A(2), on all planning authorities the areas of which would be significantly affected by the proposed development”.

Amendment put and declared lost.

Mr. Roche: I move amendment No. 34:

In page 7, to delete line 40 and substitute the following:

“(7) No application for permission in respect of a development referred to in subsection (1) shall be made to a planning authority unless or until a notice is served under subsection (4)(b) in relation to the development.

(8) In this section ‘appropriate planning auth-”.”

Amendment agreed to.

Amendment No. 35 not moved.

Mr. Roche: I move amendment No. 36:

In page 7, line 45, to delete “that subsection” and substitute “subsection (1)”.

Amendment agreed to.

An Leas-Cheann Comhairle: Amendments Nos. 37, 48 and 76 are related and amendment No. 77 is an alternative to amendment No. 76 and may be discussed together.

Mr. Cuffe: I move amendment No. 37:

In page 7, between lines 45 and 46, to insert the following:

“(5) Applicants shall, following receipt of a notice under section 37(B)(1)(a), erect this notice on red paper, alongside the planning application site notice, in accordance with the relevant provisions of Planning and Development Regulations, as amended by section of the Planning and Development (Strategic Infrastructure) Act 2006.”.

The purpose of these amendments is to ensure where a project is fast tracked through this rather rapid process that the public know what is going on. I am concerned that these hugely important projects which will have the possibility of massively changing the face of a neighbourhood will not be known to the general public and to those who adjoin the development. While I appreciate that regulations may follow that provide for detailed site notices and newspaper notices we have no guarantee that will happen or that the Minister will bring these regulations before the House prior to their implementation. It is a lacuna in the parliamentary process and it is incumbent on those of us in Opposition to put forward formal proposals for a methodology by which the public will be consulted on these proposals. I propose, therefore, that a new site notice, coloured red, is erected for these strategic infrastructural projects to ensure there is more public consultation than might be the case.

Ms. C. Murphy: I support the amendment. A yellow notice for projects that have to be re-advertised is already a comparable case. I find that people do not read newspaper notices. In the area where the development is to take place it makes sense to differentiate the notices. This would be a wise move.

Mr. Roche: During the course of the long debate on Committee Stage and elsewhere we had constructive discussions on this issue. Deputy Murphy, I am sure inadvertently, has touched on the core of the issue. The matter of the colour of notices was previously dealt with in regulation. I suggest there will be colour differentiation but as
in the case of the yellow notice, which the Deputy said is helpful, it was made by regulation. It would not be wise to move in the direction suggested by Deputy Cuffe in amendments Nos. 37 and 48.

Deputy Cuffe tabled a related amendment No. 76. The major change would be to introduce a restriction on the board’s flexibility by requiring all further information to be made available within a specified period, whereas it would be helpful for the board to have some time to distinguish and determine that some additional information be made available. Deputy Morgan’s associated amendment No. 77 would have the impact of reducing the flexibility of the board on the issue of requesting further information. I refer the Deputies’ attention to section 37F(2) which sets out extensive public notice requirements for further information and it is mandatory where a new EIS or other information with substantial new information is submitted. In other cases it is appropriate that the board should decide on whether the views of the public need to be sought in a particular case. It would be a mistake to reduce the flexibility of the board in these matters. As I have said during the course of the debate and in response to Deputy Murphy’s specific observation, regulation is the appropriate way to decide the colour coding on notices from time to time. That is what I intend to continue to do.

Mr. Cuffe: The problem with section 37F(2) is that we do not have a clear idea as to what the Minister is proposing as paragraph (a) contains the phrase “as appropriate”. We have no idea, nor has the public, what the Minister means by “as appropriate”. I ask that the Minister give a firm commitment at this Stage to clarify exactly what will be legally required because he may decide in his wisdom that he does not want to see site notices. He should give some commitment to the House this evening that he will require site notices and newspaper notices and that they will go at least as far as the existing legislation if not much further. In fact the Minister should advise any property owner or inhabitant who lives beside the development on what is going on as is the case under Scottish law. Given that the Minister has massively shortened the possibilities for public input into the process, he should give some indication that the public will be consulted before these schemes are rushed through.

Mr. Roche: I am grateful to Deputy Cuffe for giving me the opportunity to repeat the point I made several times on Committee Stage that I intend that regulations will cover. That is exactly the arrangement that exists at present. I am pleased to make that point clear. In reference to the point made by Deputy Murphy the best way to do that is by different colours being required by regulation. I am surprised at Deputy Cuffe mentioning Scottish law in this area because he knows that Scottish law would not necessarily be a good planning precedent for this country. It would mean reducing the extensive third-party rights of objection that exist here.

Mr. Cuffe: It was not that aspect of the legislation to which I was drawing attention, as the Minister knows.

Mr. Morgan: Whatever about Scottish legislation, the legislation before us does not set a good precedent. The Minister should reflect seriously on this, as it will be too late to reflect on it in the coming days or after 9.30 p.m.

Amendment No. 77 tries to strengthen the need for the board to seek further information. This is in keeping with the amendment which has just been defeated which proposed to provide for public notice in this regard. It tried to involve the public to ensure the broadest group possible would be able to make submissions and inform the board of their opinions but that opportunity has been squeezed out, as have the powers of local authorities. The legislation is extremely retrograde. Its entire motivation is to completely stamp out the objections of communities such as Rossport, Carranstown, Ringaskiddy and Poolbeg. While communities do not appreciate the import or consequences of this legislation, I have no doubt they will be provided with detailed notice of it in the next ten months. I hope these same communities will consider the position in terms of the parties which brought the legislation forward and that they will avail of the opportunity to put in place a Government which will, I hope, be in a position to reverse this one-sided legislation.

Mr. O’Dowd: One of the problems we face is that as time is short, we will not reach some important amendments. Therefore, we must debate the ones we can reach. I would like to have reached amendment No. 45 which deals with the economic and social issue. It is very important when examining these issues that the economic and social impact, as well as the environmental impact, is assessed.

The public notice should be colour coded to indicate the exact issues involved to the public. In meeting the criteria to get in the door or gain access to the debate on critical infrastructure, we should demand that when the public recites its objections, colour-coded notices having been issued, it also be allowed to debate further germane and important issues. I would appreciate a reply from the Minister in this regard.

Acting Chairman (Mr. Stanton): The Minister has already given his reply.

Mr. Roche: I compliment Deputy O’Dowd on making creative use of his time.
Mr. Cuffe: I am trying to work out whether that was a slur or a compliment. I will take it as a compliment.

Amendment put and declared lost.

Acting Chairman: Amendments Nos. 38 to 40, inclusive, and amendment No. 84 are related and will be discussed together.

Mr. Cuffe: I move amendment No. 38:

In page 7, to delete lines 46 to 52 and in page 8, to delete lines 1 to 16 and substitute the following:

“(6) The Board shall prepare a report and keep it on public record, of its considerations and deliberations that determined the outcome of its decision under section 37(A).”.

This is an important amendment. Many who have gone through the long and protracted process involving An Bord Pleanála are often astounded when they find that, although the inspector has ruled in their favour, the board has ruled against the views voiced by the group involved. This happened recently in the case of the incinerator in Ringskiddy in Cork and more recently in the case of the Monkstown ring road in Dún Laoghaire. There is often an enormous disconnection between the considered views of the An Bord Pleanála inspector and the final decision of the board. I read through the inspector’s views on the Monkstown ring road which ran to 135 pages and he came out strongly against proceeding with the project. However, the board’s decision seemed to come from another planet and there seemed to be no connection between the two reports.

It is crucial that people are given some information on how the board comes to a view that may well be different from that of its inspector. We do not just need the final decision of the board, but the reasons for its decision. Just as we can get a copy of the report on a High Court or Supreme Court judgment in which we see the views of the judges represented and details of the various bodies of law examined, we should be able to get a copy of a report detailing how the board comes to its opinion on a particular application. It may, for example, look at national policy on sustainable development or the views of the Department of Communications, Marine and Natural Resources. Many and various influences come to bear on the board which should be recorded. We need clarity as to the reasons it makes its decision, not just a record of the decision, particularly in cases where there is a significant divergence from the views of its inspector. We need to know how this happens. It is a requirement of European law that the reasons for decisions be made visible and I am mystified as to why the Minister has not seen fit to proceed with this. It is time we included this provision in Irish law.

Mr. Morgan: I strongly support the amendment. It is a core and fundamental democratic principle that decisions of the board should be reported and placed on the public record for inspection. Far too often we have had this carry on, where well qualified inspectors make lengthy and detailed reports, but the board seems to overturn them on a whim. Of course, it must operate to the dictates of Government policy and, therefore, its hands are tied. However, it should record the reason for its decision and make it public, which is the essence of the amendment. The Minister is indicating that the board does this, but it does not. It does not make its reasons public.

Similarly, the two most fundamental issues concerning any development, people’s health and the environment, are not allowed to form part of the consideration. This is Government policy. The Minister will smile at the amendment and dismiss it with the same level of charity he showed to previous amendments. We will deal with this issue in the coming months.

Mr. Gilmore: I support the amendments. Tonight legislation is being enacted that signals the beginning of the end for An Bord Pleanála. The board, as we know it, has been in place for 30 years since the mid-1970s when it was established as the Planning Appeals Board. It won and established for itself a reputation and credibility among the public. People may not always have liked its decisions, but it had credibility and was considered to be the court of appeal when it came to planning issues. In recent years, there have been changes in the role of An Bord Pleanála. The additional functions given to the board in the 2000 Planning Act added the roads function which previously had been the responsibility of the Minister for the Environment, Heritage and Local Government. That changed An Bord Pleanála and so will this Bill. The board will no longer be a court of planning appeal and it will now be part of the development arm of Government. It will be the State agency that from the planning point of view will facilitate developments the Government wants to see go ahead.

I have the height of regard for the integrity and independence of the members and staff of An Bord Pleanála but we have seen this conflict developing in recent years where professional planners engaged by An Bord Pleanála conduct public inquiries or oral hearings. They make a recommendation that is then overturned by the members of An Bord Pleanála, who do not appear to follow the same planning logic that was the basis for the recommendation made by the planner. They seem to follow an expectation that Government policy will be followed.

However vague that may have been up to now, it is becoming explicit in this Bill. There is no ambiguity about what is expected of An Bord Pleanála under this legislation, which is that it will give the green light to the strategic infrastructure projects listed in Schedule Seven. This will under-
mine public confidence and public acceptance of An Bord Pleanála. In the years ahead the board will be seen not as the fair-minded place where one brings a planning appeal but rather as the body that facilitates development with which local communities may have difficulties.

It is a great pity we are only now dealing with amendment No. 38 out of more than 200 amendments. There is no need for the Government to have insisted on a truncated debate on this Bill. In response to a question I asked on Committee Stage, the Minister acknowledged that this legislation will not be commenced until November. There is no imperative in concluding All Stages of the Bill tonight. The only reason for a guillotine in 15 minutes' time is for the political convenience of the Government. It is a controversial Bill the Government wants out of the way and buried under all the legislation that has been guillotined this week, rather than giving it the time for the scrutiny it deserves and for the consideration of the amendments tabled, most of which will not now be reached.

Mr. O'Dowd: Deputy Cuffe and other speakers referred to the important issue of how An Bord Pleanála is seen to perform its duties. It is acceptable for the board to agree with an inspector’s report and this is a transparent and open procedure. However in the case where the board disagrees with the inspector, my amendment and that of Deputy Cuffe require the board to recite the reasons for its disagreement with the inspector. In the interests of transparency, the board should refute each of the arguments favoured by the inspector if it disagrees with them. The board should outline the arguments. A counter argument to that proposal is that this might lead to a decision taken. That has been mentioned before. I have seen it over and over again in Government policy, even with issues such as building heights or densities which would never be allowed in a development plan. Such heights or densities might be allowed, for example, because it is Government policy to increase density. The very least that can be afforded is some transparency in how decisions are arrived at.

Mr. O'Dowd: I have been informed that currently the full board has a right to be concerned about is the area of planning. One need only look to Dublin Castle and the tribunals for the reason. Any punishment for wrongdoing in the past has fallen on the public. I refer to the €20 charge and the time limit restrictions for making objections. I agree with the point made by other speakers that this is the beginning of the end of An Bord Pleanála. The board is being directed to make a decision by virtue of the fact that it is Government policy and this negates the reason for the board’s existence.

Planning decisions made at local authority level are transparent in that the file can be examined. This can be of assistance to the public. They may not like a certain decision but they can at least study the rationale behind the decision. The absence of this facility will reduce rather than shore up public confidence. The first thing I look for when I see a decision that I cannot rationalise is the inspector’s report. In most cases, there will be no relationship between the report and the decision taken. That has been mentioned before. I have seen it over and over again in Government policy, even with issues such as building heights or densities which would never be allowed in a development plan. Such heights or densities might be allowed, for example, because it is Government policy to increase density. The very least that can be afforded is some transparency in how decisions are arrived at.

Mr. O’Dowd: It is a very interesting discussion. I draw the Deputies’ attention to section 37C(3). That requires the board to keep a record in writing of any consultations under section 37D with regard to a proposed development, including the names of those who participated in the consultations; and that such a record should be placed and kept among the relevant documents. That is transparency in the sense that Deputies are concerned about.

More importantly, I wish to discuss a proposition which has arisen from the amendment. This is the proposition that the board must always abide by the decision of the inspector.

Mr. Cuffe: Nobody has said that.

Mr. O’Dowd: Nobody proposed that.
Mr. Roche: I have listened with great patience and I would ask the Deputy to indulge me and let me develop my point. The Deputy can then respond.

Mr. Gilmore: We are sorry to try the Deputy's patience.

Mr. Roche: It is not a question of trying my patience, but of simple courtesy and good manners.

If the board differentiates from the decision of the inspector or rejects its decision, it should not be derided. The inverse is that the board must always accept the views of the inspector. I am not arguing that Deputies stated this. This would mean the board has no place at all, and it would not be required. If the board was simply to sign up for the inspector's views, there is not need to have it. Deputies should be careful in developing such an hypothesis.

A second point I would draw Members' attention to is section 34(10)(a) of the Planning and Development Act 2000. It clearly specifies that where the board makes a distinction and takes a different view from the inspector, recording is required as to the basis of the distinction. That is provided for in law as it stands.

Mr. Gilmore: That is only for an appeal.

Mr. Roche: That is the good practice established by the Act.

Mr. Gilmore: Will it apply to this?

Mr. Roche: It will. It will be cross-referenced to this by the board itself.

I will deal with specific references because I have strayed somewhat from them. The amendments would change the requirements on the question of what information is available to the public on both pre-planning applications and mediation meetings. It is important that minuted meetings be kept, and as I have mentioned, this is specifically required.

I am satisfied that the transparency flows from section 37C, which provides that all such meetings must be recorded in detail by the board, and that these records will be available on the planning files. These give greater transparency than one might find in many planning decisions from local authorities around the country. I am also happy that 37F(3) similarly requires the board to make a record of any mediation meetings. Both of the types of meeting Deputies are concerned about are dealt with.

Amendments Nos. 38, 40 and 84, which I cannot accept, would change what the board must keep on public files with regard to pre-application consultations. The current requirements in the Bill, that the board must keep a record of any consultations held, are broader than these amendments. I am sure it is not the intention of the people moving the amendments to limit the process. However, the current arrangements are broader than what the amendments would bring about. We had this discussion in the Seanad and on Committee Stage. I want the full record of consultations to be public, and that process is provided for in the Bill.

With regard to amendment No. 39 to section 37C, that would require information to be provided within certain timeframes in advance of pre-application discussion. It is vital that the board be given sufficient time to consider information. The unintentional effect is to put a straitjacket on the board with the issue of timeframes. As it currently stands, the board has the right to regulate itself and make good rules for its own operation. It is more prudent to leave it to the board to determine issues relating to timeframes.

The concerns expressed by Deputies, which are not unreasonable, are well addressed in sections 37C and 37F(3), and by reference to the good practice which has grown as a result of the 2000 Act. For those reasons I do not accept the amendments.

Mr. Cuffe: A door will be closed at the planning counter in a few minutes, but the flap of a tent will open elsewhere in a few days. The public's input into the planning process is about to be severely limited. The kind of fast-tracking of the amendments which we have tonight is symptomatic and similar to the kind of fast-tracking which will come about if this Bill is passed. We have not gone through a quarter of the amendments on Report Stage, and I suspect we will not get through the list of public concerns once the fast-tracking process is in place.

We should be clear that we are centralising power. The Minister is centralising power. This is not the first time this has been done by a Fianna Fáil Government and it will not be the last time. We had the same issue with the strategic planning guidelines. The Minister will argue that planning authorities such as An Bord Pleanála must have regard for the views of the local authority and elected representatives. We had that with the strategic planning guidelines. However, they were ignored when it came to the development plans of Kildare and Meath. At the centre, An Bord Pleanála rode roughshod over the strategic planning guidelines in Meath and Kildare.

The “have regard” phrase was meaningless at the end of the day. We are getting rid of the right of appeal this evening. We are threatening the impartiality of An Bord Pleanála and very dangerously threatening the impartiality that has served the board well over its 30 years of existence, and particularly in recent years.

Mr. Morgan: The Minister is closing it down.

Mr. Cuffe: It is an arrogant move, the same arrogance that led to the Minister setting up a heritage trust some days ago and ignoring the 50
years of experience that Ireland’s national trust, An Taisce, has given to this land since Robert Lloyd Praeger initiated the organisation some 50 years ago. The Minister ignored those views and appointed people who have more to do with concrete than conservation.

In a few days in Galway, the flap of a tent will open. The people of Ringaskiddy will not be there. Nor will the people of Ringsend or Little Bray, but the Minister’s pals will be. This evening sees a dangerous move as this Bill is made a reality. The Minister will cause enormous damage to the planning process and to An Bord Pleanála. The door is being closed to public participation in the planning process. The entire planning system will suffer from the changes being proposed today. I will press the amendment.

Mr. O’Dowd: We are not saying that An Bord Pleanála cannot disagree with the inspector. We are arguing that the board should identify clearly the points of disagreement or how the case would be argued.

Taking for example the incinerator in Carranstown, there were approximately 20 professional people representing Indaver at the relevant oral hearing. A large number from the general public made their own cogent arguments against the incinerator. The inspector sat there for four or five days and then the board appointed an individual member to look at the inspector’s report.

The problem is that the credibility of the institution suffers when we do not know exactly what the points of disagreement were and when the board states the reason for doing it is that it is Government policy. If that is the case, that is fine but they should also recite the other arguments so that we can know that they were listened to. It is not required that the individual who represents the board when it examines the situation should state everything that he or she has read.

Acting Chairman: As it is now 9.30 p.m., I am required to put the following question in accordance with an order of the Dáil of this day: “That the amendments set down by the Minister for the Environment, Heritage and Local Government and not disposed of are hereby made to the Bill, Fourth Stage is hereby completed and the Bill is hereby passed.”

Question put.

The Dáil divided: Tá, 100; Níl, 28.

Tá

Ahern, Michael.
Ahern, Noel.
Andrews, Barry.
Ardagh, Seán.
Brady, Johnny.
Brady, Martin.
Breen, James.
Breen, Pat.
Brennan, Seamus.
Browne, John.
Caffran, Joe.
Callely, Ivor.
Carey, Pat.
Carty, John.
Cassidy, Donie.
Collins, Michael.
Cooper-Flynn, Beverley.
Coughlan, Mary.
Cowen, Brian.
Crawford, Seymour.
Cregan, John.
Cullen, Martin.
Curran, John.
Davern, Noel.
de Valera, Séil.
Deasy, John.
Deenihan, Jimmy.
Dempsey, Noel.
Dempsey, Tony.
Dennelly, John.
Devins, Jimmy.
Durkan, Bernard J.
Ellis, John.
Enright, Olwyn.
Fahey, Frank.
Finneran, Michael.
Fleming, Seán.
Fox, Mildred.
Gallagher, Pat The Cope.
Glennon, Jim.
Grealish, Noel.
Harney, Mary.
Haughey, Seán.
Hayes, Tom.
Hooton, Máire.
Jacob, Joe.
Keaveney, Cecilia.
Kehoe, Paul.
Kellacher, Billy.
Kelly, Peter.
Kenny, Enda.
Killeen, Tony.
Kirk, Seamus.
Kitt, Tom.
Lenihan, Brian.
Lenihan, Conor.
McCormack, Pádraic.
McDowell, Michael.
McEllistrim, Thomas.
McGrath, Paul.
McGuinness, John.
Martin, Michéal.
Mitchell, Olivia.
Moloney, John.
Moyney, Donal.
Moyney, Michael.
Mulcahy, Michael.
Murphy, Gerard.
Naughten, Denis.
Neville, Dan.
Nolan, M. J.
Ó Cui, Eamonn.
Ó Fearghaill, Seán.
O’Connor, Charlie.
O’Dea, Willie.
O’Donnell, Liz.
O’Donoghue, John.
O’Donovan, Denis.
O’Dowd, Fergus.
O’Flynn, Noel.
O’Keeffe, Bát.
O’Keeffe, Jim.
O’Keeffe, Ned.
O’Malley, Fiona.
Question declared carried.

Defence (Amendment) Bill 2006 [Seanad]: Second Stage.

Minister for Defence (Mr. O'Dea): I move: “That the Bill be now read a Second Time”.

I am pleased to bring this Bill before the House. This is a short Bill, which is designed to amend and update the Defence Acts regarding the despatch of members of the Permanent Defence Force on overseas duties. However, it is also an important Bill. The despatch of members of the Defence Forces overseas is a concrete expression of Ireland’s foreign policy objectives, in particular, our support for the United Nations and for multilateral arrangements relating to the preservation of international peace and security, and Ireland’s commitment to meet its international obligations in that regard.

Ireland has been, and remains, a staunch supporter of the UN and of the primacy of the Security Council in the maintenance of international peace and security. We take very seriously our obligation under the charter to make armed forces, assistance and facilities available to the Security Council to contribute to international peace support operations. Ireland joined the United Nations on 14 December 1955 and it celebrated its 50th anniversary of membership last year. Over those 50 years, Ireland’s support for the United Nations has been unwavering. Ireland’s affirmation and support for the UN is based on Article 29 of the Constitution, which states that Ireland is devoted to the ideal of peace and friendly co-operation among nations, founded on international justice and morality.

This belief in the peaceful settlement of international disputes and the principles of international law has been the stated policy of successive Governments, not just since 1955, but since the foundation of the State.

The Bill provides for amendments to the definition of “International United Nations Force”, together with provisions for overseas training and exercises by the Permanent Defence Force, humanitarian operations and a number of avoidance of doubt provisions concerning existing duties undertaken by the Defence Forces outside the State.

The Defence (Amendment) (No. 2) Act 1960 and the Defence (Amendment) Act 1993 provided for the despatch of members of the Permanent Defence Force outside the State as part of an international United Nations force. However, members of the Permanent Defence Force have also been despatched for many other reasons, including carrying out official duties, undergoing training and representing the Defence Forces at sporting events. This Bill will provide for such deployments, with the approval and under the authority of the Government, particularly the Minister for Defence.

The Bill also provides that members of the Permanent Defence Force may be despatched overseas to undertake military exercises, which represents a change in the standing training regime for the Defence Forces. In addition, under this Bill for the first time the Government will have the authority to despatch members of the Defence Forces to undertake humanitarian tasks in response to a disaster or emergency.
Section 1 provides a definition of “international organisation” which, in conjunction with section 3(1), covers the assignment of personnel of the Permanent Defence Force to appointments in specified international organisations, such as the United Nations, the EU and OSCE together with other regional organisations involved in UN peacekeeping operations such as NATO and the African Union. The Bill will formalise arrangements in respect of existing military representatives in the United Nations, the EU and the OSCE. It will also allow for existing appointments in the PIP liaison office in NATO where members of the Permanent Defence Force are currently deployed in Ireland’s representative office.

Section 1 also amends the definition of “International United Nations Force”, as provided for in the 1960 and 1993 Acts, to reflect the changes in the organisation and structure of forces deployed on peace support operations under a United Nations mandate, in particular, the use of regional organisations to provide forces for peace support operations. The definition also reflects the variations in the language used in UN Security Council resolutions, such that the Permanent Defence Force will not be precluded from participating in a UN peace support operation solely on the basis of specific language used in a resolution. Currently, members of the Permanent Defence Force may only participate in missions established or authorised by the UN Security Council. The terms in the definition — for example the inclusion of the terms “endorsed” and “supported” — correspond with language that has generally been used in previous UN Security Council resolutions.

Section 2 applies the new definition of “International United Nations Force” to certain provisions of the 1960 Act, in particular, the authority to despatch contingents of the Permanent Defence Force on overseas operations subject to UN authorisation and the approval of Dáil Éireann, as appropriate. It also applies the new definition to technical provisions in the 1960 Act concerning transfers, service, courts martial and the registration of births and deaths.

Section 3 provides for the despatch on overseas service of members or contingents of the Permanent Defence Force on a range of assignments, including carrying out representational duties, filling staff postings, going on training courses, ceremonial duties, visits, meetings, sporting events and fact-finding missions outside the State, as they have always done. Some of these duties have been part of Permanent Defence Force operations since the foundation of the State.

Two provisions in section 3 require specific mention, namely, participation in exercises which will include field exercises and is an extension of the existing training regime, and deployment on humanitarian tasks. It is important to the ongoing training of the Defence Forces that they can undertake training overseas and learn from best practice in other countries. This training is essential to the development and maintenance of high standards in the military and our existing peace support operations, where we work alongside many other armies.

We cannot continue with the current situation where our first joint training is when we are on the ground in a live and potentially dangerous environment. In certain situations, we will need to engage in joint training with other countries with whom we will be deployed in multinational forces on peace support operations, blue hat or otherwise, so we can operate from the outset as an effective and cohesive force.

As a matter of course, there is no UN Security Council resolution for humanitarian operations in response to disasters since they do not generally represent a threat to international peace and security. It is vital the Government can respond to legitimate and urgent requests for humanitarian relief by affected states in the immediate aftermath of a disaster, including being able to provide resources and equipment which may only be available from military means, such as temporary accommodation, tents, water treatment plants, generators, lifting equipment and other capabilities. Under the current arrangements, the Government has no authority in this area and Defence Forces personnel must volunteer for service with a civil undertaking, such as an NGO, in the same manner as any ordinary citizen, whereupon the NGO would then deploy them to the disaster area. The provision in this Bill provides the requisite authority for the Government to despatch members or contingents of the Permanent Defence Force on humanitarian operations.

Section 4 provides that all existing serving members of the Permanent Defence Force will be liable for service overseas on UN operations and for duties provided for in section 3 of the Bill. The 1960 and 1993 Defence Acts provided that only persons enlisting after the date of enactment of those Acts could be required to serve as part of an international United Nations force. The provision in the 1960 Act is now obsolete as there are no such serving personnel in the Permanent Defence Force.

The right of personnel who enlisted prior to the enactment of the Defence (Amendment) Act 1993 not to be detailed to serve on operations other than those operations which are of a police character, which was the provision in the 1960 Act, is retained in this Bill. However, such a saver will not apply with regard to the duties provided for in section 3, which I consider to be part and parcel of the existing duties of members of the Permanent Defence Force or, in the case of humanitarian operations, more akin to the pro-
visions of the 1960 Act, for which all serving members are already liable.

Sections 5 to 7, inclusive, are technical amendments to extend provisions of the principal Act, the Defence Act 1954, to personnel despatched for service outside the State for any of the purposes outlined in section 3 of this Bill. The purpose of the provision in section 8 is to allow a force to be assembled and embarked prior to its deployment in theatre as part of an international United Nations force. In rapid response situations, including battle groups, where speed of deployment is of the essence, it will probably be necessary to have equipment containerised and despatched, together with personnel, while the UN Security Council resolution is being finalised. In addition, members or contingents of the Permanent Defence Force may have to assemble in the framework nation for the battle group, with their equipment, ready for despatch, in advance of the formal adoption of the UN resolution.

This provision is designed to cater for this eventuality and will be subject to the prior approval of the Government. However, the Defence Forces could not, and will not, deploy operationally before the formal adoption of the requisite Security Council resolution and the approval of Dáil Éireann. In the event that either was not forthcoming, the Defence Forces would be withdrawn forthwith.

Sections 9 and 10 provide for some technical and drafting amendments to the 1960 Act generally to reflect the provisions of section 3 of this Bill. Section 11 provides that this Bill will confer no authority on the State to become a member of an international organisation. Membership of international organisations is a matter for the Minister for Foreign Affairs and is subject to the relevant constitutional provisions, including Government authority.

Section 12 provides for the repeal of certain obsolete provisions in the 1954 and 1960 Acts and repeals, in full, the 1993 Act. The 1993 Act simply provided for an amendment to the definition of “International United Nations Force” contained in the 1960 Act. With the further amendment of the definition in this Bill the 1993 Act, with one proviso, no longer serves any purpose and hence its amendment.

The proviso I mentioned relates to section 13, which provides for an annual report to Dáil Éireann. This was a new provision introduced in the 1993 Act. With the repeal of the 1993 Act, it is necessary to re-enact the provision in this Bill. Sections 14 and 15 are standard provisions and are self-explanatory.

The provisions in this Bill maintain Ireland’s traditional support for a multilateral approach, in particular through the United Nations, to the management and prevention of international crises and conflicts. The Bill also recognises, however, that these approaches are changing. There is a need for more capable and more rapidly deployable responses to crises as they emerge, and with that a need for military forces which are cohesive, professional and effective.

Training to increase our interoperability with other forces is key to this capability. Lives can be saved and crises, if not prevented, can at least be contained if we can respond rapidly to them. I accept that military force is usually not the answer but it can create the space and time for other actions to be taken, whether these be economic, political or diplomatic.

We may consider the fact that there is a need for military force unpalatable. We may choose to ignore that need. We may believe there are other and better ways to deal with conflict. That is usually the case but the fact remains that despite the ongoing efforts of the United Nations and other international organisations involved in conflict resolution, the threat to international peace and security unfortunately remains and the continuing need for troops for peace support operations has never been greater.

With the increasing demands around the world for peacekeepers, the UN has turned to regional organisations in the past few years, including the European Union, the African Union and NATO among others, to support its activities in the area of crisis management operations. In this regard, Ireland has contributed peacekeepers to many of these missions in furtherance of its commitment to the United Nations on both UN established and UN authorised missions.

In Bosnia and Herzegovina and in Operation Artemis in the Congo, Ireland has participated in UN-authorised missions led by the European Union. In Kosovo and Afghanistan, Ireland participates in UN-authorised missions led by NATO, and we are currently providing personnel to an EU-led supporting mission to the African Union-led UN mission in Darfur in Sudan. In addition, the Government recently authorised the despatch of up to ten members of the Defence Forces for service with the EU military operation in support of MONUC, the UN mission in the Democratic Republic of the Congo.

ESDP is an integral part of the common foreign and security policy, which encompasses the EU’s international obligations regarding the maintenance of international peace and security. Military capabilities are but one element among a wide range of instruments the EU can deploy in this regard, which include economic, political, administrative, rule of law etc.

Ireland’s participation in such EU military operations, which are undertaken within the framework of the EU’s European security and defence policy, is a continuation of our long and honourable tradition of support for multilateral arrangements in the maintenance of international peace and security. It in no way diminishes or
undermines our commitment to the UN or to our policy of military neutrality.

I hope I have set out the requirement for this legislation and why it needs to be enacted. It is important to the ongoing training of the Defence Forces that they can undertake training overseas and learn from best practice in other countries. From a force protection perspective, particularly in multinational operations and rapid response battle group type operations, this international training requirement also extends to field exercises.

It is also important that we can respond rapidly in humanitarian situations where time is often of the essence and where military assets can play a significant and important role in support of civilian assets in the early stages of the disaster response. In crisis situations, rapid response by military forces can help dangerous situations from becoming catastrophes, and I am sure no Member of the Oireachtas would wish to see Ireland failing to play its part, as and when the need arises, in that regard.

We must put beyond doubt the authority to deploy personnel in the various other circumstances set out in section 3, duties which have for decades formed part of the international operations and duties expected of members of the Permanent Defence Force. I commend the Bill to Dáil Éireann and look forward to a constructive discussion.

Mr. Timmins: I welcome the opportunity to speak on the Bill but I repeat that I regret the limited amount of time to debate it.

Every country and every government has responsibilities. Protecting the citizen, encouraging job creation, guarding the environment, providing education and strengthening stability are all key responsibilities that every good government should assume without question. Allied with these fundamental responsibilities at home, every country and every government has a clear responsibility to the international community. The saying, “no man is an island”, can also be applied to the state. Isolationism, in clear sight of the challenges that face our world, is not an acceptable stance. As the interconnectedness of our world grows deeper, so too do our international responsibilities. When people are under threat, be it as a result of humanitarian disaster, political upheaval or pernicious disease, we have a responsibility to give assistance.

The people of Ireland have always had a keen sense of that responsibility to others. This was most notably exemplified in their outpouring of compassion to the countries, communities, and families so devastated by the tsunami in South-East Asia. For the people of Ireland, there was no question but that we, as part of the international community, had a responsibility to help those in crisis following this disaster.

For our part, Fine Gael recognises very clearly that different situations call for different types of assistance. While monetary aid is often critical in responding to a crisis, providing skilled volunteers to manage the aftermath of any disaster is also necessary. In addition, we must acknowledge that, in certain scenarios, military intervention and military protection is called for.

The need for a military response to alleviate human suffering, genocide and other crimes of war has been highlighted by the United Nations. Kofi Annan, the UN Secretary General, recognised that when he stated, “Sometimes you need to show force in order not to use it”.

A cursory glance at some of the atrocities of our recent past shows that, in a number of cases, unstable situations have escalated into genocide and the loss of thousands of lives. We see that today in Darfur, where many thousands of people are being slaughtered while the so-called civilised world looks on. In these situations, the men, women and children threatened by violence can only be protected by a credible military response.

If we choose to send all the assistance we can to those affected by humanitarian disaster but refuse to act in other types of crisis situation, then we are differentiating between human suffering and human need in an unacceptable manner. Alongside our keen interest in extending financial and volunteer resources to countries in need, we must recognise that our Defence Forces have a key role in asserting the adherence to fundamental human rights, wherever those rights are challenged or attacked.

For this and other reasons, Fine Gael is very supportive of the development of EU battle groups. These stand-alone military forces, drawn from all EU member states, will have the capability to respond to crisis situations without delay so genocide and crimes of war can be prevented and human life protected.

The need for a speedy response in certain crisis situations has been seen time and again throughout history. The EU battle group concept means that when human life is threatened, we can offer those in fear for their lives more than simple words of support.

My principal point of concern, however, relates to the retention of the so-called triple lock mechanism, which dictates the manner in which Ireland may deploy troops overseas. Currently, the Defence Forces can only take part in military operations that are specifically endorsed by a UN resolution, approved by Dáil Éireann and agreed within the Government. Those three conditions make up the triple lock. It is clear that this triple lock system is excessively restrictive. For example, the Defence Forces could not take part in an EU peacekeeping force sent to Macedonia, even though this force replaced NATO forces in the region and had both EU and UN support. In the week that is in it, is worth mentioning the Celtic cross monument in Macedonia, I believe in Rebrovo, in honour of the losses suffered by the 10th Irish Division in the First World War. However, the Defence Forces could not take part
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in this mission because a formal UN resolution on the matter was vetoed by China as a protest against the recognition of Taiwan. This resulted in Ireland being debarred from participating in the EU-backed mission, which was requested by the President of Macedonia and which involved a total of 13 EU countries and 14 non-EU countries working together. Ireland had no role in this peacekeeping mission.

The Defence (Amendment) Bill 2006 again regretfully confirms the use of the triple lock and deals specifically with international United Nations forces which, according to the definition, are “sanctioned by a resolution of the Security Council or the General Assembly of the United Nations”. Fine Gael believes that the triple lock should be reformed and that in deciding for ourselves whether to deploy a contingent of the Defence Forces on a mission overseas we should have regard to the Purposes and Principles of the United Nations, as set out in the Charter of the United Nations, as well as to the purposes and principles of the EU. Fine Gael believes that those principles are adequate to assist us in determining whether we should participate in any operation.

I would like clarification on the role of the General Assembly in these matters. According to Chapters 6 and 7 of the Charter of the United Nations, the Security Council has the primary role in deciding what action to take in matters of dispute and where international peace and security is threatened. Article 33 of the Charter of the United Nations states:

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

Furthermore, Article 34 states:
The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

In light of this, I would like to know the rationale behind the clear reference to the General Assembly within the legislation.

Given that the Security Council, the most powerful organ of the United Nations, has the lead responsibility in the determination of resolutions on matters of international security, we should not ignore the real difficulties that can arise when agreement on these resolutions is being sought. Resolutions are voted on by the 15 members of the United Nations Security Council. Resolutions can only be passed if nine or more members vote for the resolution, and if it is not voted against by any of the five permanent members. These members are the People’s Republic of China, France, the Russian Federation, the United Kingdom, and the United States. It is clear that the five permanent members of the United Nations Security Council may veto any resolution they choose, and this has already happened in the case of the veto applied by China on the resolution concerning Macedonia. While it was argued in theSeanad debate that this has happened only once, once is enough.

In the case of Ireland, where any deployment of our Defence Forces is inextricably linked to the deliberations of the United Nations, these permanent members hold a veto over our forces. Waiting for UN approval often means waiting for some internal security squabble between the permanent members of the UN Security Council to be resolved and may have little to do with the merits or demerits of any given resolution. This situation is unwise, unhealthy and unacceptable for any sovereign State.

While the triple lock has been of concern to Fine Gael for some time, there is a more pressing need for reform in this area in the context of the development of EU battle groups. These military groupings will place a high priority on readiness, which will involve joint training between the Defence Forces and the forces of other EU member states. These groupings may also be positioned outside the State in preparation for deployment and, as has already been outlined, the need for a speedy dispatch should a crisis arise is a key aspect of their development. By leaving the triple lock in place, Ireland could be left in the farcical situation where a contingent of our Defence Forces is already in position overseas, ready to begin its Government-supported mission, but our soldiers are unable to do anything other than sit on their hands due to wrangling at the United Nations.

Membership of the Nordic battle group, in which Ireland is taking part, will be drawn from a number of states. Since they are drawn from different states EU battle group formations must be highly co-operative. They must engage in joint training missions in readiness for any future missions. However, under the constraints of the triple lock, we may need to withdraw from any future battle group mission if the United Nations cannot reach agreement regarding a resolution. This could mean that Ireland would be obliged to renge on the commitment made to our European neighbours, who would be obliged to go on mission alone and without the assistance of the Defence Forces. This scenario would not arise if the Government had full sovereignty over the Defence Forces.

No man is an island, and no country can afford to be one either. The interdependence of our world means that we must be prepared to offer a wide variety of assistance to other states when needed. In some cases, this assistance must be of a military nature. As just one example, more than 400 Irish citizens, all members of the Defence Forces, are serving in the West-African country of Liberia. Ireland’s Defence Forces were pivotal in the holding and transfer of the former Liberian leader, Charles Taylor. Members of the Defence Forces 94th Infantry Battalion Quick Reaction Force escorted Mr. Taylor from the capital Monrovia to the UN Special Court in Freetown, Sierra Leone, where he is wanted for war crimes. The mission in Liberia is one of the most challenging roles ever assumed by our Defence Forces, and their work has enhanced peace, security and stability in Liberia, a huge benefit to the people of that troubled State.

Fine Gael supports the role of the Defence Forces in their important work overseas and will support the Defence (Amendment) Bill 2006. However, we remain gravely concerned at the veto over our Defence Forces which has been given to five of the dominant players in global politics. Does anyone believe that China, the United Kingdom, France, the United States or the Russian Federation would accept an Irish veto over their military forces?

I ask the Minister to clarify, either now or on Committee Stage, the issue over the resolution of the Security Council or the General Assembly of the United Nations. I know the vote of the Security Council requires the support of nine of the 15 members, obviously including the five permanent members. I believe the General Assembly may have passed a resolution on the war in Korea. I seek clarification on why the General Assembly is mentioned.

I support the amendments made in section 1 to the definitions in the 1960 Act. Section 3 deals with the issue of personnel serving overseas, whether with the Partnership for Peace in Brussels or the UN in New York, and sets out the assistance we can provide in respect of humanitarian operations. The Minister for Foreign
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Affairs is advancing this concept and has raised the possibility of using military personnel and bases in that regard. However, humanitarian assistance operations would be more efficient if they were under the control of the Department of Defence. It is important that such operations are co-ordinated by the Defence Forces and the private sector so that expertise can be pooled. If some of the funds we provide for overseas assistance were diverted to these operations, people would see tangible fruits for their money.

Section 4 provides that members of the Permanent Defence Force who were appointed or enlisted prior to 1993 shall not be liable for service on overseas peace enforcement missions. Sections 5 and 6 deal with the triple lock. Some commentators accuse Fine Gael of abandoning the UN. For historical reasons, Irish people take a positive attitude towards the UN, but the organisation is inefficient in many ways and needs to be reformed. I have personal experience of service with the UN on the frontline and in headquarters. People on the frontline do all the work and take all the risks but administrators have all the perks and seem to utilise most of the resources. For example, UNFICYP, which was established after the Turkish invasion of northern Cyprus in 1974, still has a section for missing persons, even though it has not located a missing person for the past 30 years. Some aspects of the UN simply defy logic. As regards the triple lock, if a Government of this State adheres to the fundamental principles of the UN, it will be as careful as the Security Council when getting involved in missions.

Deputy Gormley and I have described section 8 as an Irish solution to an Irish problem. Some people believe battle groups represent the militarisation of Europe. They claim we are losing our neutrality but I do not believe we were neutral in the first place. This Bill will help to save lives by increasing force efficiency. The concept of battle groups and regional forces arose from the failure of the UN to respond adequately to crises. In the past, the UN forces were static and otherwise sanctioned by a resolution of the Security Council or the General Assembly of the United Nations. The 1960 Act defined “United Nations Emergency Force” as “an international force established by the Security Council or the General Assembly of the United Nations for the performance of duties of a police character”. The Defence (Amendment) Act 1993 repeated the definition but widened the remit of the operation by deleting “for the performance of duties of a police character”. The Defence (Amendment) Bill before us substantially broadens the definition to include international United Nations forces which are not only “established” but also “authorised, endorsed, supported, approved or otherwise sanctioned by a resolution of the Security Council or the General Assembly of the United Nations”.

In effect, the Minister has changed the legislation to reflect the criticism levelled by the Labour Party at the Government for deploying Irish troops abroad in situations where the United Nations had not established any international force or body. In his speech to the Seanad the Minister admitted as much by saying:

Mr. Costello: The tabling of this Bill from 9.30 p.m. to midnight, with all Stages to be taken in the space of two and a half hours, is a scandal. This important legislation is being rushed through the Dáil. There is no break between any of the Stages to allow for periods of reflection, opportunities to tease out the implications of the various sections or debate the merits of Opposition amendments.

This is the only Bill tabled during the Minister’s term of office. The last Defence (Amendment) Bill was tabled eight years ago in 1998. Defence Bills are not exactly growing on trees. It was disingenuous for the Minister to argue that the ordering of his legislation was not his responsibility. It is careless that he could not find more than two and a half hours on the midnight shift to process the Government’s first defence legislation in eight years. It is careless in the extreme that he could not find more than two and a half hours in which to debate legislation as important as this. A midnight debate followed by a guillotine is no way to carry out the legislative business of this House. It is a cloak and dagger approach which raises suspicions about the good faith of the Government with regard to the Bill’s provisions.

The central purpose of the Bill is to make new statutory provisions for the posting and deployment of Irish soldiers overseas. It extends the terms of the Defence (Amendment) Act 1960, which first made statutory provision for Irish soldiers to serve abroad under the auspices of the United Nations. The 1960 Act defined “United Nations Emergency Force” as “an international force established by the Security Council or the General Assembly of the United Nations for the performance of duties of a police character”. The Defence (Amendment) Act 1993 repeated the definition but widened the remit of the operation by deleting “for the performance of duties of a police character”. The Defence (Amendment) Bill before us substantially broadens the definition to include international United Nations forces which are not only “established” but also “authorised, endorsed, supported, approved or otherwise sanctioned by a resolution of the Security Council or the General Assembly of the United Nations”.

In Bosnia and Herzegovina and in Operation Artemis in the Congo, Ireland has participated in UN-authorised missions led by the European Union. In Kosovo and Afghanistan, Ireland participates in UN-authorised missions led by NATO and we are currently providing personnel to an EU-led supporting mission to
the African Union-led UN mission in Darfur in Sudan.

None of these missions was established by the United Nations. The Minister admits as much in his opening speech on Second Stage:

With the increasing demands around the world for peacekeepers, the UN has turned to regional organisations in the past few years, including the European Union, the African Union and NATO among others, to support its activities in the area of crisis management operations. In this regard, Ireland has contributed peacekeepers to many of these missions in furtherance of its commitment to the United Nations on both UN established and UN authorised missions.

The legislation makes provision only for UN established missions. Clearly there is a distinction between the two. Much as we hate to say it, we were correct all along. The missions to which I referred were established variously by the EU, NATO and the African Union and authorised or endorsed by the UN. The correct language was not used in the 1960 Act.

Clearly there is a question mark about the legal status of Irish troops serving abroad on such missions. After 18 months of the Labour Party raising the issue the Minister has belatedly moved to close the loophole and provide legal certitude. The Minister has repeatedly denied there was any distinction between established missions and authorised missions and that he has successive Attorney General’s advice to prove it. I have challenged the Minister to publish the advice of the Attorney General. So far, despite the Minister’s commitment during Question Time to make it available if possible, it has not been received. I do not know if the Attorney General is willing to part with the advice but it must be in the Department of Justice, Equality and Law Reform. I welcome the Minister’s rejection of the Attorney General’s advice and his acceptance of our position. Hundreds of Irish soldiers now serving abroad will be relieved when the new definition becomes law and their mission is underpinned by legal certitude.

The second major section in this legislation also deals with a potential legal loophole. This Bill was tabled for debate in the Dáil three weeks ago. It was subsequently removed without explanation. Perhaps the Minister can explain why it disappeared from the Order Paper and appeared out of the blue in the Seanad. It will be debated for two hours in this House. The Minister explained his reason for urgent passage of the Defence (Amendment) Bill stating the advice of the Attorney General was that troops can only be despatched for overseas service as part of an international United Nations force, established or authorised by the UN Security Council. As such, existing Defence Forces staff postings in UN Headquarters, in the EU, in the OSCE etc. may have been open to question. In addition attendance at training courses, ceremonial, fact finding missions, equipment demonstrations, the provision of observers and monitors at OSCE and EU missions, even attendance at inter-military sporting events etc. could have been open to question. The advice stated that the major concern was the legitimacy of the substantive postings and the need to provide a firm legislative basis for these and that provision would be made for all these types of duties in the proposed urgent amending legislation.

Are any of our troops serving abroad with the correct legislation underpinning the mission? The Minister is belatedly riding to the rescue of our troops in a legal limbo, serving abroad in individual postings or seconded to international organisations. We do not know if they are legally entitled to be there. The provisions of section 3 are extended to cover the new areas of humanitarian tasks, natural disasters, as well as the new military training and exercises in the context of battle groups. The service abroad of these soldiers will be solely authorised by the Government of the day without authorisation of the Dáil or the United Nations. The nature of such external service requires some clarification.

It is particularly important that members of the Permanent Defence Force participating in this external service, without the triple lock, should be clearly designated as not being on active service. I have tabled an amendment to put this issue beyond doubt. It would also have the effect of ensuring our forces would not get involved in a situation of danger to themselves while posted abroad without the protection of the triple lock mechanism. They would not be on active service or armed. I would like assurances from the Minister in this regard.

The third major issue the Bill addresses is the procedure for deployment of the battle groups to the theatre of operation. Section 8, which deals with the issue, is quite confusing and needs considerable improvement. This will not be possible in the truncated debate in which we are engaged. Battle groups are rapid reaction forces that are specially trained and deployed quickly. However, the Irish requirement for prior approval by the Government, the Dáil and a resolution of the UN General Assembly or Security Council raises logistical and timing issues.

Section 8 attempts to deal with the gap between the need for urgent deployment and the triple lock time scale. It does not deal with it very well. It does not address the issue of the UN resolution waiting patiently for a decision by the General Assembly or the Security Council and how that might be expedited. It does, however, authorise the Government to despatch Irish troops for service outside the State as part of a force to be assembled or embarked before being deployed as part of a particular international United Nations force. Is it meant that Irish troops will be assembled in one of the battle group coun-
tries or assembled in an area separate from the theatre of operations? The section is not clear and the Minister should amend the legislation to clarify this.

The language in the second part of section 8 compounds the confusion by stating that “the contingent or member is not so deployed until a resolution under subsection (1) of this section has been passed by Dáil Éireann approving of their despatch for such service”. It appears from the earlier part of section 8 that on the authority of the Government they have already been despatched for service outside the State as part of the assembly arrangements. Thus the second reference to despatch for such service involving Dáil and UN approval appears to suggest retrospective approval. The triple lock cannot be retrospective; otherwise it loses its validity and becomes meaningless. The Minister must make it absolutely clear that the assembly of troops is quite distinct from their deployment and that there is no overlapping of functions which are authorised solely by the Irish Government and those functions which are part of a mission approved by the Irish Government, Dáil Éireann and the United Nations.

From that point of view, this is unsatisfactory legislation. The Minister clarified the situation with regard to the deployment of battle groups and assembly. That should be in the legislation. He said:

In rapid response situations, including battle groups, where speed of deployment is of the essence, it will probably be necessary to have equipment containerised and despatched, together with personnel, while the UN Security Council resolution is being finalised. In addition, members or contingents of the Permanent Defence Force may have to assemble in the framework nation for the battle group, with their equipment, ready for despatch, in advance of the formal adoption of the UN resolution.

The legislation does not state that, it states that they will assemble, embark and be despatched. However, they could well be despatched to the theatre of operation or conflict. Nowhere in the legislation is it stated that they will be despatched to the framework nation. Why is it not stated? Are they to be despatched to Sweden, which is our framework nation? Our troops could partly assemble here in Ireland. Putting legislation through so rapidly generates these questions.

I welcome the Minister’s later statement: “However, the Defence Forces could not, and will not, deploy operationally before the formal adoption of the requisite Security Council resolution and the approval of Dáil Éireann”. That is wonderful but the provision in the legislation does not reflect that. The legislation must be distinct and clear but it is not.

The Minister has missed a golden opportunity to open a long awaited and long sought debate on the nature of Irish neutrality, the use of Shannon for military stopovers, overflights of the national territory, the Common Foreign and Security Policy and reform of the United Nations. Now we do not even get time to debate the narrow specifics of this legislation properly and adequately.

For the record, I will outline Labour Party policy as adopted in May 2003 at our annual conference. It states:

Conference is concerned at the diminution of Ireland’s neutrality, particularly under Fianna Fáil dominated coalitions since 1997. Conference supports an active independent progressive foreign policy which upholds human rights, seeks to rectify international wrongs peacefully and opposes imperial domination by powerful countries and corporations. Conference understands the need to support the United Nations and to reform and develop it as a guarantor of peace, human rights and a new sustainable economic world order. Conference therefore resolves to campaign for the inclusion in the Irish Constitution of a clause setting out clearly that Ireland will not take part in military alliances or provide any assistance to activities of military alliances but is committed instead to maintaining peace and collective security by way of international law and support for a transformed United Nations.

I hope the Minister will respond to the key issues I have raised and give assurances, first, that the people who go abroad on postings that are authorised solely by the Government are doing so not on active service and, second, that there is a clear distinction between the despatch, assembly and embarkation of Irish forces to a framework nation and the deployment to the theatre of operations. There must be a distinction between the despatch and the deployment, which is subject to the triple lock.

Mr. Gormley: It is disgraceful that there are only two and a quarter hours to debate this Bill. I only have six minutes to make my contribution on very important legislation, which represents a fundamental shift in Irish defence policy. This is not just tinkering with Irish defence policy, it is not just a technical Bill, its purpose is to change the essence of Ireland’s triple lock mechanism and to destroy a cornerstone of what has become known as “Irish military neutrality”. I do not like that phrase. I prefer to talk about our traditional foreign and defence policy.

Fianna Fáil has done more than any other party to undo our traditional foreign and defence policy. It has been extremely hypocritical about this. Recently, I attended a meeting in my constituency at which a Fianna Fáil candidate said he did not like talk about the undoing of Irish neutrality. He believes Ireland is as neutral as it
ever was. This is nonsense when one looks at what is happening in Shannon. American troops travel through Shannon Airport and their commander-in-chief, George W. Bush addresses them there. American troops go through Ennis in uniform, which is a clear breach of Irish defence law, and nothing is done about it. Shannon is being used for renditions. The Fianna Fáil Party supports a European Arms Agency without any debate in the House.

This is the party that promised, when in opposition, a referendum on NATO’s partnership for peace. We were subsequently told by the Taoiseach, Deputy Bertie Ahern, that the partnership for peace had nothing to do with NATO. That suggests that the man is out of touch with reality. When I asked the Minister for Defence in this Chamber about battle groups I was told that Ireland had made no commitment in that regard. Later, when it became clear that Ireland was to join a battle group, he said that the triple lock would remain intact. That is typical of Fianna Fáil — a wink and a nod, speaking out of both sides of one’s mouth and being all things to all people.

Then there is the Fine Gael approach, which is probably more straightforward. The party has made no bones about its policy. It never liked the triple lock and supports increases in defence spending. The party has supported the WEU, an organisation that supported nuclear weapons, from the beginning. Fine Gael has been, for the most part, up-front. However, there is a problem when it refers to the UN. I vividly recall Deputy Gay Mitchell speaking in the House about the Iraq war and saying that he opposed the war because there was no UN mandate. It now appears that when the UN mandate becomes problematic, Fine Gael is quite prepared to ditch it.

I have certain expectations of the Labour Party, perhaps naively. As I listened to Deputy Costello give a half-hearted welcome to the Bill, I was reminded of the quote from the Book of Revelation which states: “So then because thou art lukewarm, and neither cold nor hot, I will spue thee out of my mouth”. Deputy Costello implied that the triple lock remains intact. Has the Deputy lost his marbles or his scruples, or has he just bottled it because the Labour Party is now in thrall to Fine Gael?

Mr. Costello: We do not cry wolf.

Mr. Gormley: How could anybody reading this legislation come to that conclusion? How can he say that the triple lock is the same? The 1960 Act has been amended beyond all recognition.

We have a proud record as UN peacekeepers and this has served us well. It has been implied that Members who are opposed to this legislation are somehow opposed to the Army intervening in any shape or form, but that is not true. The Green Party has endorsed and supported every peacekeeping mission authorised by this House. That is a fact.

My time is limited so I will proceed to the key question of the definition. Deputy Costello rightly said “established or authorised”. We should look at the Seville declaration given to us by the Government at the time of the Nice treaty. It states that Ireland reiterates that the participation of contingents of the Irish Defence Forces in overseas operations, including those carried out under European security and defence policy, requires the authorisation of the operation by the Security Council or the General Assembly of the United Nations. It is clear we are going beyond authorisation or establishment. Once we get into wording like “endorsed, supported, approved or otherwise sanctioned” it becomes very woolly. The Minister knows that and it is deliberate. Can the Minister give one instance where we have been stopped from going on a mission because of this definition? Can I get one example of that?

The Minister is aware of my difficulties with section 3.

Mr. J. Higgins: Is the Deputy sharing time?

Mr. Gormley: Yes, I am sharing time with my two colleagues. Could the Ceann Comhairle tell me when I must stop?

An Ceann Comhairle: The Chair’s obligation is to tell the Deputy when the 20 minute slot is concluded. If it is any help, 13 minutes remain in the slot.

Mr. Gormley: What happens under the various duties and tasks under this if Irish troops are fired upon? Should it not come back to the Dáil? I have tabled an amendment to that effect.

Section 8 is a dog’s dinner. The Minister states we will assemble or embark in a framework country. If that is the case, why is it not stated in the legislation?

Mr. O’Dea: I did not say that.

Mr. Gormley: The Minister did say that.

Mr. O’Dea: I said it will be usually within the framework country.

Mr. Gormley: Why does the Minister not put it into the legislation?

Mr. O’Dea: The Deputy should stop misleading people and trying to create groundless fears.

Mr. Gormley: The Minister said we will embark in a framework country.

Mr. O’Dea: I said “usually embark”. The Deputy always leaves out the appropriate word.

Mr. Ferris: Without doubt the ultimate purpose of this Bill is to allow the Defence Forces to join
EU battle groups. EU battle groups are to be ready for deployment anywhere in the world within five days of an instruction from the European Council. EU battle groups do not require a UN mandate for their activities. Irish participation in battle groups, therefore, requires legislative change. Hence the Defence (Amendment) Bill 2006.

The public is dubious of any pretence on the part of this Government of a commitment to Irish neutrality. This Bill is being pushed through under the cover of night post haste. Sinn Féin has serious reservations about this legislation. We oppose the integration of the Defence Forces into EU battle groups, the effective elimination of the triple lock safeguards and the underhand manner by which this Bill will be passed at midnight.

Sinn Féin believes the UN must have primacy in international affairs above all other regional groups and organisations. The UN needs radical reform, particularly the veto system, which has been abused by the United States to prevent action against Israel. If the UN is further sidelined, however, as is proposed in this Bill, we will undoubtedly witness more illegal wars like that in Iraq and, by virtue of this Bill, Irish Defence Forces could be even more directly implicated in such wars. This eventuality would irreparably tarnish the proud record of the Defence Forces in international peacekeeping under the guise of the UN.

The Minister recently argued that entering EU battle groups is a way to enhance our commitment to the UN. In response to Deputy Ó Snodaigh’s question on the State’s existing commitment to the UN, he stated we offered to provide up to 850 personnel on overseas services and that this is the maximum sustainable commitment we can make to overseas peacekeeping operations. Each standing battle group, however, must have 1,500 combat soldiers, with an average rotation of seven to nine months for each soldier. Consequently there will be too few Irish personnel available for UN missions. The report of the Panel of the United Nations Peace Operations reinforces my concerns. It states that “the growth in European regional peacekeeping initiatives further depletes the pool of well-trained and well-equipped military contingents from developed countries to serve in UN-led operations”.

The inevitable sidelining of the UN is to be accompanied by the promotion of NATO as a main player in global relations. A document from the Finnish Ministry of Defence states that in practice the battle groups will mostly be trained on NATO exercises. According to that document, the objective is to make the EU battle groups mutually supportive of and complementary to NATO and operational methods and procedures will be harmonised with their NATO counterparts.

Who does the Minister think he is fooling suggesting that EU battle groups would be better named “peace brigades” or speaking of them in convoluted terms such as “EU rapid response battle group concepts”? Battle groups do exactly what it says on the tin, they involve combat soldiers going into battle and they are equipped to do so. As Jaap de Hoop Scheffer, the NATO Secretary General has said, battle groups could be used to go to war. Why did the EU create the battle groups? It was not just to help rebuild countries. They are not for building schools and we should not think the EU is for soft power while NATO is for tough power.

The Irish people wholeheartedly support the triple lock safeguards of our neutrality. This may be inferred without question from the Nice treaty referenda. The Government is now attempting to circumvent the triple lock with this legislation, particularly in sections 1, 3 and 8.

The Bill also introduces a form of secondary conscription. Until now members of the Defence Forces volunteered to undertake services overseas. This Bill removes the voluntary nature of such service by requiring it from members under orders.

We will oppose this Bill strenuously and I call on everyone here who has a conscience, particularly in the Labour Party, on Irish neutrality and sovereignty to oppose this Bill.

Mr. O’Dea: Did the triple lock advocate the murder of Jerry McCabe? Was there a UN resolution for that?

Mr. Gregory: I oppose the Defence (Amendment) Bill because it facilitates the integration of the Irish Army into European Union battle groups and because I see it as another step in the drift from traditional Irish neutrality towards Irish participation in a militarised European Union super-state.

The important issue of Irish neutrality, and the increasing militarisation of the European Union, was the decisive issue in the defeat of the first referendum on the Nice treaty. The Government was then forced by public opinion to respond by introducing the triple lock mechanism to prevent the participation of Irish soldiers in foreign military operations unless those operations were clearly mandated by the UN and sanctioned by the Dáil and the Government. This was always simply a public relations exercise to reassure the Irish people on the neutrality and militarisation issues and so win support for the second Nice referendum. It has now clearly become expendable.

It would have been far preferable and would have shown genuine commitment on these issues had the Irish Government acted in a manner similar to the Danish Government and introduced a legally binding protocol to exclude Ireland from the whole process of militarisation of the EU. Instead, the Government joined the NATO-led Partnership for Peace and reneged on the commitment to hold a referendum on the issue. In 2004 it participated in the European
Union Ministers’ authorisation for the creation of the European Defence Agency, allied now to its Western European Armaments Group.

All of this is the context in which the Irish Army will be integrated into European Union battle groups. Any objective analysis of the military equipment will show that these battle groups are geared for war, not for rescuing people from humanitarian emergencies.

I support the Peace and Neutrality Alliance, which is organising in defence of Irish neutrality and against the militarisation process, the worst aspect of which is the use of Shannon Airport by the US occupation forces in their war on Iraq.

**Mr. J. Higgins:** The Defence (Amendment) Bill 2006 represents the logical progression of an Irish Government which has consistently bent the knee to the interests of major imperialist powers around the globe since it came to power. While billions of ordinary people throughout the world understood that the excuse for the invasion of Iraq — that the country had weapons of mass destruction — was a monstrous lie, the Irish Government pretended to believe it and supported that criminal invasion. It continues to support the occupation of Iraq by the United States and Britain, which is an unmitigated disaster for the people of Iraq.

The formation of battle groups represents the latest instalment in the strategy of militarisation of the European Union. It is no secret that the key powers in the EU have consciously planned a military wing for a long time. Their rationale is quite straightforward. The expanded European Union is a major economic entity comprising a population of up to 500 million. A military wing is needed to complement this huge capitalist economic bloc. The militarisation also relates to the relationship with the biggest imperialist power in the world, the United States. The European Union sees itself sometimes an ally and sometimes a rival of the United States. In many ways, the EU establishment resents the diplomatic power the US wields throughout the world, deriving from its armed forces. The EU wishes to rival the US as a super power in certain critical areas of the world. Sometimes they will be in friendly co-operation, while also pushing the particular interests of the European Union when it comes into conflict with the United States. Undoubtedly, the national capitalist classes within the EU will at times break down in defence of their own national interests when this is necessary.

It is obscene that a new arms race is now apace in the modern era. The arms race formerly pitted the capitalist west against the Stalinist east, but now the European armaments industry is attempting to emulate the massive power of the United States in terms of armaments. What an obscenity it is that the huge resources of humanity are wasted on the creation of further weapons of mass destruction when they could be used to resolve humanitarian problems. I have heard the United Nations being put forward as an alternative in the debate and that easy line is repeatedly trotted out. What is the United Nations? Just look at four of the Security Council’s permanent members: the United States, Britain, China and Russia. They are all countries that have walked with jackboots over any other nation or people when it suited their interests to do so. One has only to take Iraq, Chechnya and Tibet as examples. Other states in the UN General Assembly have governments that are not much better than brigands and thieves who routinely rob their own people. How can we say that the future peace of humanity lies with them?

The alternative is the working class and the poor of the world taking control of the resources of our planet and using them for the benefit of the majority, rather than being corralled by a tiny corrupt elite and the multinational corporations. Such a democratic socialist organisation of society would eliminate the obscene wastage of resources and apply them instead to resolving the problems of humanity.

Fianna Fáil, the Progressive Democrats, Fine Gael and Labour will apparently support this Bill. The Green Party opposes it but will that party make the repeal of this legislation a condition for entering Government with Fine Gael and Labour, if such an eventuality arises following next year’s general election? The Green Party should let us know about that.

**Mr. Gregory:** A good question.

**Mr. J. Higgins:** The mood of working people within the EU is not towards the creation of battle groups and militarisation. That mood was captured in the massive protests against the Iraq invasion which mobilised millions of ordinary citizens throughout the EU. I assure the Minister and the Government that if the EU moves increasingly, as it intends to do, in the direction of militarisation, it will come up first and foremost against the opposition of its own people to any form of military adventures.

**Mr. N. O’Keeffe:** I welcome the opportunity to speak on this important Bill. I fully support what is being put in place. It is a pity that we have to bash our friends in the United States of America so much here when they provide so many jobs in our country through investment. In 1955, it was great foresight on the part of a Fianna Fáil Government that brought Ireland into the United Nations. It was the foresight of the late Frank Aiken who was well known to you, a Cheann Comhairle. He was the driving force behind Ireland’s membership of the United Nations.

Ireland joined the UN in 1955, and in 1960 we contributed a peacekeeping contingent to the Congo. Sadly, friends of mine were involved in an ambush there during which Trooper Patrick Mullins was killed. He served in the Congo but
[Mr. N. O’Keeffe.]

he has not been properly remembered since and the whereabouts of his remains are unknown. His family have not received the necessary co-operation from the Irish Army or the Department of Defence. No one knows the circumstances of his death. I am told, reliably or otherwise, that there was an error on the part of the people in charge when that ambush took place and Trooper Mullins lost his life. I am asking the Minister to set in train an investigation to discover the circumstances of his death and find where he is buried. The family should be notified of these matters. We have investigations and commissions into everything, but nothing has been done about this lone person from a working family in the Mitchelstown/Kilbeheny area. It is a sad business. On several occasions, his family have asked me to help. I have spoken to the Taoiseach on the matter and I am now asking the Minister for Defence to act immediately so that an investigation can take place. This man should receive the respect he deserves. The Army and Department of Defence should determine the circumstances of his death, discover where his body is buried and find out what happened on that occasion. Was it negligence? I cannot be sure whether the truck or the armoured car moved forward, leaving him behind or locked out, but that should be thoroughly investigated. It is sinful and shameful that such a thing should have happened to an honest, decent trooper who served his country in the peace mission to the Congo — one of the first peace missions of the Irish Army. It leaves a sour taste in the mouths of many people in my constituency. I am asking for an investigation to find out the circumstances of the death of Trooper Patrick Mullins in the Congo in September 1961. I well remember the Niamba ambush which occurred in November 1960. It was a horrific event also.

I fully support the efforts envisaged by this Bill. On occasions I have represented the Government as an observer at the Western European Union in Paris. Good work is being done by that organisation, especially in countries such as Bulgaria, Romania and Poland who are active in the WEU. As members of the European Union, we must walk and march in the right direction because we are benefiting from that organisation which has done so much good for Ireland since we became members. I fully support the Bill. In particular, I am asking that wherever Trooper Patrick Mullins is buried — God be good to him — the circumstances of the death of that gentleman must be put on the record. He should be honoured in a proper fashion.

Minister for Defence (Mr. O’dea): I thank Members for the interest they have taken in this timely legislation. I appreciate their kind remarks concerning the work members of our Defence Forces undertake on overseas operations. Wherever they are our troops serve with professionalism, dedication, courage and unselfish humanity. Their commitment, service and loyalty to the traditions of the Defence Forces contribute extensively to the high regard in which Ireland is held throughout the international community.

In the five minutes allocated, I will not have time to cover all the points that have been raised during the debate. I am aware of the case raised by Deputy Ned O’Keeffe and I am already examining it. I am conducting some investigations into the case and I will be in touch with the Deputy shortly concerning the matter.

Deputy Timmins made the usual predictable speech about the triple lock. I cannot get my head around this. Deputy Timmins argued that the triple lock was excessive and that it is restricting and restraining us. Deputy Gormley says the triple lock has disappeared completely. Between the two of them I cannot figure it out. The maintenance of the triple lock as a traditional form is Government policy and will remain Government policy.

Deputy Timmins asked about the General Assembly. Under the 1960 Act, a decision by the United Nations to endorse a peace support operation can be taken either by the Security Council or the General Assembly. As I understand it, the practice has developed since the time of the Korean War that it is always endorsed by the Security Council and the General Assembly never seems to pass a resolution. I am informed that there is a debate within the United Nations whether the General Assembly can authorise the dispatch of an international peace force. Invariably it is endorsed by the Security Council.

Deputy Timmins has argued that the triple lock results in our abdicating our sovereignty to China or one of the other members of the Security Council with a permanent veto. That is not the case. The triple lock is a deliberate policy of the Government so that it is an exercise in sovereignty, not an abdication of sovereignty. We as a sovereign Government decide that we will not dispatch troops abroad without the sanction of the United Nations. That is an example of an exercise of sovereignty rather than the opposite which he argued would be an abdication of sovereignty.

Deputy Costello raised a number of interesting technical points. He accused me of organising the timing of the Bill. That is not true. I did not have anything to do with the timing of the Bill or the time arrangement.

Mr. Costello: I did not accuse the Minister.

Mr. O’Dea: He raised again the old question of established and authorised. I gave a commitment in the House in reply to oral parliamentary questions that I would publish the advice of the Attorney General if I could. To publish the advice which the Government gets from the Attorney General, one must get the permission of the Attorney General. So far I have not got
that permission. However, I can say that the Attorney General who gave that advice was the Attorney General in the Labour-Fine Gael Government, Dermot Gleeson, a very eminent lawyer, whose advice I would hesitate to dispute. His advice was that the word “established” in the Defence Act 1960 includes “authorised”. A force established by the United Nations enables us to participate in a force put together by somebody else at the request or with the authorisation of the United Nations. That was his clear legal advice.

Deputy Costello asked also whether people going abroad under section 3 on ceremonial duties, training, reconnaissance and so on would be on active service. My advice is that they are not on active service. If a person is being put on active service which involves certain consequences, that must be done specifically by way of legislation. I am advised that people going abroad as part of an international peace force are on active service because they are specifically deemed to be on active service by the 1960 Act. Section 5 of the Defence Act—

**Mr. Costello:** Is it the legal advice that the people going abroad under section 3 are not on active service?

**Mr. O’Dea:** They are not on active service. That is the legal advice and position. Nobody is on active service unless they are deemed to be so by legislation which sets out the circumstances thereof and establishes the categories of people deemed to be on active service. It does not include the category cited by the Deputy. I repeat that people abroad, under any of the headings of section 3, are not on active service.

**Mr. Costello:** They are for protection purposes.

**An Ceann Comhairle:** The time has concluded.

**Mr. Costello:** The troops—

**An Ceann Comhairle:** We will conclude and the issues can be aired on Committee Stage.

**Mr. Gormley:** I asked two questions.

**An Ceann Comhairle:** I do not care. The order of today is that I must put the question now.

**Mr. Gormley:** The Ceann Comhairle said he would allow the Minister to conclude.

**An Ceann Comhairle:** Yes, if there were no interruptions, but there were interruptions.

**Question put.**

The Dáil divided: Tá, 99; Níl, 12.

Tá

Ahern, Michael.
Ahern, Noel.
Andrews, Barry.
Ardagh, Seán.
Brady, Johnny.
Brady, Martin.
Breen, James.
Breen, Pat.
Brennan, Seamus.
Browne, John.
Callanan, Joe.
Carey, Pat.
Carty, John.
Collins, Michael.
Cooper-Flynn, Beverley.
Coughlan, Mary.
Cowen, Brian.

Crawford, Seymour.
Cregan, John.
Cullen, Martin.
Curran, John.
Davern, Noel.
de Valera, Síle.
Deasy, John.
Deenihan, Jimmy.
Dempsey, Noel.
Dempsey, Tony.
Denney, John.
Devins, Jimmy.
Durkan, Bernard J.
Ellis, John.
Enright, Oíwyn.
Fahey, Frank.
Finneran, Michael.
Defence (Amendment) Bill 2006: 4 July 2006. Committee and Remaining Stages

Mr. Ferris: I move amendment No. 1:

In page 3, line 16, after “Union” to insert “including battle groups”.

The purpose of this amendment is to record the manner in which this Bill is being pushed through the Dáil and the participation of the Defence Forces in an EU battle group. However, it is very disingenuous that the term “battle group” does not feature even once in the Bill. We are opposed to the development of the EU into a global imperialist power.

Minister for Defence (Mr. O’Dea): The provision the amendment addresses is the dispatch of personnel to serve in secondments in international organisations. The amendment proposes to add the term “battle groups” to the section, namely “the European Union or any institution or body of the European Union”. A battle group is not a body or an institution of the European Union and as such, the amendment makes no sense. Personnel will not be seconded to a battle group. The personnel who will be operating in headquarters are deemed to be part of the battle group. In the context of international organisations it makes no sense to state that the terms “international organisations” also includes battle groups. I therefore cannot accept the amendment.

Amendment put and declared lost.

Tá—continued

Fleming, Seán.
Fox, Mildred.
Gallagher, Pat The Cope.
Glennon, Jim.
Grealish, Noel.
Hanafin, Mary.
Hayes, Seán.
Haughey, Seán.
Hayes, Tom.
Hector, Máire.
Jacob, Joe.
Keaveney, Cecilia.
Kehoe, Paul.
Kelleher, Billy.
Kelly, Peter.
Kenny, Enda.
Kilcoyne, Tony.
Kirk, Seamus.
Kitt, Tom.
Lenihan, Brian.
Lenihan, Conor.
McCormack, Pádraic.
McDowell, Michael.
McEllistrim, Thomas.
McEntee, Shane.
McGrath, Paul.
McGuinness, John.
McHugh, Paddy.
Martin, Micheál.
Mitchell, Olivia.
Moroney, John.
Moylan, Donal.
Moylan, Michael.
Mulcahy, Michael.
Reynolds, Paul.
Stallard, William.

Tellers: Tá, Deputies Kitt and Kelleher; Níl, Deputies Gormley and Crowe.

Question declared carried.

Defence (Amendment) Bill 2006 [Seanad]: Committee and Remaining Stages.

SECTION 1.

Mr. Ferris: I move amendment No. 2:

In page 3, lines 21 and 22, to delete all words from and including “mandated,” in line 21 down to and including “sanctioned” in line 22.

Nil

Tellers: Tá, Deputies Kitt and Kelleher; Níl, Deputies Gormley and Crowe.

Higgins, Joe.
McGrath, Finian.
Morgan, Arthur.
Murphy, Catherine.
Ó Caoláin, Caomhghín.
Sargent, Trevor.

Mr. Ferris: I move amendment No. 2:

In page 3, lines 21 and 22, to delete all words from and including “mandated,” in line 21 down to and including “sanctioned” in line 22.
I propose this amendment for similar reasons.

Mr. Gormley: I referred to amendment No. 3 in the course of my contribution on Second Stage. We wanted an international force or body established and mandated. We were happy with the word “authorised”. I draw attention to the words, “otherwise sanctioned”. It is clear to me that Ireland should not be out of step with other members of the battle group who have no triple lock requirement. They do not have it written anywhere in legislation where a UN mandate is required. The Minister stated he would be in a framework country and that he is waiting for some form of resolution from the Security Council. The resolution could be very vague. The Minister referred to Dermot Gleeson who was Attorney General and who stated clearly that we were covered. Why is the Minister changing it and inserting all these terms? Any sort of resolution will do. The term, “otherwise sanctioned” gives the Minister much room for manoeuvre. I do not believe the Minister when he says he will be in a framework country. It would be ridiculous to go to Sweden when there is a mission in Africa. I suggest this is madness. The Minister will go along with the rest of the battle group and he will not go elsewhere. He will be waiting with them. This is the reason he deliberately left it vague.

Mr. Timmins: Is it necessary to include the reference to the General Assembly of the United Nations, considering it perhaps no longer has a role in passing a resolution?

Mr. Costello: In my contribution on Second Stage I referred to the area of “established and authorised”. I referred to the legal advice we received that the word “established” was not adequate. The meaning of the expression “established” is to establish a mission and we were involved in missions that had never been established by the United Nations but rather had been authorised or sanctioned by the United Nations. The advice was that it was time to bring the statutory provisions in line with what was happening. A question hung over the legal certainty surrounding the deployment of our troops abroad because the 1960 Act only refers to missions established by the United Nations. The Minister was doing that and was rejecting the advice of his Attorney General. If he was not rejecting the advice of the Attorney General he would leave it as it was. If the Attorney General said that the word “established” meant the same as “authorised” —

Mr. O’Dea: That is what he said.

Mr. Costello: Why should it be changed?

Mr. Cowen: Dermot Gleeson was the Attorney General for the Deputy’s side of the House and not ours.

Mr. Costello: I do not deny it.

Mr. O’Dea: I accept that.

Mr. Costello: If the Minister was happy with it, he would have left it the way it was. Why does he include the terms “further mandated”, “authorised”, “endorsed”, “supported”, “approved or otherwise sanctioned”? We have been making this point for a long time that the wording as it stood was not legally adequate. I am delighted the Minister has taken our views on board and that he is finally rejecting the advice of the Attorney General.

Mr. O’Dea: Amendment No. 2 would leave the definition of international United Nations force the same as it is currently in the 1993 Act. It would completely subvert the purpose of the definition in this Bill which is designed to provide for the full range of terminology used by the United Nations Security Council.

Amendment No. 3 would simply add the word “authorised” to the existing definition of international United Nations force and would not overcome the difficulty that the use of terms such as “endorsed” or “supported” which appear in United Nations Council Resolutions may not be covered by the legislation.

I will clarify the situation for Deputy Costello for the umpteenth time.

Mr. Costello: I suggest the Minister publish the Attorney General’s advice.

Mr. O’Dea: I cannot do so without the permission of the Attorney General, as Deputy Costello knows.

The 1960 Defence Act stated that Ireland is entitled to send troops overseas on a mission “established” by the United Nations. In recent years the United Nations has farmed out the organisation of some of these missions to regional bodies such as the EU, the African Union etc.

The question arose when the Fine Gael and Labour coalition Government was in power in 1996, when Mr. Dermot Gleeson, SC, was the Attorney General, with regard to a particular mission that was established by a regional organisation at the request of the United Nations. In other words, it was not established directly by the United Nations but it was authorised to be set up by the United Nations. The advice of Mr. Dermot Gleeson, SC, was that the situation was covered by the word “established” in the Defence (Amendment) Act 1960. I cannot make it any clearer.

Since then, circumstances have again changed. The United Nations, in its resolutions, tends to
use expressions not limited to “authorises” but including “endorses”, “supports”, “calls on” etc. We have gone through the United Nations resolutions to check their wording.

Mr. Gormley: So have I.

Mr. O'Dea: We have consulted our mission to the UN in New York and taken advice from them. We are trying to have an all-embracing definition so that if the United Nations words a resolution in a certain way, our defence legislation corresponds with it. If the mission is desirable we should not be prevented by a technicality from the definition in the defence legislation not being exhaustive enough to cover what the United Nations might state.

We are saying that we will send troops on an overseas peace mission at the behest of the United Nations, if we decide for other reasons that the mission is desirable. We are not saying that if we think a mission should be engaged in, and the United Nations asks us to join it, we will join it only if asked in a certain way, with the State being constrained by the Defence Act.

Mr. Cowen: Does Deputy Gormley wish to support the UN?

Mr. O'Dea: Deputy Gormley may refer to terms such as “authorised”, “endorsed”, “supported”, “approved” and “otherwise sanctioned”, but under this legislation there can be no deployment whatever of Irish troops on peacekeeping missions unless there is a specific resolution of the United Nations which will give rise to that.

The Deputy mentioned Iraq. The argument put forward by the US Government, as I understand it, on the Iraq matter was that while there was no specific resolution allowing that country to go into Iraq, it did so to enforce some resolutions which were passed years earlier. That is completely different from what we are proposing. We are proposing that it is only in response to a specific resolution authorising or asking us to go into an area that we will do so. That is the factual position.

We may not get to the specific amendment on the embarkation clause. Arising from discussions with our potential European battle group partners, I have stated that it is planned that in some cases, when there is a last-minute delay about getting a United Nations resolution, for example, a battle group may be required to come together in the interests of speed. I have received advice from military personnel that the assembly will often be in the framework nation. The framework nation would be the organising country, which would provide the greatest number of troops.

I take Deputy Gormley’s point that the location may be further away from the actual theatre of conflict. The main part of the force will have to come from the framework nation anyway. I have received military advice that in many but not all cases, initial assembly prior to deployment would be on the soil of the framework nation. It does not have to be so, and the advice is not exhaustive. For example, in the United Nations mission which we have been asked to sign up for with regard to forthcoming elections, much of the force will be located over the border from the Congo.

We can parse and analyse words and their meaning until the cows come home, but common sense must enter the argument at some stage. On deciding as a sovereign Government to deploy troops as part of a battle group to a war theatre, sometimes in the interests of speed and efficiency troops will be ready to go in pending the passage of a United Nations resolution, but we will not deploy them in the theatre. That is the last thing we will do. We will not have them beside the theatre of war, where they can be fired upon. If they assemble at a location other than the framework nation, they will be a safe distance from the action.

Mr. Cowen: That is obvious.

Mr. Gormley: The Minister is stating that we can parse and analyse endlessly, but the problem is that we cannot do so as we have such a short space of time. Two hours were allocated for all stages of this legislation.

Mr. Cowen: Talking about the matter all day does not make the argument any better.

Mr. Gormley: It is not a good way to process legislation.

Mr. O'Dea: I used the term “usually”. That is what I said last Sunday and I am saying the same now.

Mr. Gormley: These are important issues. The Minister is departing from his original stance. He stated clearly last Sunday that troops would be sent to the framework country, though not all the time.

Mr. Cowen: The Deputy should speak quickly. If he is to shoot wide he should shoot quickly.

Mr. Gormley: The Minister is saying that our troops could be sent elsewhere, perhaps across the border.

Mr. Treacy: The Minister is consistent.

Mr. Gormley: If the Minister wants to be specific he can say that they will be sent to the framework country, and that will be the end of it, but he will not do that.
Mr. O'Dea: I do not propose to confine myself that way.

Mr. Gormley: The Minister is leaving it open. There is a problem with legislation.

Mr. Cowen: Where is the problem?

Mr. Treacy: The issue is clear.

Mr. O'Dea: They will not be pre-deployed into a theatre of war. Surely the Deputy can understand that and agree with it.

Mr. Cowen: The Deputy never wants to see soldiers in a war zone.

Mr. Gormley: That is untrue. The Minister, Deputy Cowen, has just arrived in and has not heard the debate so far.

Mr. Cowen: I am a former Minister for Foreign Affairs and I am well aware of the issues.

Mr. Gormley: The Deputy has not heard the debate.

Mr. Cowen: I dealt with Deputy Gormley's misrepresentations for four years.

Mr. Gormley: The Minister, Deputy Cowen, has not heard the debate so far.

Mr. Cowen: Deputy Gormley spoke of Armageddon on numerous occasions.

An Leas-Cheann Comhairle: I call Deputy Timmins.

Mr. Gormley: We have supported every single mission that has come before the House.

Mr. Cowen: The Deputy was educated in the defence policy group on the European Union constitution.

Mr. Gormley: I was there.

Mr. Cowen: The Deputy was educated on all the realities. He told me that and I will put it on the record.

Mr. Gormley: I made plenty of amendments. Michel Barnier put his forward. I may raise the issue.

Mr. Timmins: Has the Minister had discussions with our counterparts on this matter? If the UN resolution does not come forward and we have a force in the area of embarkation, or a forming area, and the other components of the battle group decide to move in, will our position be undermined in the long run?

Mr. O'Dea: There are two issues here. We should forget about prior deployment for the moment. I will give an example of a normal situation where people deploy from their own country into a battle group that has already been sanctioned to go. That case is straightforward. The battle group will be waiting for a United Nations resolution and will decide to get together, either in the framework nation or elsewhere, although not in the heart of the war as that is where it is ultimately waiting to be deployed to.

I have had discussions with potential members of the Nordic battle group, which consists of Sweden, Finland, Norway and Estonia. From speaking to those countries and others, including Austria, which will also be part of multinational battle groups, it is clear that all these states are signed up to the idea that groups may sometimes get ready, for the sake of speed and efficiency, while the United Nations resolution is being passed. I do not see that undermining us in any way.

People have argued that because we are the only country in the potential Nordic battle group with a legal requirement for a United Nations resolution, we are at some disadvantage. The countries in the group regard the United Nations resolution as a political imperative in most cases.

I will be careful in my comments as Deputy Gormley may pick me up incorrectly, but I have heard reports that at least one of those countries is considering changing their law to make what is now only a political requirement a legal requirement.

Mr. Gormley: I know that, it is Norway.

Mr. O'Dea: Yes. That will be two countries that will have a legal requirement. The Norwegians do not have a difficulty with it and I do not see why we should either.

Mr. Timmins: The Minister will have a patent on the triple lock mechanism.

Mr. O'Dea: There are other situations where a country will not be able to deploy, not just because it is a political imperative. Some countries have baggage such as a colonial past and will not want to send soldiers into a particular region. That is an imperative which does not apply to us and we should not always think of ourselves as the non-participant. As that is the reality in multinational battle groups, a situation will often arise where one or more of the participants for some reason or other, because of the political imperative, the legal imperative or the historical baggage, will not be able to deploy. All multinational battle groups will have an in-built redundancy to provide for that situation. In other words, they will have substitutes to call up. This is part of the organisation of multinational battle groups. That
is the way it will operate in practice. That is as clear as I can make it.

Mr. Costello: There are two important issues. I referred already to the first, the need for legal certainty, which is now dealt with by the new provision, even though the Minister denies it. The second and most important matter is that the resolution of the Security Council or the General Assembly of the United Nations is the key issue. Once that resolution is in place, then we can go forward.

The Minister referred to the assembly of the battle group. It does not matter whether the prior assembly takes place in a framework country or in any country involved in the battle group, or in none of those countries. The key issue is that the assembly takes places outside the theatre of operations so that there is no danger to Irish troops. That is what is needed and what should have been enshrined in this legislation. It is not clear because it is presented in a confusing fashion.

The Minister assured us there is no question of any overlap between the area of the dispatch of the troops and that of the subsequent deployment, that there is no question of them being in the same theatre or area of conflict. That is the key to it. That must be in place. If it were not, then we would not have the triple lock because the Minister would have already undermined one of the pillars, namely, deployment prior to getting the UN resolution. It is essential that the assembly area is separate from where they will be deployed and that the deployment takes place only after the Dáil has debated the issue and after the UN resolution has been passed. That is the way I envisage it and I am glad to hear that is the way the Minister envisages it. I would have preferred more circumspect language in section 8 to include that.

The Bill does not address a question on the purpose of a rapid reaction force which will be deployed rapidly to a theatre of operation to deal with a crisis, that is, the issue of how the resolution will be expedited. Has the Minister begun to think through the logistical and timescale implications of the request for the resolution, when the United Nations Security Council might meet and when General Assembly might meet? What mechanism will apply in terms of those issues?

Mr. Gormley: If a contingent of the Permanent Defence Force assembles, for instance, in a neighbouring country, as the Minister stated, and comes under attack, I assume it can defend itself in those circumstances. If it does so, is it not becoming embroiled in a conflict without a UN mandate?

Mr. O’Dea: In answer to Deputy Costello, the people negotiating the composition and operation in practice of the battle groups are examining all those issues at present. Obviously, there will always be a lead-up time. Something will be happening which will require the United Nations to approach the EU for assistance. The EU can decide in what form it will provide that assistance, whether by organising a traditional-type United Nations force or by deploying one of its battle groups, depending on the circumstances of the case.

I agree with Deputy Costello that it certainly makes it potentially less rapid than it otherwise would be if we must wait for a Security Council resolution because such resolutions are not always readily and easily forthcoming. Nevertheless, it is the Government’s policy that we will not deploy troops in the absence of a Security Council resolution.

We will have a system, which is within our power, of recalling the Dáil to debate the matter, for example, if it is during a recess, and of convening a quick meeting of the Government to debate the matter.

Mr. Costello: Does the Minister envisage a recall of the Dáil if there is a request?

Mr. O’Dea: If the Dáil is not sitting, we must recall the Dáil because it is one of the three pieces of the triple lock and, obviously, nothing can be done without a Dáil motion. The people putting the multinational battle groups together are considering all those issues and they are issues which must be considered in detail.

Deputy Gormley asked the position where troops assemble in a neighbouring country ready to deploy. I would imagine that what would happen in such a case is that if such troops come under fire, we would obviously have to withdraw the troops. It is as simple as that.

Mr. Gormley: Then the Minister would find himself out of step with the other members of the battle groups.

Mr. O’Dea: I am sure they will not only be attacking the Irish troops.

Mr. Gormley: Exactly.

Mr. O’Dea: I am sure the other countries will also take measures to ensure the safety of their troops.

Mr. Gormley: It is unrealistic that we would withdraw and the others would remain.

Mr. O’Dea: It is even more unrealistic to conjure up all these images.

Mr. Gormley: No, this is called legislation. We must go through it systematically.
Mr. O'Dea: How many scenarios will there be? When one gets the assembly together waiting for the United Nations resolution and in that short space of time they happen to be somewhere where they happen to be attacked——

Mr. Gormley: It happens in war. People get attacked.

Mr. O'Dea: We are not going into the war zone.

Mr. Gormley: They are going into a neighbouring country.

Mr. O'Dea: If one is assembling a group of people to go to a concert, one does not assemble inside on the floor of the concert. One assembles some place else with a view to being deployed into the war zone ultimately. One does not assemble in the war zone.

Mr. Gormley: I gave the Minister the example of a neighbouring country.

Mr. O'Dea: Would the experienced military people running that battle group not be very foolish to put troops in where they are likely to come under attack?

Mr. Treacy: They would be daft.

Mr. Gormley: Would they not be very foolish to withdraw after one attack?

Mr. O'Dea: We will withdraw them if they are in danger, but that would be definitely an unusual situation.

Mr. Timmins: May I be of assistance to the Minister? When forces have deployed in the past, they would have gone through areas outside the area of operation with equipment. They have landed in Israel en route to Lebanon.

Mr. O'Dea: Deputy Gormley is now splitting hairs he has already split. One can come up with all sorts of scenarios but common sense must come into it at the end of the day. Deputy Gormley has the Humpty Dumpty approach to words. It is what he states they mean, nothing more and nothing less. I do not agree with him.

Mr. Gormley: It is our job as legislators——

Mr. O'Dea: I know that.

Mr. Gormley: ——to go through this in some detail. Unfortunately, we have not been given the time to go through it.

Mr. O'Dea: That is not my fault.

Mr. Gormley: We are here to look at all scenarios. That is what we are supposed to do. Unfortunately, when it is rushed we will not do our job properly.

Mr. O'Dea: Every possible scenario.

Mr. Timmins: Given that we will probably not get through more amendments and this has been rushed, and while each year a document is laid in the Library or an update on the overseas operations for the year is given to the committee by the Minister, would he give a commitment to come into the Dáil each year, rather than into the committee, to report on what is taking place because we are going through a serious period of transition? I understand the Minister gave a commitment to lay a document before the Seanad.

Will the Minister give a commitment to come to the House on an annual basis to report on how this system is operating?

Mr. Costello: I support Deputy Timmins because we have not had adequate time to debate the legislation. It is wrong to deal with an important Bill in this manner. The least we should expect from the Minister is a regular report to the House with an opportunity to debate what happened in the previous six or 12 months. The report should not be left in the library and the Minister should be proactive and afford us an opportunity to tease out the implications of the system in the House.

Mr. O'Dea: There is provision for an annual report to be debated in the House and it is repeated in the legislation. In practice, the report is laid before the Dáil and the Whips ask for it to be referred to a committee. There is no barrier to it being debated in the House and if party Whips want such a debate, I have no objection. If they communicate their views to me, I will talk to my Whip about it.

An Leas-Cheann Comhairle: As it is now midnight, I am required to put the following question in accordance with an order of the Dáil of this day: “That, in respect of each of the sections undisposed of, the section is hereby agreed to in Committee, the Schedule and the Title are hereby agreed to in Committee, the Bill is, accordingly, reported to the House without amendment, that Fourth Stage is hereby completed and the Bill is hereby passed”.

Question put.
Care of the Elderly.

Mr. M. Smith: Cé go bhfuil sé déanach, gabhainn buíochas as ucht an seans an rún seo a mholadh. I thank the Ceann Comhairle for giving me the opportunity to raise this matter, despite the fact it is rather late in the evening.

The people of north Tipperary very much appreciate the progress made on a number of fronts in the provision of health services to serve the people of that region. Our county hospital has been developed and expanded, new consultants have been appointed and, at present, the x-ray
laboratory and accident and emergency services are being extended.

While I was a Member of the Cabinet, moneys were provided for a new community hospital in Thurles. We now have a state of the art facility catering for the elderly, which matches the best not only in this country but in the world and we are proud of it. In St. Conlon’s in Nenagh and the Dean Maxwell home in Roscrea, the services provided for the elderly are quite extraordinary. When many of us began in public life, we could not have envisaged the care, compassion and understanding provided in such facilities. They are sometimes taken for granted but very much appreciated.

However, because of geographical circumstances, one region, the Borrisokane and Lower Ormond area, has been denied the type of services to which it is entitled. The people there have traditionally travelled to the Hospital of the Assumption in Thurles, but for many of them it involves a journey of more than 50 miles. Deputy Hayes also knows the area.

The burden on families and the isolation of individuals concerned was probably not always understood. However, we now provide excellent facilities in local regions. Whether it is in St. Conlon’s in Nenagh or the Dean Maxwell home in Roscrea, people have become accustomed to having day care, long-stay care and cancer care facilities closer to their homes. That is not the case for the people of Borrisokane and Lower Ormond who still have to travel.

In the context of the provision of services for the elderly, I ask that a 22-bed unit and a day care centre be provided on the site in that area acquired years ago by the health authority to give the people in Rathcatherine, Lorrha, Terryglass, Kilbarron, Carrig and Ballingarry the kind of facilities that are now taken for granted in the rest of the county.

The Leas-Cheann Comhairle, the Minister of State and my colleagues here appreciate the importance of giving to an older generation, many of whom have given a great deal and not asked for much in return, the opportunity to be close to their homes as they grow older and to meet their neighbours. Whether they are in long-term care, a public facility or a day care centre, each day they can meet with their friends and their families do not have to travel a distance of up to 50 miles, which has been the case.

I appeal to the Minister of State to respond as positively as he can. I am aware consideration is being given to the provision of such a unit in the county as a whole. My case, which I put genuinely, is for this area to be given that provision because these people have not questioned what they have had to do for decades. They travelled that 50 miles to visit their fathers, mothers, uncles and aunts who, in turn, were 50 miles away from their homes and felt isolated. We have moved on from that stage. We have a beautiful state of the art facility in Thurles which caters for the surrounding region. We are asking the Government to measure up, in the context of the resources available, and give to the Lower Ormond area what we have given to Nenagh, Roscrea, Thurles and what we would like to give to the community as a whole.

Minister of State at the Department of Health and Children (Mr. T. O’Malley): I am taking this Adjournment matter on behalf of my colleague, the Tánaiste and Minister for Health and Children, Deputy Harney. I thank Deputy Smith for raising this question as it provides me with an opportunity to outline to the House the current position with regard to services for older people in the Lower Ormond area.

This Government has made services for older people a priority by significantly increasing resources made available in recent years. Additional funding for services for older people, amounting to €150 million, was allocated in the 2006 budget. This is the largest ever increase in funding for services for older people. Reflecting the new emphasis on home and day care, almost three quarters of that sum, €109 million of the full year costs, is committed to community care supports.

In the context of dealing with the issue of the 22-bed unit and day care centre in Borrisokane, the Health Service Executive has advised that the provision of services for older persons in north Tipperary must be viewed not only in the context of the provision of extended care beds but also the increasing attention to and resourcing of community-based services to support older people with the view of maintaining them in their own homes and communities for as long as possible, thereby reducing the dependence on extended care beds. Consistent with this type of provision, there has been an emphasis in north Tipperary in the past decade on enhancing both the quantity and quality of day centre provision and much has been achieved to date. There are 30 places in Nenagh, 25 in Templemore, 25 in Newport, 25 in Roscrea and 30 in Thurles.

With specific reference to residential services for older persons, the particular emphasis in recent years has been, in the first instance, to improve the infrastructure and the quality and type of service in existing facilities. As a result of this emphasis, significant refurbishment has taken place at the Dean Maxwell community nursing unit in Roscrea and a completely new hospital has been built to replace the Hospital of the Assumption in Thurles. Both these projects have been completed and the new hospital in Thurles has been fully occupied since April 2006. In Nenagh, there has been investment in 2005 and 2006 to improve the existing facility at St. Conlon’s community nursing unit.
Special Educational Needs.

Mr. P. Breen: I am delighted to have an opportunity to speak on the withdrawal of home tuition grants. In the past, the Minister for Education and Science, Deputy Hanafin, emphasised her commitment to ensuring that all children, including those with autism, receive an education appropriate to their needs. In that context, the decision to withdraw home tuition grants for children with autism is perplexing. What could be the rationale for this action when it clearly affects one key element of children’s education, that is, the essential extra they receive in a comfortable home environment on a one-to-one basis? That has been crucial to their successful integration into the mainstream education system.

The Minister now says her Department considers that school-based education provision is the most appropriate intervention for all children. That is an arrogant statement which is untrue. It is an astonishing in the context of fulfilling the educational needs for children with autism. The Irish Society for Autism states that it is essential to have an individualised education programme for each person. It also states that parents should be encouraged to take an active role in all aspects of a child’s development. The Minister is suggesting that the home tuition service can be ended and that from now on such children can struggle through the school system without any back-up. Parents will lose out also as a result of the withdrawal of the home tuition scheme. As they, too, learn how to cope with their children’s needs, home tuition is a support for them also.

Children with autism need one-to-one tuition on a consistent basis from as early an age as possible. They grow up to be independent and in doing so save the State from having to provide for them as dependent adults in the future.

I repeat that the decision by the Minister to reverse the gains made through the provision of the home tuition grant scheme is astonishing. I cannot believe the Minister made the decision for money reasons because I am aware of her commitment to education. With the Government coffers overflowing, the Department is not short of funds.

As a society, we are still dealing with the damage caused to three or more generations of our citizens because of the mistaken belief in institutions such as industrial schools and the refusal to believe that the home environment is where a child’s crucial learning occurs. The same occurred in the past when children with intellectual disabilities were locked away in institutions, with the result that their potential was lost forever. I am not suggesting that our school system can in any way be compared to those practices but the institutional approach the Minister is taking to the issue is causing such concern for parents who are struggling, with all the pressures of modern life, to rear children with intellectual disabilities.

Schools do an excellent job with their limited resources but they do not have the specialised personnel to cope with a child with autism in a classroom of 30 children. Some of my constituents in west Clare are very concerned about the removal of this key plank in support of the education of their children. I know from talking to my colleagues that the same is true throughout the country. We all saw the “Prime Time” programme the other night. I know the family involved in that programme very well.

It is not enough to talk about the number of pre-schools and the school classes for autism when there is no adequate back-up in most areas, apart from what the Government was able to provide up to now through the home tuition grant system. Despite assurances from the Minister, the west Clare autism specialism system sanctioned in Kilrush looks doubtful for September because no qualified personnel are available as yet. I urge the Minister to ensure those qualified persons are appointed as soon as possible.

A response to a recent parliamentary question indicated that the Department had spent €11.7 million in legal costs and settlements relating to educational provision for children with special needs in the three years up to 2005. The Minister admitted that the vast majority of these cases relate to children with autism. This is a staggering amount of money and I doubt that the Minister could assure me that a similar bill will not be presented to the taxpayer in 2006. The courts have repeatedly found that the State has failed to provide the funding and resources for children with autism. Has the Minister calculated how many years €11.7 million would pay for a properly funded home tuition grant scheme with all
the appropriate back-up in terms of providing training for personnel?

The Minister has said with no apology to the taxpayer that her Department attempts whenever possible to reduce the potential for litigation and the level of legal costs where litigation arises. Has she calculated the legal costs that arise from this penny-pinching measure? It seems to be a case of being cent wise and euro foolish. It is no wonder the opinion polls show support diminishing for the Government as it loses its grip on the reality of value for money principles, not to mention the constitutional provision to cover the education of our children.

Mr. T. O’Malley: I thank the Deputy for raising this matter as it provides me with the opportunity to clarify the position of the Department of Education and Science on the matter of home tuition.

The Department of Education and Science considers that school-based education provision is the most appropriate intervention for all children, including those with special educational needs, and has discontinued the practice whereby children who are in full-time education provision would also be able to avail of home tuition grants.

The children referred to by the Deputy are on the autistic spectrum and are enrolled in special schools or special class placements or are attending mainstream schools with additional resource teaching and special needs assistant supports as appropriate.

Recent years have seen a major expansion in school-based provision for children with autism. Current provision includes 162 special classes for children with autism, attached to special and mainstream schools; 15 pre-school classes; five special classes for children with Asperger’s syndrome; and 12 stand-alone facilities providing an applied-behavioural analysis, ABA, specific methodology. Approval has also been given for the establishment of a further two such facilities.

The newly established National Council for Special Education and its team of more than 70 special educational needs organisers are also working across the country to ensure that new services are put in place where needed so that children with special needs, including those on the autistic spectrum, have access to appropriate school-based provision.

The decision to discontinue home tuition grant was on the basis that the educational needs of these pupils can be best met in their individual schools. It is open to any parents who may have a concern over the educational supports being delivered in the schools to discuss their concerns with the school in question.

Ms Burton: The announcement in April by the Minister for Education and Science of an additional primary school, St. Benedict’s, for the Ongar and Castaheany area was welcomed by all the community because of the ongoing crisis regarding school places in this rapidly growing area. However, the recent news that St. Benedict’s will share the site reserved for more than three years for the Castaheany Educate Together national school has caused great concern among local residents.

The two schools along with community facilities will be located on only four acres, which is considerably less than the usual size for schools with such numbers. I have been advised that only three acres of the site have been reserved for educational use. I have been told that the Department of Education and Science plans to provide a 40-classroom facility on this three or four-acre site potentially catering for up to 1,200 children. Local residents are extremely concerned that the access to the two schools for the 1,200 children and the community facility will be through one housing estate in which, because of high densities, roads are designed to be narrow, with no free parking. Residents are very limited in the amount of parking.

I call on the Department to meet residents, public representatives and Fingal County Council in a round table discussion to work our way through the issue. While people really want the school, equally they need to be able to get into and out of their homes. Having been promised a school for three years, the board of Castaheany Educate Together school is anxious to open in September. Equally it is alarmed at the level of traffic safety and access issues that arise for so many children in a confined site with a limited access point.

Why were the members of the board of the Castaheany Educate Together not consulted about the possibility of an additional school being built in the site reserved for its school? When will the Government inform the board of the Castaheany Educate Together national school of the full detail of its plans for this site? Apparently the Department has consulted Fingal County Council, but has consulted none of the other parties, including the school boards, residents and local public representatives. What plans has the Minister made for access, parking and drop-off points for a school of this size in what is essentially a cul-de-sac residential estate?

I have campaigned for the Minister to pay some attention to the crisis of primary school places in Dublin 15. However, squeezing two schools into a small site is not a solution. Some 8,000 houses have been built in the area in the past seven years and the new communities will need to live with the consequences of this decision for 30 or 40 years. While there is urgency, there is also a need for consultation to get this right. When vast tracts of land are zoned for housing, school sites must be acquired at the

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same time. Sites reserved for educational use must not sit vacant for years.

There is an easy solution. Two other sites are reserved for education in the area in Hansfield, directly across the road from the site that is to hold these two schools and further up the road at Phibblestown. Why did the Minister choose to squeeze two schools on to such a small site with access problems? For St. Benedict’s the resources available in reserved sites in the Dublin 15 area, particularly the Hansfield site directly across the road, must be utilised. Once two schools are built on this site with limited access there will be no going back. I am sure the Minister of State knows from his constituency that where there is limited access and the residents have 1,200 children coming through one small space, it sets the scene for continual conflict down the decades.

I have championed both the schools and will continue to do so. I ask the Minister to consult now while there is time. While no one wants to see any objections, the residents who will live beside these schools had been promised one school and a green space. They will now get two schools and a community facility with another school site lying vacant across the road. They deserve to be consulted, as do the boards of the two schools. I am sure that if this is done we can find an amicable way forward to resolve the issue and provide these important schools on time.

Mr. T. O’Malley: I thank the Deputy for raising this matter as it provides me with an opportunity to outline to the House the actions being taken by the Department of Education and Science to address the school accommodation needs of the Ongar area of Dublin 15. The Department of Education and Science has acknowledged that the population surge in Dublin 15 has created a significant extra demand for primary school places. This unforeseen surge has been created, in the main, by occupancy rates greater than those predicted by the local authority for housing developments. This appears to have arisen largely because families have moved into the area.

Having found itself in a position where a considerable amount of additional primary school accommodation was urgently needed, the Department moved quickly to provide this accommodation by extending existing schools and providing a number of completely new schools. The Department is particularly appreciative of the boards of management which rose to the challenge of meeting the needs of their communities.

All the projects concerned, including extension projects, attract a band one priority rating under the prioritisation criteria for large-scale building projects. The delivery of building projects for the new schools is being expedited by using generic repeat designs or the design and build method where generic repeat designs are not feasible.

This approach will ensure that school accommodation is delivered in the fastest timeframe possible and is a clear indication of the urgency with which the Department regards the provision of educational infrastructure in the area.

The Department took the exceptional measure of recognising a new school, St. Benedict’s Ongar National School, outside the new schools advisory committee process in order to ensure that places will be available for eligible pupils for next September. This is one of the schools which will be permanently located on the Ongar site.

The Department wishes to be unequivocal about what is happening on the Ongar site. This site is being developed on a phased basis. The focus for the Department is, in the first instance, on providing a new permanent school building for Castaheany Educate Together on the site by September 2007. This is a challenging timeframe in terms of dealing with the design, planning permission and construction phases of the project. The project will be followed by a permanent school building for St. Benedict’s Ongar National School. Both schools will have a separate identity on the site. One will be a two stream facility, the other will be a three stream facility. It is expected that further provisions will be made in other locations in the area.

Officials in the Department had extensive discussions with Fingal County Council prior to lodging the application for planning permission for the first phase of the project with a view to addressing any planning issues arising. It is a matter for the planning processes to iron out any remaining issues.

The Ongar site, which comprises four acres, is reserved for educational use rather than for one school or school type. It is in the ownership of the Department of Education and Science and there is no question of such a large parcel of scarce and costly land being dedicated to one educational facility when the needs of the community exceed what one school is able to provide. It is the function of the Department to assess the educational needs of the constituent parts of any given community and to deliver infrastructure to meet those needs in the context of statutory regulations such as planning permission requirements.

The best technical advice available to the Department indicates that, with imaginative and creative design, the site has the capacity to accommodate two primary schools without compromising standards. The Department will be pressing ahead with its plans in this regard. Issues such as access and traffic management will be dealt with under the planning procedures.

Multi-school campus arrangements will become a feature of the educational landscape. In Fingal County Council, these campus style arrangements will have the added benefit of access to shared community facilities, which will enhance the educational experience of the pupils.
attending the schools and benefit the community at large. The Department hopes to be able to test this model with all due haste but the first priority is to ensure that all eligible pupils in Dublin 15 are able to attend school.

The provisions being made on the Ongar site are necessary to match demand. The Department has the land to make the required provision and the plans are fully in train to deliver it.

Planning Issues.

Mr. Ring: I wish to share one minute of my time with Deputy Timmins, by agreement.

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

Mr. Ring: I have concerns about the planning regulations for developments which front on to national primary roads. I am aware of several cases in which planning permission was granted by local authorities but appealed to An Bord Pleanála by the National Roads Authority. On occasion, objections have been made to the construction of single houses.

This year, a major garage in my town applied to Mayo County Council for planning permission. The National Roads Authority made critical observations on the application. I am delighted the garage was granted permission but a young couple were refused planning permission by Mayo County Council to build a house 200 yards away on the same road. I interceded on behalf of the couple, who subsequently made a successful application to the council. However, the NRA objected to the development. The couple asked me why the NRA objected to their development but not to the garage. I made serious allegations in this House, which I stand over, but I will not repeat them tonight.

I wrote to the NRA to seek an explanation as to why it did not follow through on the observations it made with regard to the garage. The NRA replied that it did not prove feasible to do so within the prescribed period due to the receipt of notification of the council’s decision immediately before the Christmas break and the absence of authority personnel on annual leave. Does that mean we will have to wait for someone to advise the NRA’s staff will be on holidays and, therefore, will not object to a planning application?

I urge the Minister of State to persuade the NRA to withdraw its objection to the couple’s application on the basis that it did not object to the garage. A couple of hundred cars will enter and leave the garage area but only one or two will leave the couple’s private house. The matter must be resolved. The NRA has an obligation to withdraw its objection.

If planning permission for a project is granted the day before the NRA’s staff go on holiday, will the agency fail to make objections on safety grounds? That question will have to be answered because I will not let it go. I intend to outline the matter to RTE and will introduce the couple to any Ministers who visit my constituency. This is the couple’s only opportunity to build a house.

There should be one planning process under the aegis of local authorities and An Bord Pleanála. An Taisce and the NRA should not be allowed to make objections later than the five week period allowed for observations. I am unhappy about this situation because it is wrong that a State agency should put such a reply in writing. I will ask the Ombudsman to adjudicate on whether the staff of the NRA can avoid their responsibilities simply because they go on holiday. That would mean emergency surgery is cancelled when a hospital consultant takes a holiday or, if the staff of the Oireachtas decide to go on holiday tonight, the Dáil will not work tomorrow. That is not the way this country is run. There should be an investigation into the unfairness in the planning process.

Mr. Timmins: The explanation provided by the NRA to Deputy Ring is completely unsatisfactory. During the holiday period additional days are added to the 28 days allowed for appeal. I cannot understand how this is the case. In a similar case north of Blessington the NRA appealed plans for a one-off house.

One of the major issues in my constituency is the condition of the national secondary road, the N81. Improvement of this route between Blessington and Tallaght was included in the National Development Plan 2000-2006 by the Government but nothing has happened. It was included in Transport 21, launched with such fanfare by the Minister for Transport. I have tabled questions to test when work will be carried out on the N81 but they were ruled out of order. I wrote to the NRA who replied that there are no plans to carry out major works on the road. How can I find out what is the situation?

This is one of the most dangerous roads in the country. A number of people have been killed on it in recent years. Over the past ten years more than 400 accidents have occurred, leading to major and minor injuries. As a representative of the area, I cannot find out when improvement works will be started. I urge the Minister of State to contact the Minister for Transport to ascertain what is happening.

Mr. T. O’Malley: I am pleased to outline the Department’s position on development fronting on accessing national roads. The decision to grant a planning application, with or without conditions, is a matter for the relevant planning authority or An Bord Pleanála in the event of an appeal. In making decisions on applications planning authorities must, under planning legislation,
[Mr. T. O’Malley.]

consider the proper planning and sustainable development of the area, having regard to the provisions of the development plan, any submissions or observations received and relevant ministerial or Government policies, including any guidelines issued by the Department.

Policy on development of national roads has been consistent for many years and was restated recently in the Department’s draft development management guidelines, which are expected to be issued in final form before the end of this year. These guidelines state that the location of new means of access to national primary roads or residential, commercial, industrial or other development dependent on such means of access should not be permitted except in areas where a speed limit of 50-65 km/h applies or, in case of infilling, in the existing built-up areas. The same considerations apply to national secondary roads.

The safety of road users is of particular importance. Analysis of road accident data indicates that more than 50% of all injury accidents reported on Irish roads over the period 1996-2004 occurred at junctions or involved turning movements on to or off roads. The risks posed here are obviously greater on national roads where there is a greater volume of traffic and higher speed limits apply.

This policy was stated as long ago as 1982 in the Department’s development control advice and guidelines, which referred to the need to protect the investment in national roads and to traffic hazards for both residents and road users. The NRA’s recent policy statement on development management and access to national roads, dated May 2006, is a further elaboration of this policy. This policy has also been restated in the Department’s sustainable rural housing guidelines for planning authorities, issued in April 2005. Accordingly, policy on development on national roads is long-established and well-known.

Under the Planning and Development Regulations 2001, the NRA must be consulted on all planning applications where the proposed development would involve the formation or widening of an access to a national road except in a built up area or where it might give rise to a significant increase in the volume of traffic using a national road.

Any submissions made by the NRA on a planning application must be taken into account by the planning authority in making its decision. It is open to the NRA, as it is to any person or body who made a submission, to appeal the decision of a planning authority to An Bord Pleanála. The policy guidance on development of national roads is clear. There are no plans to introduce amending legislation. If the Deputies wish to provide the correspondence regarding planning permission I will speak to the Minister.

The Dáil adjourned at 12.55 a.m. until 10.30 a.m. on Wednesday, 5 July 2006.
Written Answers.

The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].

Questions Nos. 1 to 11, inclusive, answered orally.

Questions Nos. 12 to 27, inclusive, resubmitted.

Questions Nos. 28 to 34, inclusive, answered orally.

School Curriculum.

35. Mr. Howlin asked the Minister for Education and Science if her attention has been drawn to the difficulties encountered in schools in implementing the junior certificate science course for which 35% of marks are awarded for practical work, including 30 mandatory experiments, due to large classes, lack of classroom assistants and inadequate laboratory facilities in some schools; and if she will make a statement on the matter. [25914/06]

38. Mr. Stanton asked the Minister for Education and Science the provisions in place to ensure that second level science teachers have the support of laboratory technicians to help with preparation for practical experiments; the provisions her Department has made to ensure that all second level students studying science subjects have the opportunity to engage in regular practical work as part of their studies; if she has satisfied herself that all second level science students receive this practical instruction; the financial or other assistance available to second level schools to facilitate the above; and if she will make a statement on the matter. [25989/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 35 and 38 together.

Student practical work has been a major feature of science syllabi at both junior and senior cycle levels for many years and science teachers have long experience of carrying out programmes of practical work with their students. Up until now, this practical work has been assessed through the medium of written papers in the Certificate examinations only.

The revised Junior Certificate Science syllabus introduced in 2003 differs from the previous syllabus in a number of ways that are intended to make the subject more relevant to students' needs in the twenty-first century and to provide the students with a richer educational experience. One of the major changes is that the students' practical work will now be directly assessed as part of the Junior Certificate examination.

The revised Junior Certificate Science syllabus has been mandatory since 2004 except for schools which were given a derogation from introducing the revised syllabus on the basis of a shortfall in laboratory space. Only four schools sought such a derogation. The needs of these schools are being addressed through the appropriate procedures in place in the Building Unit of my Department and it is expected that they will be in a position to implement the new syllabus from the coming September.

In relation to class sizes, it is a matter for management authorities of each individual local school to decide on the most appropriate ways in which to use the overall allocation of teaching resources the school receives from my Department, based on its total enrolment.

In addition to the revised Junior Certificate syllabus, revised syllabi have already been fully implemented for Leaving Certificate Biology, Physics and Chemistry.

The introduction of curricular change in the sciences has been supported in a range of ways. There have been comprehensive in-career development programmes for teachers and a major focus of these programmes has been to support teachers in providing an appropriate experience of practical work for their students. Additional funding for equipment and resources has also been provided. For example, some €16 million was made available to schools in 2004 for the purchase of equipment and the refurbishment of school laboratories to support the introduction of the revised Junior Certificate Science syllabus.
As the Deputies are aware, the Inspectorate of my Department is currently implementing a comprehensive programme of evaluation in schools. This programme is designed to identify and affirm good practice while constructively identifying areas for improvement in the implementation of the curriculum. In the case of the sciences, the provision of appropriate practical activities for students is one aspect of the evaluation process.

I have no plans at present to make provision for laboratory technicians. In the Report of the Task Force on the Physical Sciences it was estimated that the cost of providing technicians at second level was €18.8m per annum at 2002 prices. Provision of technicians in this area would undoubtedly lead to demands for similar assistance across other areas of the curriculum where there is a strong practical component.

School Placement.

36. Ms Burton asked the Minister for Education and Science if she is satisfied that there are sufficient schools places in the Dublin west area to cater for primary school entry requirement for September 2006; the measures taken to address the shortage that was identified in that area recently; and if she will make a statement on the matter. [25906/06]

Minister for Education and Science (Ms Hanafin): As I have told the House before, I am acutely aware that west Dublin — Dublin 15 in particular — is one of the most rapidly developing areas in the country and, that as a result, there has been a marked increase in the demand for primary school places.

I have also outlined the significant interventions being made by my Department to tackle this issue. These include measures to increase the capacity of existing schools along with the development of new schools to meet the growing demand. All building projects arising from these interventions are awarded a band 1 priority rating under my Departments prioritisation criteria for large scale building projects which means that they will be delivered in the fastest time frame possible.

Significant additional school places are being made available this coming September through the expansion of provision by the existing patron bodies Educate Together and the Catholic Archdiocese of Dublin. This involves an additional intake stream at Castaheaney Educate Together National School and the opening of a new school, St. Benedict’s Ongar, under the Patronage of the Archdiocese. These developments in particular will greatly ease the pressure on school places as referred to by the Deputy.

The provision of increased places is and will continue to be backed up by a significant construction programme. A new school building has recently been completed at Mary Mother of Hope National School which is in Littlepace/Castaheaney area, with an additional project underway with a target delivery date of September 2007. A new primary school campus is planned for a school site in Ongar also which will have a minimum of 32 classrooms which will address the needs of Castaheaney Educate Together National School again with a target completion date of September, 2007.

Those particular developments are but part of a wider agenda for increased provision in the area. In Diswellstown, St. Patrick’s National School has recently moved into a new 24 classroom school and the Board of Management has agreed to take a fourth stream of Junior infants this year. Furthermore the Board of Management of St. Mochta’s National School, which currently has an intake of 3 junior infant classes, has agreed to enrol a fourth Junior Infant class for September 2006 and an extension project to cater for this development will also be expedited.

Other developments in the Dublin 15 area include the planned expansion of St. Brigid’s National School in Castleknock and extensions to St. Brigid’s Boys and Girls National Schools, Blanchardstown. In Tyrrellstown, a new Educate Together school opened in September 2005. My Department has approved the provision of six additional classrooms for September 2006 to cater for new enrolments and special education delivery. It is anticipated that this school will enrol three junior infant classes.

Additional accommodation is being provided for St. Ciaran’s National school in Hartstown to cater for its accommodation needs for next September and the long term requirements of the school are being assessed so that permanent accommodation can be provided as quickly as possible. An additional two classrooms and two resource rooms have been approved at St. Patrick’s N.S., Corduff to cater for increased enrolments.

I am confident that a combination of the measures outlined together with radical changes in how projects are planned and managed will ensure an adequacy of primary school places in west Dublin for the coming September and well into the future.

Psychological Service.

37. Mr. J. O’Keeffe asked the Minister for Education and Science if additional psychologists will be employed by the National Educational Psychological Service during the remainder of 2006; and if she will make a statement on the matter. [25732/06]

132. Ms O’Sullivan asked the Minister for Education and Science the action she intends to take to make up the shortfall in educational psychologists employed in the National Educational Psychological Service; and if she will make a statement on the matter. [25903/06]
763. Mr. Durkan asked the Minister for Education and Science if and when she expects the required psychological services to become available at various schools throughout the country; and if she will make a statement on the matter. [26453/06]

772. Mr. Durkan asked the Minister for Education and Science when she expects to bring the educational psychology services up to requirement; and if she will make a statement on the matter. [26462/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 37, 132, 772 and 763 together.

Since the establishment of my Department's National Educational Psychological Service (NEPS) in 1999, the number of psychologists in the NEPS has increased from 43 to 122 at present. A number of these posts are filled on a work-sharing basis.

The Public Appointments Service recently concluded a new recruitment competition for the appointment of Educational Psychologists to NEPS. Regional panels have been established to allow my Department give greater priority in filling vacancies to areas with the greatest need. It is expected that a further 9 psychologists will be in place before the end of 2006.

All primary and post primary schools have access to psychological assessments either directly through the NEPS or through the Scheme for Commissioning Psychological Assessments (SCPA), full details of which are available on my Department’s website. Schools that do not currently have NEPS psychologists assigned to them may avail of the SCPA, whereby the school can have an assessment carried out by a member of the panel of private psychologists approved by NEPS, and NEPS will pay the psychologist the fees for this assessment directly. Details of this process and the conditions that apply to the scheme are available on my Department’s Website. The prioritisation of urgent cases for assessment is a matter for the school principal in the first instance.

In common with many other psychological services, NEPS encourages a staged assessment process, whereby each school takes responsibility for initial assessment, educational planning and remedial intervention, in consultation with their assigned NEPS psychologist. Only if there is a failure to make reasonable progress in spite of the school’s best efforts, will a child be referred for individual psychological assessment. This system allows the psychologists to give early attention to urgent cases and also to help many more children indirectly than could be seen individually. It also ensures that children are not referred unnecessarily for psychological intervention. The General Allocation of resources to primary schools ensures that many children can receive additional teaching without the requirement of psychological assessment.

Children who manifest very special needs in school and who have not been previously assessed by a psychologist and are brought to the attention of a NEPS psychologist by the Principal teacher will normally be assessed by the psychologist within that school term. Where schools consider that they have additional problems, they should contact the NEPS psychologist directly or make contact with the NEPS Regional Director for their region. Contact details are available on my Department’s website.

NEPS provides assistance to all schools and school communities that experience critical incidents, regardless of whether or not they have a NEPS psychologist assigned to them. Also, in relation to all schools, NEPS processes applications for Reasonable Accommodations in Certificate Examinations and responds to queries in relation to individual children from other sections of my Department and from the specialist agencies.

Question No. 38 answered with Question No. 35.

Bullying in Schools.

39. Mr. Durkan asked the Minister for Education and Science her plans to combat alleged increased incidents of school bullying and the use of modern communication technology in the course thereof; if she has received indications of bullying of pupils or students by their peers and the bullying of teachers by pupils or students; the structures currently available to deal with such issues; the number of occasions in which her Department has become aware of or directly involved in the matter in the past five years, notwithstanding the fact that no direct line of communication between her Department and the schools exists at present; if she intends to address this issue in the near future; her views on the setting up of a section in her Department to deal with the issue; and if she will make a statement on the matter. [25948/06]

Minister for Education and Science (Ms Hanafin): I share the Deputy’s concern that any child would feel upset in school because of bullying — be it physical, verbal or cyber and I assure him that supports are in place to enable schools both to prevent bullying and to deal with cases that may arise.

For a start, each school is required to have in place a policy which includes specific measures to deal with bullying behaviour, within the framework of an overall school Code of Behaviour and Discipline. Such a code, developed through consultation with the whole school community and properly implemented, can be the most influential measure in countering bullying behaviour in schools.

My Department has issued guidelines as an aid to schools in devising measures to prevent and deal with instances of bullying behaviour and to increase awareness among school management
[Ms Hanafin.]

authorities of their responsibilities in this regard. These guidelines were drawn up following consultation with representatives of school management, teachers and parents, and are sufficiently flexible to allow each school authority to adapt them to suit the particular needs of their school. My Department, through the National Centre for Technology in Education has also developed Policy Guidelines and Advisory Notes for schools and parents which deal with the issues of internet and mobile phone bullying.

The National Educational Welfare Board (NEWB) is at present developing further guidelines for schools on Codes of Behaviour, as provided for under section 23 of the Education (Welfare) Act 2000. Work on the guidelines is at an advanced stage and will be informed by broad consultation. It is envisaged that implementation will commence in the next school year.

Once the NEWB Guidelines are in place, my Department will commence the process of revising and updating its own “Guidelines on Countering Bullying Behaviour”. This review will take into account issues such as legislative developments, the involvement of the support services available to schools, technological advancements such as use of the Internet, e-mail, mobile phones and camera phones and the latest developments in International best practice on dealing with bullying behaviour.

These guidelines, on top of those that are already in place, will provide vital guidance for schools in fulfilling their responsibilities in relation to this issue. The Deputy may also be interested to know that dealing with bullying has also been incorporated in training for principals through the Leadership Development for Schools programme.

I have also stressed to the teacher unions the importance of not just having a written policy on bullying but also ensuring a climate in which it is not tolerated in any form and in which children know that if they make a teacher aware of bullying that it will be dealt with.

The Deputy will also be aware that the education of students in both primary and post-primary schools in relation to anti-bullying behaviour is part of the SPHE curriculum. SPHE is now a compulsory subject both at primary level and in the junior cycle of post-primary schools.

In relation to the Deputy’s query about reports to my Department, there is no requirement for schools to report incidents of bullying to my Department, nor do I believe that this should be the case. Bullying must be tackled at local level. While incidents of bullying are brought to my Department’s attention from time to time, it would take an inordinate amount of time to compile the information requested by the Deputy in relation to the past five years. Responsibility for tackling bullying naturally falls to the level of the individual school as it is at local level that an effective anti-bullying climate must be established. I am, however, anxious to support schools in tackling bullying and it is for that reason that so many supports have been put in place in recent years.

State Examinations.

40. Mr. G. Murphy asked the Minister for Education and Science the number of junior certificate students who undertake an oral examination in Irish; and if she will make a statement on the matter. [25792/06]

Minister for Education and Science (Ms Hanafin): The assessment of Irish for the Junior Certificate includes provision for an optional Oral examination which is conducted by the class teacher in accordance with guidelines issued by the State Examinations Commission. The decision on whether, or not, to avail of this option is taken at school level. In 2005, some 339 candidates in 13 schools took the optional Oral examination in Irish.

The syllabus for Junior Certificate Irish focuses strongly on developing communicative skills. Oral work is critically important in improving students’ competence and confidence in this regard and it should be a key component of day to day teaching of the language from the beginning of junior cycle.

Departmental Schemes.

41. Mr. Hayes asked the Minister for Education and Science the amount to be allocated to schools for book loan schemes in 2006 and 2007; and if she will make a statement on the matter. [25770/06]

129. Mr. M. Higgins asked the Minister for Education and Science if she will introduce a greater incentive to schools to participate in the book rental scheme to help alleviate the burden on parents of the cost of school books; and if she will make a statement on the matter. [25912/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 41 and 129 together.

My Department continues to urge the management authorities of both primary and second level schools to put in place book rental schemes, at both primary and post-primary level, to the greatest extent possible.

At primary level schools that opt for book rental schemes are allocated enhanced grants to encourage them to participate in such schemes. These grants are paid in advance in the June preceding the school year.

In respect of the 2006/2007 school year primary schools not operating book rental schemes have been paid €14.70 per eligible pupil in the infant classes and €22.00 for each eligible pupil in the 1st to 6th classes. This compares to primary schools operating book rental schemes which have been paid €28.40 in respect of each eligible pupil in the infant classes and €38.10 for each eligible pupil in
the 1st to 6th classes. Primary schools designated as disadvantaged and operating book rental schemes have been paid €32.00 in respect of each eligible pupil in the infant classes and €44.30 for each eligible pupil in the 1st to 6th classes.

A total of €4,000,000 was allocated by my Department in respect of the School Books Grant Scheme in Primary Schools for the 2005/2006 school year. Of this amount €3,453,281 was paid to primary schools operating loan/rental schemes in the 2005/2006 school year.

A total of €5,350,000 was allocated in respect of the school books scheme in the 2006/2007 school year. Of this amount €4,775,253 was paid to primary schools operating loan/rental schemes in the 2006/2007 school year. The allocation for 2006/2007 included an amount of €0.5m which was made available under the School Books Grant Scheme to primary schools in the School Support Programme (SSP) under DEIS.

Schools participating in the SSP that indicated that they would operate a book/loan rental scheme in 2006/2007 received grant aid at a higher rate per eligible pupil than applied in the case of schools generally. The extra funding is aimed at supporting the establishment, development and ongoing operation of book loan/rental schemes.

At second level, in addition to the provision of grants towards the cost of providing school textbooks for needy pupils, my Department also provides seed capital funding to certain schools in order to assist in the establishment of book loan/rental schemes. These would be schools designated as disadvantaged or which participate in schemes aimed at combating educational disadvantage.

Expenditure on the School Books Grant Scheme in second level schools in 2005 was €7.018m. Of this amount some €6.3m was provided in seed capital for book loan/rental schemes.

**Youth Services.**

42. Mr. Deenihan asked the Minister for Education and Science the progress regarding the implementation of the Youth Work Act 2001; and if she will make a statement on the matter. [25801/06]

**Minister of State at the Department of Education and Science (Miss de Valera):** The Youth Work Act, 2001, provides a legal framework for the provision of youth work programmes and services to be organised by the Minister for Education and Science, the Vocational Education Committees and national and regional youth work organisations. Section 1 of the Act provides for sections to be commenced at different stages. Sections 2-7, 17, 18 and 24 have been commenced to date.

A sub-committee of the National Youth Work Advisory Committee, representative of both statutory and voluntary sectors as well as my Department, has been steadily progressing the groundwork, including the development of detailed guidelines and procedures, which are vital for the further rollout of the Act in a planned and structured manner. The work of this sub-committee is progressing steadily.

My Department and I are working towards ensuring that the additional €2.8m secured in 2006 for the main funding line for the youth work sector is used to develop the youth work service in a strategic manner. This includes the progressive roll out of the Youth Work Act, 2001. The resourcing of VECs, including the appointment of Youth Work Officers, to carry out the functions set out for them under the Act has been agreed in principle by my Department and the IVEA. My Department is currently finalising the detail involved. This is a significant step forward which will allow for the development of local youth work plans and ensure co-ordination of youth work programmes and services in the area with education and other programmes for young people.

As a priority for 2005 I identified the capacity development of youth work organisations to assist them in preparing themselves organisationally for the implementation of the Act. To this end I established a Development Fund for youth work organisations to help ensure that they can achieve the new standards for approval and engage effectively with the new structures arising from the Youth Work Act, 2001. Some 30 national and major regional youth organisations received once-off grants in 2005, ranging up to €15,000, to help develop their ICT capacity. Over €300,000 was provided for this Fund in 2005. Similar funding is being made available in 2006. A recent meeting of a sub-committee of the National Youth Work Advisory Committee has identified particular areas for attention in 2006.

Work on the progressive implementation of the Act will continue, with further Sections being implemented as the necessary procedures are finalised and as resources, both human and financial, permit.

A further important and positive development for the youth work sector is the appointment of an Assessor of Youth Work. The functions of this post will include the assessment, monitoring and review of current youth work programmes and services funded by my Department. This will assist in the development of good youth work practice. The appointment of the assessor is imminent.

I am sure that the Deputy will agree that significant progress has been made, progress which will continue to be built upon in 2006 by my Department which is working closely with the various youth work interests.

**Proposed Legislation.**

43. Mr. Ring asked the Minister for Education and Science if she will bring forward legislative amendments to the Education Act 1998 before
Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 43 and 68 together.

The Report of the Task Force of Student Behaviour in Second Level Schools, launched in March of this year, recommended that section 29 of the Education Act be amended to stress the rights of the compliant majority to learn while at the same time protecting the rights of the persistently disruptive student to an education. The Task Force also recommended examining the timeframes involved in these appeals. I have undertaken a review of the legislation as a result of these recommendations. I propose to bring forward a new Bill which will amend section 29 to take account of the Task Force recommendations and intend to publish this Bill in 2006.

Bullying in Schools.

44. Mr. Bruton asked the Minister for Education and Science the number of schools against which the courts have made a ruling in relation to a bullying related problem; and if she will make a statement on the matter. [25796/06]

Minister for Education and Science (Ms Hanafin): The issues raised in cases of this nature are often particular to the school and to the manner in which the Board of Management and the Principal have discharged their duties under the Education Act 1998 and Education (Welfare) Act 2000 rather than matters arising in respect of the guidelines and circulars issued by the Department of Education and Science. However, there were three recent bullying cases involving schools/students of which the Department is aware, but it should be noted that the Department was not named as a defendant in any of these cases. The first case was in the Supreme Court, Kenneth Murphy v County Wexford VEC ([2004] 4 IR 202), and that judgment was applied by the High Court in the second case, Wayne Maher (a minor) v The Board and Management of Presentation Junior School, Mullingar ([2004] 4 IR 211). There was another similar High Court case, Nicola Mulvey (a minor suing by her mother and next friend Margaret Mulvey) v Martin McDonagh ([2004] 1 IR 497).

The cases concerned the standard of care required of a school and held that the requisite standard of care is that of the “prudent parent” (i.e. the care that would be taken by a prudent parent exercising reasonable care). The schools awareness of bullying as a general issue and also of particular incidents of bullying was an important factor in each of the cases.

In the Mulvey case, the Judge accepted and adopted the definition of bullying contained in the Department’s guidelines on countering bullying in primary and post primary schools. In the Murphy case, the Court held that schools are required to supervise and the degree of supervision will depend on a number of factors, including the age of the pupils, the location where they gather, the number of pupils present at any one time and the general propensity of the children at that particular school to act dangerously. Where a school is aware of potential or actual incidents of bullying, then the school is under a duty to take account of these incidents in determining the appropriate level of supervision in the school, particularly at break periods, where pupils are outside of the relatively controlled environment of the classroom.

As the Deputy will be aware, under Rule 130 of the Rules for National Schools the Board of Management has the ultimate responsibility for school discipline and that a code of discipline is formulated in consultation with the relevant educational partners, including parents. The Department of Education & Science have produced a number of guidelines and circulars on school behaviour and discipline, on countering bullying behaviour, on the supervision of mid-morning and lunchtime breaks and so forth. Further, a set of guidelines were prepared to assist schools in developing their School Plans in accordance with section 21 of the Education Act 1998. It may also be noted that section 23 of the Education (Welfare) Act 2000 places an obligation upon a school to adopt a code of behaviour in respect of the students attending the school.

The Deputy will also be aware that in litigation arising from bullying in the workplace, there are a series of industrial relations mechanisms and remedies which may be sought prior to court proceedings being initiated against a school and/or the Minister. It may also be noted that a bullying issue may be one ground amongst others in respect of which relief is sought in any proceedings and thus it is not possible to distinguish between these cases in which an applicant or plaintiff succeeds in a case but on a ground other than an alleged bullying-related matter. Further it may be noted that if a case is settled the matter of a court ruling — save other than a ruling for costs — does not arise. In certain circumstances it is possible that a case is settled at a local level, with a confidentiality agreement to protect the professional reputation of all concerned and/or the school, and once again it may be noted that the Minister would not be party to this information.

From the information to hand it would not appear that there have been any Court rulings in relation to bullying-related problems in recent years in which the Department was named as a Defendant or Respondent but if the Deputy has...
further information regarding an alleged problem in a particular school he may forward this for further consideration.

**Adult Education.**

45. Mr. Connaughton asked the Minister for Education and Science the position with regard to the National Adult Learning Council; and if she will make a statement on the matter. [25799/06]

89. Mr. Costello asked the Minister for Education and Science if she has made a decision with regard to re-activating the National Adult Learning Council; and if she will make a statement on the matter. [25908/06]

105. Aengus Ó Snodaigh asked the Minister for Education and Science if the strategic review of the role and functions of the National Adult Learning Council has been completed; and if she plans to re-establish the Council. [25808/06]

**Minister of State at the Department of Education and Science (Miss de Valera):** I propose to take Questions Nos. 45, 89 and 105 together.

The National Adult Learning Council was formed in March 2002 on an ad hoc basis with the intention that it would be established as a statutory body under Section 54 of the Education Act 1998. Following the formation of the ad-hoc Council, concerns emerged that the functions envisaged for the Council were too wide-ranging and were not sufficiently focused. Additionally, a number of developments had occurred which would impact on the work of the Council, including the establishment of the National Qualifications Authority of Ireland and the Further and Higher Education and Training Awards Councils.

My Department undertook a strategic review of the role and functions of the Council to address these concerns. The results of this review are being considered. A decision about future provision and direction in relation to NALC will be based on how best to provide in the most cost-effective manner for the learning needs of young people who leave school early or who may not wish to progress directly into employment or higher education and of adults seeking second chance education in the adult, further and vocational education sector. It will also be necessary in that context to take account of existing provision and structures.

**School Evaluations.**

46. Mr. Broughan asked the Minister for Education and Science the number of whole school evaluation reports she expects her Department to publish in 2006 and in a full school year; and if she will make a statement on the matter. [25905/06]

**Minister for Education and Science (Ms Hanafin):** On 30 January this year, I laid new regulations on the publication of school reports before the House. In accordance with the regulations, all reports arising from general inspections of schools will be published where evaluation work commenced on or after 6 February 2006. It is planned to conduct 273 WSE evaluations in primary and post-primary schools in 2006. Reports arising from 225 of these inspections, which will have commenced after 6 February, will be eligible for publication. These WSE reports will be published when the evaluations are completed and schools have had an opportunity to submit a school response to the inspection report. Already, by 29 June last, a total of 41 WSE reports have been published by my Department.

In accordance with the “Guidelines on the Publication of Inspection Reports”, published by my Department earlier this year, schools are given 10 school days to check the factual accuracy of the reports before the final report is issued to the school for school response. A further 20 school days is allowed for the board of the school to submit its response, if it wishes. A further short period is required for the technical preparation of reports for publication on the Department’s website. Given this timescale for the publication of a report from the period when the in-school activity is finished, it is estimated that over 100 WSE reports will have completed all stages of the process and will be published by the end of December 2006. The remainder of the 2006 evaluations will be published early in 2007.

WSE reports are written as a record of the external evaluation of a school. In the first instance, the reports provide direction and advice for the ongoing development of the school by its board of management and teachers. The reports contain both positive and critical statements about the work of schools. Where good work is identified in schools, the reports rightly acknowledge this work and point out best practice so that it may be emulated by others. Where criticisms need to be made, they are made clearly but sensitively. The aim of the inspection process is to encourage the school to address the issues identified and make improvements.

Up-to-date information on the WSE inspections that have been carried out in primary and post-primary schools and the list of published reports are available on the website of my Department (www.education.ie) at any time. The availability of the reports will now mean that the school community can play a more informed role in the ongoing process of school review and development.

**School Transport.**

47. Mr. Eamon Ryan asked the Minister for Education and Science the plans which are in place to ensure that a repeat of the 2005 school
bus ticketing crisis will not occur in 2006; the further plans which are in place to allocate sufficient places well in advance; and if she will make a statement on the matter. [25986/06]

Minister of State at the Department of Education and Science (Miss de Valera): Last July, Minister Hanafin and myself announced a package of measures to include the phasing out of the “3 for 2” seating arrangement on school buses.

The first phase commenced in September, 2005 on post-primary school transport services with the aim of providing each child with a seat by the end of December, 2005. This phase of the programme has now successfully concluded and plans are well advanced to provide children travelling on school buses to primary schools with single seats by the end of December, 2006.

In addition to phasing out the “3 for 2” seating, we moved to ensure the immediate fitting of seat belts on the Bus Éireann school bus fleet and set a target date of December, 2006 for private buses in the scheme to be fitted with approved seat belts.

The improved seating arrangements created a capacity shortfall in some areas, which was contributed to by the number of children availing of catchment boundary transport. However, I immediately authorised Bus Éireann, which operates the school transport services on my Department’s behalf, to hire in additional vehicles from the private sector and to acquire extra buses for its own school transport fleet.

I must point out to the Deputy that, under the terms of my Department’s Post Primary School Transport Scheme, a pupil is eligible for transport if she or he resides 4.8 kilometres or more from her or his local post primary education centre, that is, the centre serving the catchment area in which she or he lives.

Children who are fully eligible for transport to the post-primary centre in the catchment area in which they reside may apply for transport on a concessionary basis to a post primary centre outside of their own catchment area — otherwise known as catchment boundary transport. These children can only be facilitated if spare seats are available on the bus after all other eligible children travelling to their local post-primary centre have been catered for. Such children have to make their own way to the nearest pick up point within that catchment area.

Similarly, at primary level, children are eligible for transport if they reside 3.2 kilometres or more from their nearest primary school. They may avail of transport on a concessionary basis to another school, subject to certain conditions, if spare seats are available.

Significant investment has been made by the Government to address capacity shortfalls arising from the phasing out of the three for two seating arrangement on school buses. A programme for Bus Éireann to acquire a number of new and modern second-hand buses is well advanced. In addition, Bus Éireann has hired-in over 220 additional vehicles from the private sector.

I am confident that the additional vehicles being hired in and the extra buses being acquired by Bus Éireann will be sufficient to address any capacity shortfalls arising in the next school year. However, the situation will be closely monitored and corrective action taken, if necessary.

Early Childhood Education.

48. Mr. Neville asked the Minister for Education and Science if expansion of the early start programme is under consideration for the remainder of 2006; and if she will make a statement on the matter. [25743/06]

112. Mr. Neville asked the Minister for Education and Science if additional places will be provided on the early start programme over the remainder of 2006; and if she will make a statement on the matter. [25744/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 48 and 112 together.

The Early Start pre-school project operates in 40 primary schools in designated areas of urban disadvantage in Dublin, Cork, Limerick, Waterford, Galway, Drogheda and Dundalk. There are 1,680 places in these centres.

Targeted early childhood education provision is a key element of the School Support Programme (SSP) under the new action plan for educational inclusion DEIS (Delivering Equality of Opportunity in Schools), which provides for a standardised system for identifying levels of disadvantage.

As a result of the identification process, 840 schools have been invited to participate in the new Programme. These comprise 640 primary schools (320 urban/town schools and 320 rural schools) and 200 second-level schools.

The objective in relation to early childhood education is to concentrate actions initially on those children aged from three up to school enrolment, who will subsequently attend the 180 urban/town primary schools serving the most disadvantaged communities. My Department will work in partnership with other departments and agencies to complement and add value to existing child care programmes in disadvantaged communities, with a view to ensuring that the overall care and education needs of the children concerned are met in an integrated manner. The Centre for Early Childhood Development and Education will provide advice on the future development and direction of pre-school measures for children in disadvantaged communities and the findings of a number of evaluation reports on Early Start prepared by the Education Research Centre will be taken into account in this regard.
In December 2005, the Office of the Minister for Children was established to maximise the coordination of policies for children and young people and will have a range of functions previously under the Departments of Health and Children; Justice Equality and Law Reform; and Education and Science. A new Early Years Education Policy Unit has been established within my Department and will be co-located with the Office of the Minister for Children. This Unit will oversee the preparation of plans for phased implementation of the early childhood education dimension of DEIS in the targeted school communities, starting in the next school year, and this will be pursued within an overall strategic policy framework developed by the Office of the Minister for Children.

Special Educational Needs.

49. Ms Lynch asked the Minister for Education and Science if her Department will provide for training for boards of management of schools on disability issues and inclusion; and if she will make a statement on the matter. \[25916/06\]

Minister for Education and Science (Ms Hanafin): The Teacher Education Section of my Department is currently developing a new model of support for the provision of training for Boards of Management on a range of issues.

My Department provides support to Board of Managements for the professional development of their members, through the Education Centre Network and directly to the school Management Bodies, in order to ensure that they can fully discharge their duties. Following a review of these arrangements, the provision of a more structured form of support to all Board of Managements is currently being developed. This support will involve the provision of funding directly to Board of Managements for the professional development of their members ensuring that they can meet the demands of the positions.

The new model will address the ways in which provision of Board of Management training, which has common strands across the different sectors, may be consolidated to provide for a comprehensive and cohesive approach in meeting the training needs in this area, including the issues mentioned by the Deputy. In this regard, it is envisaged that the support will cover a specific list of issues which will be identified as priorities by the Management Bodies and my Department. It is also envisaged that this approach will closely link with the work currently being done by the various Support Services such as the Leadership Development for Schools, School Development Planning Initiative, Second Level Support Service and the Special Education Support Service.

Finally, I can assure the Deputy that I remain committed to addressing the training needs of Boards of Management and I will be keeping this area under ongoing review.

School Evaluations.

50. Mr. Deenihan asked the Minister for Education and Science the number of subject evaluations completed at post-primary level to date in 2006; the projected number to be completed over the course of 2006; and if she will make a statement on the matter. \[25739/06\]

Minister for Education and Science (Ms Hanafin): A totally new format of Subject Inspection was introduced for post-primary schools in September 2001. Since then, there has been a steady increase in the number of Subject Inspections carried out each year. In particular, from 2003 onwards inspection activity at post-primary level increased very significantly following the recruitment of new post-primary inspectors to replace those assigned to the State Examinations Commission. By the end of December 2005 the Inspectorate had carried out 1,860 Subject Inspections in post-primary schools. Subject Inspections are carried out in accordance with “A Guide to Subject Inspection at Second Level” which was issued to schools in October 2004.

Under the new regulations on the publication of school reports, all reports arising from Subject Inspections commenced after 6 February 2006 will be published. Reports from 113 Subject Inspections conducted in the last few months were published on the website of my Department by 29 June 2006. 93 of these inspections were stand-alone Subject Inspections while a further 20 inspections were conducted as part of WSE evaluations. Up-to-date information on the numbers of reports and lists of published reports are available on the website (www.education.ie) at any time.

It is planned that approximately 660 Subject Inspections will take place in post-primary schools in 2006. In the case of 50 of these inspections, evaluation work had commenced before the introduction of the new regulations, and the reports arising from these evaluations will not be published but have been issued to schools. Reports arising from the remaining 610 Subject Inspections will be published when the evaluations are completed and schools have had an opportunity to submit school responses to the inspection reports. A substantial number of these Subject Inspection reports will be published before the end of 2006, in accordance with the publication guidelines, and the remainder will appear early in 2007.

Psychological Service.

51. Mr. Coveney asked the Minister for Education and Science the number of primary schools covered by the National Educational Psychological Service; and if she will make a statement on the matter. \[25731/06\]

76. Mr. G. Murphy asked the Minister for Education and Science the number of secondary
schools covered by the National Educational Psychological Service; and if she will make a statement on the matter.  [25730/06]

**Minister for Education and Science (Ms Hanafin):** I propose to take Questions Nos. 51 and 76 together.

All primary and post-primary schools have access to psychological assessments for their pupils, either directly through my Department’s National Educational Psychological Service (NEPS) psychologists or through the Scheme for Commissioning Psychological Assessments (SCPA) that is administered by NEPS. Schools that do not currently have NEPS psychologists assigned to them may avail of the SCPA, whereby the school can have an assessment carried out by a member of the panel of private psychologists approved by NEPS, and NEPS will pay the psychologist the fees for this assessment directly. Details of this process and the conditions that apply to the scheme are available on my Department’s Website. The prioritisation of urgent cases for assessment is a matter for the school principal in the first instance.

The most recent information indicates that 1611 out of 3282 primary schools (approximately 49% of schools and 59% of pupils) and 580 out of 749 post-primary schools (approximately 77% of schools and 79% of pupils) have a dedicated service either from NEPS or (in the case of 46 Dublin post-primary schools) from the Psychological Services of the City and County Dublin Vocational Education Committees (VECs).

The number of psychologists in NEPS has increased from 43 on establishment to 122 at present. The Public Appointments Service recently concluded a new recruitment competition for the appointment of Educational Psychologists to NEPS and regional panels have been established to allow my Department give greater priority in filling vacancies to areas with the greatest need. It is expected that a further 9 psychologists will be in place before the end of 2006.

In common with many other psychological services, NEPS encourages a staged assessment process, whereby each school takes responsibility for initial assessment, educational planning and remedial intervention, in consultation with their assigned NEPS psychologist. Only if there is a failure to make reasonable progress in spite of the school’s best efforts, will a child be referred for individual psychological assessment. This system allows the psychologists to give early attention to urgent cases and also to help many more children indirectly than could be seen individually. It also ensures that children are not referred unnecessarily for psychological intervention. The General Allocation of resources to primary schools ensures that many children can receive additional teaching without the requirement of psychological assessment.

Children who manifest very special needs in school and who have not been previously assessed by a psychologist and are brought to the attention of a NEPS psychologist by the Principal teacher will normally be assessed by the psychologist within that school term. Where schools consider that they have additional problems, they should contact the NEPS psychologist directly or make contact with the NEPS Regional Director for their region. Contact details are available on my Department’s website.

NEPS provides assistance to all schools and school communities that experience critical incidents, regardless of whether or not they have a NEPS psychologist assigned to them. Also, in relation to all schools, NEPS processes applications for Reasonable Accommodation in Certificate Examinations and responds to queries in relation to individual children from other sections of my Department and from the specialist agencies.

**School Curriculum.**

52. **Mr. M. Higgins** asked the Minister for Education and Science the measures which are proposed for supporting and encouraging learning of science subjects in both primary and second-level schools in the context of the recent Government announcement of major spending on research and development; and if she will make a statement on the matter.  [25913/06]

**Minister for Education and Science (Ms Hanafin):** The Government’s Strategy for Science, Technology and Innovation 2006-2013, announced recently, reaffirms the Government’s commitment to developing Ireland as a knowledge-based economy. The strategy aims to deliver world-class people and enterprises with the drive to succeed in a technology-driven future-orientated economy. The achievement of this aim requires the further development of our educational system at both primary and post-primary levels.

The key measures proposed to support the development of science at first and second level include:

- A review of the implementation of the primary science curriculum to ensure that the new curriculum and teaching methodologies are stimulating interest in, and awareness of, science;
- Reform of the mathematics and science curricula to ensure a continuum from junior cycle to senior cycle with the emphasis on hands-on investigative approaches and the completion and assessment of practical coursework;
- Further investment in teacher professional development;
- The promotion of science awareness initiatives in Transition Year and the effective
linking of this with school guidance services;

- A survey of pupil attitudes to the revised Junior Certificate Science syllabus;

- Support for the development of teachers’ networks which will focus on the continuing professional development of teachers. Specific proposals in relation to these measures will be worked out over the coming months.

I am fully committed to strengthening the quality of teaching and learning in science subjects, in line with the aims outlined in the Government’s strategy document. My Department’s work in supporting and promoting science will continue to be progressed and enhanced, as resources permit, in collaboration and consultation with the Department of Enterprise, Trade and Employment, FORFÁS and industry.

Inquiry into Child Abuse.

53. Mr. Sherlock asked the Minister for Education and Science if she will make a statement on the matter. [25931/06]

Minister for Education and Science (Ms Hanafin): The evidence given by the Secretary General of my Department to the Commission to Inquire into Child Abuse revealed information on file that had not been previously disclosed to the Commission; if she is satisfied that all files requested by former chairperson of the Commission, Justice Mary Laffoy were supplied to her; and if she will make a statement on the matter. [25931/06]

Voluntary Contributions.

55. Ms Shortall asked the Minister for Education and Science if she will clarify the right of parents to send their children to school without having to pay a voluntary contribution where the level of contribution requested by the school would cause them difficulty; and if she will make a statement on the matter. [25933/06]

Minister for Education and Science (Ms Hanafin): The position in relation to primary education is that the State is obliged under Article 42.4 of the Constitution to provide for free primary education. Accordingly, there can be no levy on parents of children attending a recognised primary school, nor can any child be refused admission, because of the non-payment of a voluntary contribution by his or her parents.

At post-primary level, it is a fundamental principle of the Free Second Level Education Scheme that no charge be made in respect of:

(a) instruction in any subject of my Department’s Programme for Secondary Schools;

(b) recreation or study facilities where all pupils are expected to avail themselves of them as part of the school programme.

(c) any other activity in which all pupils are required to take part. However, voluntary contributions by parents of pupils in recognised schools are permissible provided it is made absolutely clear to parents that there is no question of compulsion to pay and that, in making a contribution, they are doing so of their own volition. The manner in which such voluntary contributions are sought and collected is a matter for school management, however their collection should be such as not to create a situation where either parents or pupils could reasonably infer that the contributions take on a compulsory character.

This Government is strongly committed to improving participation and achievement at every level of education. We have put the resources and supports in place to ensure that our children get the highest standard of education. With an increase of some 9%, day-to-day expenditure on education will exceed €7 billion for the first time in 2006.

The increased provision for 2006 will allow me at both primary and second level to cater inter alia for:
[Ms Hanafin.]

- additional teaching resources for schools
- increased per capita grants
- new and refurbished accommodation
- improved school transport services.

It will also allow for further enhancements in the numbers of support teachers and special needs assistants for children, of special school transport, of special classes in mainstream schools, of special schools for children and adults with special educational needs. Provision has also been made for the implementation of the new action plan for tackling disadvantage. Measures in the plan range from pre-school interventions, supports for tackling children’s literacy problems, reduced pupil teacher ratios, increased capitation grants, measures to tackle early school leaving and to strengthen ties between the school, the family and the community. In addition, there are interventions in support of youth and in providing “second chance education” for young people and adults.

This Government has shown a sustained determination to expand and improve education services over recent years and will continue to prioritise it for resources and supports in the years ahead.

Higher Education Grants.

56. Ms B. Moynihan-Cronin asked the Minister for Education and Science her plans for vocational educational committees to take over fully the administration of the higher education grants scheme; if she intends to alter the method of assessing means in the context of this change or in the Third Level Student Support Bill; and if she will make a statement on the matter. [25920/06]

58. Mr. J. O’Keeffe asked the Minister for Education and Science when changes to the third level grants system will be in place; and if she will make a statement on the matter. [25794/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 56 and 58 together.

As I announced recently the State’s thirty three Vocational Education Committees (VECs) are to be given sole responsibility for the administration of third level student maintenance grants for all new applicants with effect from the 2007/08 academic year.

The change in the administration arrangements are part of my overall plans to introduce service improvements in the administration of the student grant schemes. These will include guaranteed timeframes for the earlier payment of grants, an independent appeals procedure and more efficient arrangements for handling applications and making payments. Giving sole responsibility for administering the grants to the VECs will reduce the existing client confusion caused by a variety of agencies being involved, depending on the county. It will mean that we can now achieve a greater consistency of approach across the country, while at the same time retaining local service delivery and reducing unnecessary duplication of bureaucracy.

I have no plans at present to alter the method of assessing means for grant purposes, however I plan to have a specific provision in the proposed new student support Bill in relation to the means of applicants. This will enable the Minister to make regulations governing the assessment of means in deciding whether or not a student will be entitled to receive a student grant.

Pupil Teacher Ratio.

57. Mr. P. McGrath asked the Minister for Education and Science the most recent figures regarding the number of children in primary classes of 35 to 39 children inclusive; and if she will make a statement on the matter. [25772/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, major improvements have been made in primary school staffing in recent years. Next September there will no less than 4000 extra teachers in our primary schools, compared with 2002. Not only is the average class size in our primary schools down to 24, but there is now one teacher for 17 pupils at primary level, including resource teachers etc.

Children with special needs and those from disadvantaged areas are getting more support than ever before to help them to make the most of their time at school. Indeed, with the thousands of extra primary teachers hired by this Government, recent years have seen the largest expansion in teacher numbers since the expansion of free education. Over the next two school years even more teachers will be put in place both for the above priority areas of disadvantage and special education and also under a reduction in the mainstream staffing schedule.

As you know all schools are staffed on a general rule of at least one classroom teacher for every 29 children. Of course, schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school. Next year this is being reduced to 28 children per classroom teacher and in 2007/2008 it will be reduced to 27 children per classroom teacher. The actual average class size nationally is 24.

Nonetheless, some schools do have classes with more than 30 children in them. The number of children in such classes has, however, decreased significantly under this Government. In the 2005/2006 school year, the most recent year for which details are available, there were 9,863 chil-
...dren in primary classes of 35-39 inclusive. In 1996/97 five times more children were in classes of 35+.

There are a number of different reasons why a particular school may have a large class in a given year. Reasons include a significant fluctuation in enrolments from one year to the next and/or a decision by the school not to have multi-grade classes. Where some classes in a school have class sizes of greater than 29, it is often because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

I appreciate that splitting classes may not always be an option for a particular school, because for example there might be a large group in junior infants and a small group in sixth class and so on. But where it is possible, I believe that principals should consider the benefits of having smaller multi-grade classes as against having large differences in class sizes at different levels in the school.

This Government has clearly demonstrated its commitment to improving staffing in our primary schools by hiring thousands of extra teachers in recent years and we will continue to make progress on this issue.

**Question No. 58 answered with Question No. 56.**

**Further Education Sector.**

59. Ms Burton asked the Minister for Education and Science if she will commit to a timetable for the implementation of the McIver Report on the further education sector; and if she will make a statement on the matter. [25907/06]

73. Mr. Kenny asked the Minister for Education and Science the status of the McIver Report on Further Education; and if she will make a statement on the matter. [25763/06]

79. Mr. Crowe asked the Minister for Education and Science the timeframe envisaged for the long awaited full implementation of the McIver Report in view of discussions and commitments in the partnership agreement. [25803/06]

93. Mr. Gogarty asked the Minister for Education and Science the elements of the McIver Report which will be implemented in the final year of this Government. [25978/06]

**Minister of State at the Department of Education and Science (Miss de Valera):** I propose to take Questions Nos. 59, 73, 79 and 93 together.

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 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.

- Having regard to developments in the PLC sector, including the McIver report, concrete prioritised proposals in relation to PLC provision and focused in particular on the larger PLC providers will be prepared and will be subject of further negotiation between management and unions.

- The level of resources for the PLC sector will be determined in the light of resources generally and the implications for 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.

**Physical Education Facilities.**

60. Mr. Bruton asked the Minister for Education and Science the number of primary schools with a sports hall; and if she will make a statement on the matter. [25734/06]

100. Mr. S. Ryan asked the Minister for Education and Science the percentage of national schools which have a physical education hall; and if she will make a statement on the matter. [25930/06]

**Minister for Education and Science (Ms Hanafin):** I propose to take Questions Nos. 60 and 100 together.
My Department fully recognises the key role of physical exercise within the school environment and continues to respond to the need to improve PE facilities for all pupils attending primary schools. The provision of such facilities is an integral part of the design process for new school buildings or where an existing school building is undergoing major refurbishment. In primary schools, new PE equipment such as balancing benches and gym mats are funded as part of any major building programme.

Regarding specific sports equipment grants, in recent years, my Department has provided in excess of €5.5 million in grant aid to primary schools specifically for this purpose to enable them to provide coaching or mentoring in connection with physical education or to purchase resource materials associated with the provision of physical education. Such materials and equipment would normally have a useful life of several years.

Schools may use their general capitation funding to support the implementation of curricula including Physical Education. Also, all primary schools with permanent recognition receive an annual Minor Works Grant from my Department. Each school gets a standard rate of €3,809 together with a per pupil rate of €12.70. Special Schools and schools with special classes receive an enhanced per pupil rate of €50.80. It is open to school management authorities to use this devolved grant for the purchase of equipment, including physical education equipment, provided it is not required for more urgent works.

Primary schools that establish a class for special needs pupils receive a once-off grant of €6,500 per class to purchase equipment, including physical education equipment, that they feel best meets the needs of the pupils attending the class.

My Department also considers applications for additional grant aid for such equipment where schools can demonstrate that the minor works grant funding is insufficient for this purpose.

School Enrolments.

61. Mr. Stagg asked the Minister for Education and Science if her attention has been drawn to the fact that her Department has provided figures to the effect that 40 pupils cannot be accommodated in the national schools in Naas while in a reply she informed the House that there were sufficient places for all applying students there; and if, in view of this situation she will agree to the new primary school (details supplied) in Naas being fully opened in September 2006 thereby allowing this school to develop and operate its own enrolment policy in accordance with the Education Act 1998 and to give parents the opportunity to send their children to the school of their choice in accordance with the Act. [25887/06]

759. Mr. Durkan asked the Minister for Education and Science if her attention has been drawn to communication submitted to her Department by the respective authorities at the various primary schools in Naas, County Kildare in the context of achieving full operational capacity of a school (details supplied); her plans to achieve this target; and if she will make a statement on the matter. [26448/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 61, 127 and 759 together.

The new school to which the Deputy refers was provided to meet the growing need for extra primary provision in Naas. It was not provided to replace temporary accommodation in existing schools or to reduce their capacities. This matter is being dealt with separately. Therefore, the question of transferring pupils to the newly built school should not have arisen particularly if all of the schools had worked together to implement appropriate enrolment policies.

As the Deputy will be aware, the new school to which he refers opened in September 2005. It currently accommodates two junior infant classes. When fully occupied, the school will operate as a two-stream 16-classroom school. To enable it develop in this manner, it can only enrol two junior infant classes annually. This incremental development is common to all newly established schools to ensure that a shortage of accommodation at the school is avoided by an over enrolment in the early stages and crucially, to ensure that the enrolments and staffing levels in other schools in the area, where older pupils would inevitably be drawn, are not adversely affected.

Notwithstanding this position and as an exceptional matter, the school has been given approval to enrol three junior infant classes for the next school year on the grounds that this will not impact negatively on the other schools in question. It has also been allowed to enrol pupils in other classes if a place is not available for such pupils in existing schools. To be abundantly clear on this particular issue, when I stated earlier this year that there were sufficient pupil places in these schools, this was the information available
to my Department from those schools at that time. There was no attempt on either my behalf or that of my Department to mislead the House in this regard.

When my Department was subsequently informed that up to 40 pupils could not be accommodated by the existing schools, it was at that point that it gave its approval to allow those pupils to enrol in the school to which the Deputy refers.

If other eligible pupils move into the area during the new school year, I expect them to be likewise accommodated in the school in question.

Schools Building Projects.

62. Mr. Cuffe asked the Minister for Education and Science the position regarding plans to provide a school site for a school (details supplied) in County Dublin. [25981/06]

Minister for Education and Science (Ms Hanafin): The Property Management Section of the Office of Public Works which acts on behalf of my Department in relation to site acquisitions generally has been requested to source a site for the school in question. The OPW advertised in the National and local press regarding suitable sites for the school. The OPW in the meantime has been requested to source a site for the school.

If other eligible pupils move into the area during the new school year, I expect them to be likewise accommodated in the school in question.

School Evaluations.

63. Mr. Hayes asked the Minister for Education and Science the number of whole school evaluations completed since February 2006, and issued to schools for comment; and if she will make a statement on the matter. [25740/06]

Minister for Education and Science (Ms Hanafin): Under the regulations that I laid before the House on 30 January last, all reports arising from the general inspection programme for schools will be published where the inspection commenced on or after 6 February 2006. Reports arising from a total of 5 Whole School Evaluations conducted in post-primary schools were published on the website of my Department on 22 June 2006. Up-to-date information on the numbers of reports and lists of published reports are available on the website (www.education.ie) at any time.

Disruptive Behaviour.

64. Ms O. Mitchell asked the Minister for Education and Science the number of whole school evaluations of post primary schools published to date in 2006; and if she will make a statement on the matter. [25735/06]

Minister for Education and Science (Ms Hanafin): Under the regulations that I laid before the House on 30 January last, all reports arising from the general inspection programme for schools will be published where the inspection commenced on or after 6 February 2006. Reports arising from a total of 5 Whole School Evaluations conducted in post-primary schools were published on the website of my Department on 22 June 2006. Up-to-date information on the numbers of reports and lists of published reports are available on the website (www.education.ie) at any time.

Minister of State at the Department of Education and Science (Mr. B. Lenihan): The Education (Welfare) Act, 2000 established the National Educational Welfare Board. Under Section 23 of the Act schools are required to have in place a code of behaviour. The Act requires that each Board of Management formulates a code of behaviour in accordance with guidelines from the NEWB.

The Board, which ensures that children attend school regularly or receive an adequate education, appointed an expert group in November 2005 to draw up a discussion document on the guidelines for schools on developing Codes of Behaviour. This document will form the basis for a widespread consultation process with schools, parents, education partners, organisations working with children, and critically children themselves. The feedback from this consultation phase will inform the final Guidelines.
The Guidelines will focus on how schools can deal progressively and inclusively with behavioural issues, thereby helping to support participation in education for all. Poor behaviour impacts on the learning and teaching environment in a school and valuable class time can be taken up managing it and can also be a barrier to good attendance and participation in school activities.

The Board welcomes the recommendations of the Task Force on Student Behaviour in Second Level which are clearly based on a welfare and inclusive approach to education. In particular, the Board welcomes the recommendations aimed at supporting children in a school setting and the acknowledgement of the need for additional help and support for schools and their students.

The Guidelines will apply to all schools covered by the Act. They will take account of the work of the Task Force on Student Behaviour in Second Level and focus on supporting the process for the development of policy that promotes positive behaviour by students. I understand from the Board that consultation with stakeholders will take place in the autumn and it is expected to launch the guidelines early in the next school year.

Career Guidance Service.

66. Mr. Gilmore asked the Minister for Education and Science if her attention has been drawn to the fact that the Joint Committee on Education and Science was told recently that approximately 50% of the students who drop out of higher education courses do so because they find the course they are in does not suit them; her plans to improve the guidance available in schools in order that young people will make appropriate choices; and if she will make a statement on the matter. [25911/06]

Minister for Education and Science (Ms Hanafin): My Department makes a specific allocation of teaching posts in respect of guidance to schools in the post-primary system. This allocation is based on the pupil enrolment in September of the preceding school year. There has been a significant improvement in the resources provided by my Department to schools for the provision of guidance to students in the past five years. In 2001, 50 additional full-time posts were allocated to guidance under a new initiative, the Guidance Enhancement Initiative (GEI), for a period of three years. In all, 103 secondary, community and vocational schools received additional guidance resources as a result of this. In 2004, the GEI was extended for a further two years and was expanded to include an additional 30 full-time equivalent posts. In total, approximately 200 schools have received additional hours under this initiative which I have now extended further to include the next academic year.

As a result of my decision to allocate an additional 100 posts to guidance from September 2005 an enhanced guidance allocation provision has been put in place from the commencement of the 2005/06 school year. This enhanced provision means that in the case of schools in the Free Education/Block Grant Schemes, the level of allocation ranges from 8 hours per week for schools with enrolments below 200 pupils to 47 hours per week for schools with an enrolment of 1,000 pupils or more. This also included a further improvement in the allocation of Guidance hours for post-primary schools participating in the DEIS programme — Delivering Equality of Opportunity in Schools. The allocation for these schools now ranges from 11 hours per week for schools with enrolments below 300 to 55 hours per week for schools with an enrolment of 1,000 pupils or more. There are currently a total of 683 whole-time equivalent posts allocated for guidance in post-primary schools.

In a circular issued to the managerial authorities of all second level schools in May 2005 my Department described guidance as a range of learning experiences that assist students to develop self-management skills that will lead to effective choices and decisions about their lives. Schools were asked to utilise the additional guidance allocation granted under this circular, as far as possible, to focus on guidance provision at junior cycle. Research evidence has indicated that student attitudes and occupational aspirations at age 14 have a strong relationship with subsequent educational choices.

My Department has also funded the development by the Institute of Guidance Counsellors of the Qualifax website which provides up-to-date information on every course (third level, further education, adult education) in the 32 counties of Ireland. Every course listed has a link to the website of the provider of the course. In the reference library of the website, there are links to approximately 400 education related websites both nationally and internationally. The Qualifax website won the award for “Best use of Technology in Education and Training” at the ICT Excellence awards 2006. Students will be able to avail of this resource to research the full range of options available to them at higher education level, or in further education.

While the view may be widely held in the third level sector that one of the principal causes of drop-out in the first year is a lack of understanding on the part of students of the courses chosen by them, there are many other influences which contribute to non-completion of courses. I am satisfied, however, that the additional guidance resources and supports provided by my Department at second level contribute significantly to ensuring that
students are well informed and prepared for third level choices.

Pupil Teacher Ratio.

67. Mr. McEntee asked the Minister for Education and Science the most recent figures regarding the number of children in primary classes of 40 or more children; and if she will make a statement on the matter. [25775/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, major improvements have been made in primary school staffing in recent years. Next September there will no less than 4000 extra teachers in our primary schools, compared with 2002. Not only is the average class size in our primary schools down to 24, but there is now one teacher for 17 pupils at primary level, including resource teachers etc.

Children with special needs and those from disadvantaged areas are getting more support than ever before to help them to make the most of their time at school. Indeed, with the thousands of extra primary teachers hired by this Government, recent years have seen the largest expansion in teacher numbers since the expansion of free education. Over the next two school years even more teachers will be put in place both for the above priority areas of disadvantage and special education and also under a reduction in the mainstream staffing schedule.

As you know all schools are staffed on a general rule of at least one classroom teacher for every 29 children. Of course, schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school. Next year this is being reduced to 28 children per classroom teacher and in 2007/2008 it will be reduced to 27 children per classroom teacher.

So, as I have pointed out the general rule in the current school year is that at least one classroom teacher is provided for every 29 pupils. Furthermore, the actual average class size nationally is 24.

Nevertheless, some schools do have classes with more than 30 children in them. The number of children in such classes has, however, decreased significantly under this Government. In the 2005/2006 school year, the most recent year for which details are available, there were 287 children in primary classes of 40 or more. This compares to a figure of 1901 in 1996/97.

It is important to appreciate that there are a number of different reasons why a particular school may have a large class in a given year. Reasons why there are large classes include a significant fluctuation in enrolments from one year to the next and/or a decision by the school principal not to have multi-grade classes.

Regardless of the reason why there is a large class in a particular school one year, it should be noted that in the majority of cases this is not the situation in the following year. In the main, the same schools do not have large classes year after year and so the same children are not in large classes year after year.

Where some classes in a school have class sizes of greater than 29, it is often because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes. Indeed, I often find that when I look into why a particular school has a class of 35 in a particular grade, the answer is because there is another class in the same school with a much lower than average number of pupils in it.

I appreciate that splitting classes may not always be an option for a particular school, because for example there might be a large group in junior infants and a small group in sixth class and so on. But where it is possible, I believe that principals should consider the benefits of having smaller multi-grade classes as against having large differences in class sizes at different levels in the school.

This Government has clearly demonstrated its commitment to improving staffing in our primary schools by hiring thousands of extra teachers in recent years and we will continue to make progress on this issue.

Question No. 68 answered with Question No. 43.

Youth Services.

69. Mr. Wall asked the Minister for Education and Science the proposed timeframe for fully implementing the Youth Work Act 2001; and if she will make a statement on the matter. [25937/06]

Minister of State at the Department of Education and Science (Miss de Valera): The Youth Work Act, 2001, provides a legal framework for the provision of youth work programmes and services to be organised by the Minister for Education and Science, the Vocational Education Committees and national and regional youth work organisations. Section 1 of the Act provides for sections to be commenced at different stages. Sections 2-7, 17, 18 and 24 have been commenced to date.

A sub-committee of the National Youth Work Advisory Committee, representative of both statutory and voluntary sectors as well as my Department, has been steadily progressing the groundwork, including the development of detailed guidelines and procedures, which are vital for the further roll out of the Act in a planned and structured manner. The work of this sub-committee is progressing steadily.

My Department and I are working towards ensuring that the additional €2.8m secured in
from 1985 to 2002. A number of key objectives assessed has remained more or less constant relating to the main listening and speaking objectives. The main achievement levels across the three categories and detailed information concerning trends in various youth work interests.

As a priority for 2005 I identified the capacity development of youth work organisations to assist them in preparing themselves organisationally for the implementation of the Act. To this end I established a Development Fund for youth work organisations to help ensure that they can achieve the new standards for approval and engage effectively with the new structures arising from the Youth Work Act, 2001. Some 30 national and major regional youth organisations received once-off grants in 2005, ranging up to €15,000, to help develop their ICT capacity. Over €300,000 was provided for this Fund in 2005. Similar funding is being made available in 2006.

A recent meeting of a sub-committee of the National Youth Work Advisory Committee has identified particular areas for attention in 2006.

Work on the progressive implementation of the Act will continue, with further Sections being implemented as the necessary procedures are finalised and as resources, both human and financial, permit.

Significant progress has been made, progress which will continue to be built upon by my Department which is working closely with the various youth work interests.

Irish Language.

70. **Mr. Crawford** asked the Minister for Education and Science the main findings of the recently published report by a person (details supplied) regarding Irish language proficiency at primary level; and if she will make a statement on the matter. [25790/06]

**Minister for Education and Science (Ms Hanafin):** The report entitled ‘Irish in Primary schools: Long term National Trends in Achievement’ by Dr John Harris provides us with useful and detailed information concerning trends in achievement levels across the three categories of schools for the period 1985 to 2002. The main findings are as follows. In relation to All-Irish Schools (Gaelscóileanna), pupil performance relating to the main listening and speaking objectives assessed has remained more or less constant from 1985 to 2002. A number of key objectives such as ‘general comprehension of speech’, ‘communication’ and ‘listening vocabulary’ are mastered by percentages of pupils which approach or exceed 90%. A significant percentage of pupils, however, have difficulty with aspects of verb morphology. This is also a feature of similar research findings in second language teaching in other countries. They have a tendency to retain errors in interpreting or using the different tense form of verbs despite exposure to accurate linguistic models. Pupil mastery of ‘understanding the morphology of verbs’ has declined from 76.1% in 1985 to 61.3% in 2002.

The success of Gaelscoileanna in achieving high standards in the teaching of Irish is not dependent in any essential way on factors related to the social background of pupils, the level of education reached by their parents or the use of Irish in the family home. The survey confirms that implementing the curriculum through a second language is a powerful way of embedding proficiency in the second language.

In relation to Gaeltacht schools, pupil performance across all learning objectives is generally high but lower than all-Irish schools. The percentages of pupils attaining mastery of ‘general comprehension of speech’ is 73.3% compared to 96.3% in all-Irish schools.

Overall pupil performance in Irish speaking (but not Irish listening) has declined significantly in Gaeltacht schools since 1985. For example, the percentage of pupils achieving mastery in ‘fluency of oral description’ has decreased from 86.7% in 1985 to 72.9% in 2002, a drop of almost 14% in mastery levels. This is a significant decrease in proficiency for Gaeltacht schools. Among the factors to be taken into account in interpreting standards in Irish in Gaeltacht schools is the fact that there are many pupils in these schools now whose first language is English.

In English-medium schools, pupil performance in most Irish speaking and listening objectives has fallen significantly since 1985. The percentage of pupils achieving mastery of ‘communication’ in 2002 is 32.9%. In 1985, this figure was 54%. In ‘fluency of oral description’ the percentage of pupils achieving mastery in 2002 is 29.9% while the corresponding percentage in 1985 was 50.3%. The percentage of pupils achieving mastery in ‘control of the syntax of statements’ in 2002 was 7.5% compared to 19.7% in 1985. In ‘control of the morphology of verbs’, the percentage of pupils achieving mastery in 2002 is 3.7%. In 1985, this figure was 12.1%. For this category of schools, failure rates across all speaking objectives show an increase for 2002, the increases ranging from 7.4% to 16.6%.

While the Harris Report presents details of a significant decrease in Irish language proficiency in some categories of schools, I am confident that the initiatives which I have announced recently together with other curricular developments will bring about a raising of standards in Irish. The initiatives will improve the teachers’ competence...
and confidence regarding the teaching of Irish and will cultivate a renewed focus on developing the oral competence of pupils.

**Departmental Funding.**

71. Ms Shortall asked the Minister for Education and Science the nature and extent of the inquiry being carried out by her Department into the disbursement of significant funds by a deceased former employee of her Department; and if she will make a statement on the matter. [25934/06]

Minister for Education and Science (Ms Hanafin): The matter referred to by the Deputy is the subject of an ongoing Garda inquiry. In addition, my Department’s internal audit unit is conducting a full investigation into the issue. When the investigation has concluded, I expect to be in a position to comment further.

**Psychological Service.**

72. Mr. Broughan asked the Minister for Education and Science her views on the decision of the Equality Authority in a recent case which held a school responsible for not providing a psychological assessment for a student despite the fact that the school had a much larger number of students in need of assessment than the number they were entitled to receive under her Department’s guidelines; and if she will make a statement on the matter. [25904/06]

Minister for Education and Science (Ms Hanafin): I am happy to take this opportunity to clarify for the Deputy the practice of my Department’s National Educational Psychological Service (NEPS) in relation to the assessment of children.

In common with other psychological services, NEPS encourages a staged assessment process, whereby each school takes responsibility for initial assessment, educational planning and remedial intervention, in consultation with their assigned NEPS psychologist. Only if there is a failure to make reasonable progress in spite of the school’s best efforts, will a child be referred for individual psychological assessment. This allows the psychologists to offer early appointments to children who are in urgent need of support and to provide advice to teachers in respect of other children whose needs may be less significant but who may still need additional help in school.

Children who manifest very special or urgent needs in school and who have not been previously assessed by a psychologist and are brought to the attention of a NEPS psychologist by the Principal teacher will usually be assessed by the psychologist within that school term. Normally, principals of schools prioritise those children in need of psychological assessment in consultation with the assigned psychologist.

In the case of the school in question, ten (10) children were seen directly by the NEPS service in the school year 2000/2001 and all other children of concern to the school were the subject of consultations with the psychologist assigned to the school. Issues related to classroom management were discussed at that time. Procedures for referral to child and family clinical services of children manifesting serious behavioural difficulties were also outlined during those consultations. This process was in line with the practice of the service and was reasonable in the context of a school with an enrolment of approximately 330 pupils.

While I do not wish to comment in any detail in regard to an individual case, the child in question was the subject of a full assessment by a NEPS psychologist in November 2002.

The Equality Tribunal has issued its findings in regard to its proceedings in this case and it would not be appropriate for me to comment any further on the matter.

**Pupil Teacher Ratio.**

74. Mr. O’Shea asked the Minister for Education and Science if she will review her intention to only reduce pupil teacher ratio by one point in 2007 in the context of the increase in the number of primary school children in classes of 30 or more and of the commitment in the programme for Government; and if she will make a statement on the matter. [25922/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, major improvements have been made in primary school staffing in recent years. Next September there will no less than 4000 extra teachers in our primary schools, compared with 2002. Not only is the average class size in our primary schools down to 24, but there is now one teacher for 17 pupils at primary level, including resource teachers etc.

Children with special needs and those from disadvantaged areas are getting more support than ever before to help them to make the most of their time at school. Indeed, with the thousands of extra primary teachers hired by this Government, recent years have seen the largest expansion in teacher numbers since the expansion of free education. Over the next two school years even more teachers will be put in place both for the above priority areas of disadvantage and special education and also under a reduction in the mainstream staffing schedule.

As you know all schools are staffed on a general rule of at least one classroom teacher for every 29 children. Of course, schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12
[Ms Hanafin.]

pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school. Next year this is being reduced to 28 children per classroom teacher and in 2007/2008 it will be reduced to 27 children per classroom teacher.

For the current school year the threshold for getting a developing school post was reduced specifically to help schools that are seeing large increases in enrolments each year, as is the case in areas of rapidly increasing population. 170 such posts have been sanctioned in the 2005/06 school year, compared to 105 in 2004/05.

So, as I have pointed out the general rule in the current school year is that at least one classroom teacher is provided for every 29 pupils. Furthermore, the actual average class size nationally is 24.

Nonetheless, some schools do have classes with more than 30 children in them. The number of children in such classes has, however, decreased significantly under this Government.

It is important to appreciate that there are a number of different reasons why a particular school may have a large class in a given year. Reasons why there are large classes include a significant fluctuation in enrolments from one year to the next and/or a decision by the school principal not to have multi-grade classes.

Regardless of the reason why there is a large class in a particular school one year, it should be noted that in the majority of cases this is not the situation in the following year. In the main, the same schools do not have large classes year after year and so the same children are not in large classes year after year.

Where some classes in a school have class sizes of greater than 29, it is often because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes. Indeed, I often find that when I look into why a particular school has a class of 30 or more in a particular grade, the answer is because there is another class in the same school with a much lower than average number of pupils in it.

I appreciate that splitting classes may not always be an option for a particular school, because for example there might be a large group in junior infants and a small group in sixth class and so on. But where it is possible, I believe that principals should consider the benefits of having smaller multi-grade classes as against having large differences in class sizes at different levels in the school.

This Government has clearly demonstrated its commitment to improving staffing in our primary schools by hiring thousands of extra teachers in recent years and we will continue to make progress on this issue.

Physical Education Facilities.

75. Mr. Gormley asked the Minister for Edu-

cation and Science if an audit has been carried out into the number of primary schools which, for practical reasons, are unable to provide regular swimming or water safety classes due to a lack of a nearby pool; if her Department has had discussions with the Department of Arts, Sport and Tourism in this regard; and if she will make a statement on the matter. [25983/06]

Minister for Education and Science (Ms Hanafin): The policy of my Department is to provide for the delivery of a broad and balanced physical education curriculum in our schools and to support this with the provision of appropriate infrastructure. In general, at primary level, many schools have a general purposes room for play and PE facilities. In addition practically all schools have outdoor play areas which are utilised for teaching different aspects of the physical education programme. An audit referred to by the Deputy has not been carried out and I have no plans to undertake same.

Question No. 76 answered with Question No. 51.

Special Educational Needs.

77. Mr. Gilmore asked the Minister for Education and Science if her Department has issued guidelines to schools on including children with disabilities in all school activities including graduation, concerts, special ceremonies and so on; and if she will make a statement on the matter. [25910/06]

Minister for Education and Science (Ms Hanafin): My Department has not issued guidelines to schools in relation to the inclusion of children with special needs in various school activities such as those outlined by the Deputy. It is, however, the case that schools should ensure the maximum possible inclusion of such pupils in school activities.

Postgraduate Education.

78. Ms McManus asked the Minister for Education and Science if she expects to make a decision on the provision of postgraduate medical courses in universities here; and if she will make a statement on the matter. [25919/06]

Minister for Education and Science (Ms Hanafin): On the 1 February 2006 the Tánaiste and I published the report of the Fottrell Working Group on Undergraduate Medical Education and Training. In addition the Tánaiste published the report of the Postgraduate Medical Education and Training Group. These reports represent the most significant review of medical education and training ever undertaken in Ireland and are aimed at responding to the needs of a changing health system and ensuring that medical education in Ireland is sufficiently resourced and
developed to maintain our reputation for producing quality doctors into the future.

In relation to medical education, I am increasing the annual number of undergraduate places for Irish and EU students from 305 to 485. I am also introducing a separate graduate entry stream which will provide 240 additional places per annum. These developments will increase the annual number of Irish and EU medical places from 305 to 725.

It is anticipated that the Higher Education Authority will shortly issue a competitive call for proposals to provide the new graduate entry programme, with a view to additional places being provided on this programme from 2007. The provision of a graduate entry stream is an important development in reducing pressures on aspiring medical students who until now have effectively had one chance of entry, based on their Leaving Certificate performance.

Graduate entry, which will be open to graduates of all disciplines, will allow students to make a decision to enter medicine at a more mature age and should result in a more diverse range of entrants into the profession.

Question No. 79 answered with Question No. 59.

State Examinations.

80. Mr. Allen asked the Minister for Education and Science the percentage of leaving certificate students taking Irish, French, German, Spanish and Italian who attempt the higher level paper; and if she will make a statement on the matter. [25791/06]

Minister for Education and Science (Ms Hanafin): The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations, including organising the holding of examinations and issuing the results of examinations. In view of this, I have forwarded your query to the State Examinations Commission for direct reply to you.

Speech and Language Therapy.

81. Mr. Rabbitte asked the Minister for Education and Science the number of speech therapists who graduated here in 2005; her views on education and science the most recent figures regarding the number of children in primary classes of 20 to 24 children inclusive; and if she will make a statement on the matter. [25928/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, major improvements have been made in primary school staffing in recent years. Next September there will no less than 4000 extra teachers in our primary schools, compared with 2002. Not only is the average class size in our primary schools down to 24, but there is now one teacher for 17 pupils at primary level, including resource teachers etc. Children with special needs and those from disadvantaged areas are getting more support than ever before to help them to make the most of their time at school.

Indeed, with the thousands of extra primary teachers hired by this Government, recent years have seen the largest expansion in teacher numbers since the expansion of free education. Over the next two school years even more teachers will be put in place both for the above priority areas of disadvantage and special education and also under a reduction in the mainstream staffing schedule.

As you know all schools are staffed on a general rule of at least one classroom teacher for every 29 children. Of course, schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school. Next year this is being reduced to 28 children per classroom teacher and in 2007/2008 it will be reduced to 27 children per classroom teacher.

So, as I have pointed out the general rule in the current school year is that at least one classroom teacher is provided for every 29 pupils. Furthermore, the actual average class size nationally is 24.
In the 2005/2006 school year, the most recent year for which details are available, there were 105,663 children in primary classes of 20-24 inclusive. This Government has clearly demonstrated its commitment to improving staffing in our primary schools by hiring thousands of extra teachers in recent years and we will continue to make progress on this issue.

School Evaluations.

83. **Ms Enright** asked the Minister for Education and Science the number of subject evaluations completed at primary level to date in 2006; the projected number to be completed over the course of 2006; and if she will make a statement on the matter. [25741/06]

Minister for Education and Science (Ms Hanafin): Subject Inspections are not carried out at present in primary schools but are carried out in post-primary schools. Up-to-date information on the numbers and types of inspections that have been carried out in primary and post-primary schools and the list of published reports are available on the website of my Department (www.education.ie) at any time.

Question No. 84 answered with Question No. 34.

Questions Nos. 85 and 86 answered with Question No. 33.

Bogus Universities.

87. **Mr. S. Ryan** asked the Minister for Education and Science the measures which are in place to protect the reputation of the university sector here by controlling the activities of bogus universities on the internet; and if she will make a statement on the matter. [25929/06]

Minister for Education and Science (Ms Hanafin): Section 52 of the Universities Act, 1997 states that except in relation to an educational institution or facility established and described as such before the 30th day of July, 1996, (in which case it may continue to be so described), a person shall not, without the approval of the Minister, use the word “university” to describe an educational establishment or facility.

My Department conducted a review of such organisations, with a view to securing their compliance with Section 52 of the Universities Act 1997. Arising from this review, my Department has undertaken a number of actions including:

- Agreement of new procedures with the Companies Registration Office, including the conducting of a rigorous review of applications for registration of Limited Companies and Business Names;
- Requesting the Internet Domain Registry (a private company) to exercise caution when reviewing applications for domain names which include the titles ‘University’, ‘Institute of Technology’ and ‘Regional Technical College’;
- Communicating with a number of such organisations requesting that they desist from using the term ‘university’;
- Publication on the Department’s website of a list of State-aided third level institutions, or other colleges where programmes have been validated by the Higher Education and Training Awards Council.

I would like to advise the Deputy that my officials are reviewing existing legislation with a view to strengthening its position in dealing with these organisations. However, Irish legislation is only applicable to institutions established and operating within the State.

My Department views these operations as mere commercial organisations with no educational standing, which are exploiting tenuous links with Ireland. Certainly, they have not been subject to any of the well established rigorous accreditation or quality assessment procedures which exist here in Ireland. Their existence is contrary to the interests of Ireland’s higher education institutions, which have sought to preserve the high international standing and reputation which our system quite rightly enjoys.

School Placement.

88. **Ms C. Murphy** asked the Minister for Education and Science the number of children by county who were provided with home tuition in lieu of school places in 2005; the expected numbers in 2006 by county; the number of these children with special learning needs; and if she will make a statement on the matter. [25633/06]

Minister for Education and Science (Ms Hanafin): I wish to advise the Deputy that approximately 370 pupils who have reached the age of six and who are awaiting a school place were provided with home tuition during the 2005/2006 school year. The breakdown of these numbers by county is not readily available.

It is not possible to indicate the numbers requiring a home tuition grant for the 2006/2007 school year as applications for the grant are processed at the beginning of each school year.

My Department considers that school-based education provision is the most appropriate intervention for all children including those with special educational needs.

As the Deputy will be aware, the National Council for Special Education (NCSE) is now operational. A specific function of the NCSE, through its network of local special educational needs organisers (SENOs) is to identify appropriate educational placements for all children.
with special educational needs. The SENO is a focal point of contact for parents and schools. The National Educational Welfare Board (NEWB) has also been established and a function of the NEWB through its local Education Welfare Officers is to assist parents who are experiencing difficulty in ensuring that their children attend a recognised school or otherwise receive a certain level of education.

Question No. 89 answered with Question No. 45.

School Placement.

90. Mr. Noonan asked the Minister for Education and Science the steps her Department is taking to ensure that all primary and secondary school-going children will have a school place from September 2006; and if she will make a statement on the matter. [25742/06]

Minister for Education and Science (Ms Hanafin): The demand for additional accommodation in schools has risen significantly over the last number of years mainly due to the rapid expansion in teacher numbers particularly in the area of special needs, the growth in the school-going population in rapidly developing areas including the impact of inward migration and the demands to cater for diversity through the recognition of new Gaelscoileanna and Educate Together schools.

In planning for school provision to meet these demands my Department has adopted an area based approach which involves a public consultation process involving all interested parties. This leads to the production of a blueprint for schools’ development in an area for a timeframe of approximately ten years. The exercise recently completed on the N4-M4 corridor is an example of this and the rapidly developing areas of north Dublin, south Louth, east Meath will be examined this year. This structured process will ensure a more proactive approach to school planning than had been the case in the past.

Apart from the area development planning process my Department is also proactively engaged with local authorities on a continual basis in relation to specific areas. This is being done through improved contacts and communication protocols to ensure that the Department is better alerted about new and expanding residential areas and afforded an opportunity to ensure appropriate zoning provision for educational purposes.

For example in the case of the Strategic Development Zone (SDZ) at Adamstown my Department is working closely with South Dublin County Council and the developers to produce an integrated solution to education and community facilities that matches the delivery of new housing. Under the SDZ arrangements there is a requirement that schools are in position ahead of or in line with demand, and I think it is one that should be adopted by other planning authorities in relation to major new housing schemes.

My Department is working particularly closely with Fingal County Council to develop a joint approach to the timely provision of schools in an area of the country subject to extremely rapid development. This work is likely to provide innovative approaches to partnership which I believe can be used to advantage across the country in future.

My Department prioritises school buildings for rapidly developing areas. This is achieved by assigning them a band one priority rating under the published prioritisation criteria for large scale building projects. Whenever possible, my Department implements a standardised design model or a design and build process to fast track delivery of the buildings themselves. Not alone does this result in speedier delivery of projects but it also achieves savings in design fees and land use arising from the use of the two storey design. Among schools completed using one of these processes is Griffeen Valley in Lucan which was completed in a 13 month timeframe.

The level of work being done under the schools building programme is at an all-time high. While increased investment is a central reason for this — €500m this year alone — radical changes in how projects are planned and managed have also made a major difference in ensuring that provision is delivered in line with or ahead of demand.

Youthreach Programme.

91. Mr. Stanton asked the Minister for Education and Science the number and location of Youthreach projects throughout the country; the number of teachers and the number of young people enrolled in the project in each Youthreach centre; the budget allocation for Youthreach services in 2005 and 2006 respectively; the distribution of same; her plans to further develop the service; and if she will make a statement on the matter. [25990/06]

Minister of State at the Department of Education and Science (Miss de Valera): The Youthreach Programme is an Inter-Departmental initiative which provides two years integrated education, training and work experience to young people aged 15-20 years who are at least six months in the labour market and who have left school early without any qualifications or vocational training.

The programme funded by my Department is delivered in out of school centres and is managed by Vocational Education Committees (VECs). There are a total of ninety Youthreach Centres throughout the country and I will arrange for a list of these centres together with the number of approved places in each centre to be forwarded separately to the Deputy. The information on
[Miss de Valera.] Staffing in Youthreach centres is not maintained centrally in my Department as staffing of Youthreach centres is a matter for Vocational Education Committees.

Pay and non-pay expenditure on the programme in 2005 was €45,334,433. In fact, provision for the non-pay component is being increased in 2006 by almost 8%. This funding is allocated to VEC’s based on the number of learners and centres in their area. Additional expenditure of €1,487,204 was made to VEC’s in 2005 in respect of rent of premises for Youthreach centres and funding of at least this amount has been made available for this purpose in 2006. In addition, my Department provides funding to VEC’s annually to assist towards the child care expenses of participants in Youthreach, Traveller Training Centres and VTOS (The Vocational Training Opportunities Scheme). The financial provision towards child care assistance for participants in Youthreach and other programmes in 2005 was €5.4 million and similar provision towards child care funding will be available in 2006.

There is provision for 1,000 additional place in Youthreach (by 2009) in the recent Social Partnership Draft Agreement 2006-2015 — Towards 2016.

Irish Language.

92. Caomhghín Ó Caoláin asked the Minister for Education and Science if there are supports for non-Irish nationals in the Gaeltacht and elsewhere here if they choose to learn the Irish language; and if not, if she intends to introduce such supports. [25806/06]

Minister for Education and Science (Ms Hanafin): My Department provides additional teaching resources to schools, both in the Gaeltacht and elsewhere, where the medium of instruction is Irish.

Under current arrangements, the enrolment figures required for both the appointment and retention of a mainstream class teacher in a Gaelscoil and for the retention of a mainstream class teacher in a national school in the Gaeltacht are lower than those which apply in the case of ordinary national schools in the case of posts up to and including the 12th mainstream teacher.

At post primary level, my Department allocates an additional teaching post to each designated all-Irish school. The additional teaching resources are provided to cater for all pupils enrolled in the schools concerned, irrespective of nationality. The question of providing additional resources to these schools will be considered in the context of improvements in the staffing position of primary and second level schools generally.

Question No. 93 answered with Question No. 34.

School Transport.

95. Mr. Cuffe asked the Minister for Education and Science if she will commit to a review of school bus catchment areas and boundaries as part of the last year’s programme of work. [25982/06]

Minister of State at the Department of Education and Science (Miss de Valera): Catchment boundaries have their origins in the establishment of free post-primary education in the late 1960’s. For planning purposes, the country was divided into geographic districts, each with several primary schools feeding into a post-primary centre with one or more post-primary schools. The intention was that these defined districts would facilitate the orderly planning of school provision and accommodation needs. They also facilitated the provision of a national school transport service, enabling children from remote areas to get to their nearest school.

Reviews of specific catchment boundaries may be carried out where appropriate. A number of reviews have been carried out over the years where, for example, a new post-primary school is established in an area where previously there was none or, conversely, where a “sole provider” school closes due to declining enrolment. I do not propose to have a general countrywide review of catchment boundaries.

Pupil Teacher Ratio.

96. Mr. Kehoe asked the Minister for Education and Science the most recent figures regarding the number of children in primary classes of 25 to 29 children inclusive; and if she will make a statement on the matter. [25773/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, major improvements have been made in primary school staffing in recent years. Next September there will no less than 4000 extra teachers in our primary schools, compared with 2002. Not only is the average class size in our primary schools down to 24, but there is now one teacher for 17 pupils at primary level, including resource teachers etc.

Children with special needs and those from disadvantaged areas are getting more support than ever before to help them to make the most of their time at school. Indeed, with the thousands of extra primary teachers hired by this Government, recent years have seen the largest expansion in teacher numbers since the expansion of free education. Over the next two school years even more teachers will be put in place both for the above priority areas of disadvantage and special education and also under a reduction in the mainstream staffing schedule.
As you know all schools are staffed on a general rule of at least one classroom teacher for every 29 children. Of course, schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school. Next year this is being reduced to 28 children per classroom teacher and in 2007/2008 it will be reduced to 27 children per classroom teacher.

So, as I have pointed out the general rule in the current school year is that at least one classroom teacher is provided for every 29 pupils. Furthermore, the actual average class size nationally is 24. In the 2005/2006 school year, the most recent year for which details are available, there were 162,174 children in primary classes of 25-29 inclusive.

This Government has clearly demonstrated its commitment to improving staffing in our primary schools by hiring thousands of extra teachers in recent years and we will continue to make progress on this issue.

School Evaluations.

97. Mr. Connaughton asked the Minister for Education and Science the number of whole school evaluations at post primary level to be undertaken in 2006; the number of post-primary schools here; the timescale for the evaluation of all schools; and if she will make a statement on the matter. [25737/06]

138. Mr. McCormack asked the Minister for Education and Science the number of whole school evaluations at primary level to be undertaken in 2006; the number of post-primary schools here; the timescale for the evaluation of all schools; and if she will make a statement on the matter. [25738/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 97 and 138 together.

Last month saw a major advance in terms of the transparency of our education system, as school inspection reports became available to the general public for the first time.

The publication of whole school evaluation reports in particular will ensure that parents and other stakeholders have access to balanced and fair information on the wide range of activities that schools are involved in.

WSE reports identify when schools and teachers are working to optimum effect and where improvements are needed. They provide a fair analysis of the strengths and weaknesses of schools in a way that can provide a real indication of school quality. In this way they not only provide valuable information for parents but they also help to foster improvement in schools and spread best practice.

By contrast, “league tables”, based solely on examination results, as we have seen in other countries, can only provide a narrow and limited measure of the effectiveness of schools. Given the very negative experience with league tables in the UK, I remain puzzled as to why the Deputies’ party is so eager to follow that bad example here.

For my own part, I remain opposed to proposals to judge schools purely on their exam results, thereby ghettoising schools in disadvantaged areas, penalising those with inclusive enrolment policies and encouraging an even greater emphasis on exams at the expense of the other activities that schools are involved in.

Nonetheless, I appreciate that parents are eager for more information on our schools. The publication of inspection reports will go some way to meeting that desire.

By last Thursday, 29 June, a total of 154 inspection reports arising from inspections in primary and post-primary schools had been published. These include 36 WSE reports on primary schools, 5 post-primary WSE reports and 113 Subject Inspection reports. Each WSE report contains a summary of the main strengths and areas for development identified in the work of the school.

In 2006 it is planned to undertake whole-school evaluations in 216 primary schools and 57 post-primary schools. The inspection rate may vary from year to year but clearly it will take some time to reach all schools. However, I would like to stress that whole school evaluations are just one aspect of the work of the inspectorate of my Department.

At post-primary level, for example, in addition to WSE, 428 stand-alone Subject Inspections will be undertaken in post-primary schools this year. These inspections provide very valuable and focused information on teaching, learning and curriculum provision in an individual subject in a post-primary school. Taking WSE inspections and Subject Inspections together, it is expected that more than 470 of the 735 post-primary schools in the state will have an external evaluation by the Inspectorate this year.

Of course, in addition to external evaluation, schools are encouraged to undertake more frequent self-review. The ‘Looking at our school’ guidelines sent to all schools by my Department were developed to aid such self-evaluation. Naturally, interaction with parents is a very important part of the self-evaluation process.

Many schools also produce comprehensive newsletters and reports for parents. I have seen many excellent examples of these and would strongly encourage all schools to do as much as they can to inform parents about their activities.

So, while the publication of inspection reports means that parents will have access to a much greater level of information than ever before, this is just one of a number of initiatives to improve the quality of our education system and to provide more information for parents. I assure
the Deputies of my commitment to further measures to improve the quality of education provided to our children and young people. Equally, however, I assure you that I will never make a short-sighted and ill-advised decision to promote league tables, given the wealth of international evidence as to the damaging effects they have on an education system.

Schools Refurbishment.

98. Mr. Howlin asked the Minister for Education and Science the maximum amount of funding available to an individual school under the summer works programme; and if she will make a statement on the matter. [25915/06]

Minister for Education and Science (Ms Hanafin): The purpose of the Summer Works Scheme is to devolve funding to individual school authorities to undertake small scale building works which, ideally, can be carried out during the summer months or at other times that avoid disrupting the operation of the school. Under the terms of the Scheme, school authorities are empowered to manage these works with guidance from and minimal interaction with the Department.

Funding is allocated to projects in accordance with the prioritisation criteria attaching to the Scheme. There is no specific cost limit over which an application would be disqualified.

Special Educational Needs.

99. Ms Lynch asked the Minister for Education and Science if she has considered the report carried out for her Department’s inspectorate entitled An Evaluation of Educational Provision for Children with Autistic Spectrum Disorders; if she will implement the recommendations of the report; and if she will make a statement on the matter. [25917/06]

113. Ms McManus asked the Minister for Education and Science if she has considered the report carried out for her Department’s inspectorate entitled An Evaluation of Special Classes for Pupils with Specific Speech and Language Disorder; if she will implement the recommendations of the report; and if she will make a statement on the matter. [25918/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 99 and 113 together.

The two reports recently presented by the Inspectorate — “An Evaluation of Educational Provision for Children with Autistic Spectrum Disorders” and “An Evaluation of Special Classes for Pupils with Specific Speech and Language Disorders”, are under active consideration within my Department.

The recommendations contained in the reports will require consideration, not only by my own Department, but also, by other bodies such as the National Council for Special Education and the Health Service Executive as well as school authorities. Arrangements will be made for discussions with the relevant bodies.

Question No. 100 answered with Question No. 60.

Early School Leavers.

101. Mr. Coveney asked the Minister for Education and Science the number of children who fail to make the transition from primary to secondary education; and if she will make a statement on the matter. [25793/06]

109. Mr. Ferris asked the Minister for Education and Science the action she proposes to take to address the number of pupils failing to make the transition from primary to secondary level. [25812/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 101 and 109 together.

There is no up to date research on the number of children who do not transfer from primary to post-primary education on an annual basis. My Department is currently planning the development of a Primary Pupils Database, which will facilitate the collation of much more accurate and comprehensive data on transfer rates in the future. Together with the current Post-Primary Pupil Database, this will allow much improved tracking of where children go after primary school.

Measures designed to improve school completion include the establishment of the National Educational Welfare Board in 2002 with a remit to monitor school attendance and tackle the problems of absenteeism and early school leaving, which includes the transfer of pupils from primary to post primary.

Working with parents to promote school attendance is an important part of the work of the Home School Community Liaison Scheme (HSCL) and in addition to this, a key component of the School Completion Programme (SCP) is developing strong links between primary and post-primary schools in disadvantaged areas.

The School Support Programme under DEIS (Delivering Equality of Opportunity in Schools), the new action plan for educational inclusion will bring together, and build upon, a number of existing interventions in schools with a concentrated level of disadvantage. The new action plan is being introduced on a phased basis, starting during the current school year. It will involve an additional annual investment of €40m on full implementation.

As a result of the identification process, 840 schools have been invited to participate in the
new Programme. These comprise 640 primary schools (320 urban/town schools and 320 rural schools) and 200 second-level schools.

The key principle of early intervention, to identify and help children at risk of leaving school early is a major component of DEIS, with a continuing emphasis being placed on the development of effective transfer programmes for pupils making the transition to second-level, by building on the existing work of the HSCL scheme and the School Completion Programme in this area. Initiatives such as Familiarisation Days and week-long transfer programmes for new entrants to second level have been shown to have very positive results in helping children to make a smooth transition to their new school and I am anxious that a strengthening of such programmes be prioritised under the new Action Plan. The additional guidance counselling provision, being made available for second-level schools having the highest concentrations of disadvantage, will also assist in this regard.

**State Examinations.**

102. Mr. Quinn asked the Minister for Education and Science if she has had discussions with the State Examinations Commission regarding the distress of students who sat the higher level leaving certificate mathematics paper in 2006; if allowances will be made for the effect on students of part of the paper; and if she will make a statement on the matter. [25926/06]

**Minister for Education and Science (Ms Hanafin):** The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations, including organising the holding of examinations and making arrangements for the marking of work presented for examination.

I understand from the State Examinations Commission that all observations received by the Commission in relation to the Leaving Certificate Higher Level Mathematics examination are passed to the Chief Examiner for consideration in the context of finalising the marking scheme for the subject.

**School Evaluations.**

103. Mr. G. Mitchell asked the Minister for Education and Science the number of whole school evaluations of primary schools published to date in 2006; and if she will make a statement on the matter. [25736/06]

**Minister for Education and Science (Ms Hanafin):** Enrolment in individual schools is the responsibility of the managerial authority of those schools and my Department does not seek to intervene in decisions made by schools in such matters. My Department’s main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking places. This may result, however, in some pupils not obtaining a place in the school of their first choice.

The staffing of a primary school for a particular school year is determined by reference to the enrolment of the school on the 30th September of the previous school year and by reference to a staffing schedule. The staffing schedule for the 2006/07 school year is outlined in Primary Circular 0023/2006 which has issued to all primary schools.

Based on the enrolment of 52 pupils on the 30th September 2005 as submitted by the Board of Management of the school referred to by the Deputy, the staffing for the 2006/2007 school year will be a Principal and 2 Mainstream Class Teachers.

The school had the services of a temporary Language Support teacher for the 2005/2006 school year. No application has been made to my Department for a renewal of this post or for an increase in the services required. However if an application is made, my Department will consider it.

The school has applied for two posts under developing school criteria for the coming school year. A developing school is defined as a school where the enrolment on 30 September, 2006 is projected to exceed the enrolment on 30 September, 2005 by a minimum numerical increase of 25 pupils and by having a stipulated excess of 5 pupils above the required appointment figure. In the case of such schools, an additional permanent post(s) may be sanctioned provisionally pending the confirmation of the valid enrolment on 30 September, 2006. The staffing will be adjusted in the light of the actual valid enrolments on 30 September, 2006.
My Department has sanctioned the two posts effective from the 1st September 2006 on a provisional basis subject to the projected enrolment figure being achieved on the 30th September 2006.

**Question No. 105 answered with Question No. 45.**

**Disruptive Behaviour.**

106. Mr. English asked the Minister for Education and Science the timeframe for the implementation of the Task Force on Student Behaviour; and if she will make a statement on the matter. [25802/06]

**Minister for Education and Science (Ms Hanafin):** In launching “School Matters” the final Report of the Task Force on Student Behaviour in Second Level Schools, I outlined a package of measures to tackle student behaviour issues. In my view, implementation of the report must be approached in a prioritised and carefully structured way.

The putting in place of a Behaviour Support Team is at the core of many of the Task Force recommendations. I see it as a critical first step in their implementation. The role of this team will span the spectrum from diagnosis of school problems to assistance with remediation. It is expected that this team will be in place in the next school year and will be working with up to 50 schools. This team will work with schools that are experiencing significant discipline problems. It will be staffed by experienced practitioners from across the education sector, including additional psychologists dedicated to this area.

The Behaviour Support Team will become intensively involved in the school over a period of time. The desired outcome of this is an identification, at school level, of those measures and changes which need to be put in place in order to bring about a real and sustained improvement in student behaviour.

I also intended to trial up to 30 Behaviour Support Classrooms in those schools experiencing severe behavioural difficulties with students. Schools chosen to trial a Behaviour Support Classroom will be expected to demonstrate a real commitment to dealing with all causes of the discipline problem in their school.

The recruitment of Behaviour Support Team has already commenced with advertisements appearing in the national press. Allowing for the fact that we will undoubtedly be drawing many of the members of the team from the school system, it is nonetheless my intention that it will be fully operating in the next school year.

The Junior Certificate Schools Programme is a critical intervention in many schools at present and one which is proposed for expansion by the Task Force. It is intended to allow appropriate and focused expansion of this programme where proposals to this effect result from the engagement of the Behaviour Support Team with individual schools.

The Task Force report recommends the expansion of existing Youth Encounter Projects and Youthreach services instead of putting in place a new service of out of school provision. My Department’s Regional Offices network will compile a comprehensive list of existing alternative educational provision nationwide, which the Behaviour Support Team will analyse. This will in turn provide a capacity to augment existing provision where gaps exist.

The Task Force also recommended that the Section 29 legislation be amended to stress the rights of the compliant majority to learn while at the same time protecting the rights of the persistently disruptive student to an education. It also recommends that the timeframe involved in these appeals be looked at. I have decided to review existing legislation in order to take account of the Task Force recommendations and to bring forward amending legislation as soon as this review is complete.

The report’s recommendations require action and engagement from a wide range of participants in our education system. For my part, as Minister, I have given a clear statement of my commitment to sustained and considered action in dealing with the issue of student behaviour.

**Literacy Levels.**

107. Dr. Upton asked the Minister for Education and Science her views on criticism by NALA of the conservative target of 6% growth in participation of students in adult literacy in the draft social partnership agreement; and if she will make a statement on the matter. [25935/06]

**Minister of State at the Department of Education and Science (Miss de Valera):**

Adult Literacy is, and will remain, my top priority in adult education. Since 1997, funding from my Department for adult literacy has increased incrementally from €1 million to almost €23 million in 2006. As a consequence, the number of clients catered for annually has increased from 5,000 in 1997 to over 35,000 in 2005. This represents a significant achievement by any standards, and I will continue to put in place measures, including increased investment, to tackle the problem of adult literacy as resources permit.

The draft Social Partnership Agreement proposes a further increase in student numbers of 7,000 (6% per annum) over the three year period. This figure may well be exceeded. Indeed, experience with the National Development Plan 2000-2006 has shown that the growth in the number of adult literacy students has been well in excess of the target of 18,000 annually set out in the Plan. In addition, specially-targeted literacy programmes which provide for more specialised or
intensive literacy needs, have been introduced where the cost per student would be higher than the norm.

Earlier this year, a new intensive literacy programme commenced within the VECs, in which six hours of literacy tuition is available per week instead of the usual two hours. This pilot programme, targeted at the most educationally disadvantaged groups, has run for 14 weeks and an evaluation is currently taking place. If the programme is found to have operated successfully, funding will be made available for its continuation.

Other special programmes include literacy for deaf people, family literacy, for people with dyslexia, work place literacy, and for native Irish speakers in Gaeltacht areas.

While significant progress has been, and continues to be, made in addressing the problem of adult literacy, there is, however, no room for complacency and both my Department and I are committed to a continuation of the process of substantially reducing the literacy deficit in Irish society.

Education Centres.

108. Mr. Lowry asked the Minister for Education and Science if she will reconsider her decision not to grant full-time status to a centre (details supplied) in County Tipperary; and if she will make a statement on the matter. [25993/06]

Minister for Education and Science (Ms Hanafin): The part-time Education Centre covered by the Deputy’s question is part of a network of twenty-one full-time and nine part-time Education Centres which are located throughout the country. Education Centres provide professional development and support for teachers and the wider education community through meeting locally researched and identified teacher and school community needs. They also provide this professional development and support through involvement in national in-service programmes, involving either curricular reform or support on specific issues such as special needs.

I am satisfied that the existing Education Centre network, as it is currently constituted, is sufficient to meet the professional development needs of teachers and, accordingly, I have no plans to expand the Network at this time. I will, however, continue to keep the position under review, particularly in light of emerging needs.

Finally, officials in the Teacher Education Section of my Department, who are charged with the management and administration of all matters relating to the Education Centre Network, have recently met with the Director of the Centre to explain the current position and to discuss any matters of concern to the Centre.

Question No. 109 answered with Question No. 101.

Special Educational Needs.

110. Aengus Ó Snodaigh asked the Minister for Education and Science if her attention has been drawn to the case of a school (details supplied) in County Waterford; if she will ensure that the fundamental and constitutional right of a child to an education is upheld; and if she will make a statement on the matter. [25807/06]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware of my commitment to ensuring that all children, including those with autism receive an education appropriate to their needs. Educational provision for children with autistic spectrum disorders is now provided in 15 early intervention special classes, 164 special classes in mainstream schools and special schools and in a number of special centres. Additional teaching and other supports are provided for students with ASD who are fully integrated into mainstream school settings.

My Department also funds a pilot scheme for 12 centres where ABA is the exclusive approach. Sanction has been given for 14 centres under the scheme and two have yet to open, one of which is the centre referred to by the Deputy. Accommodation issues have delayed the progression of the project to date and officials in my Department are liaising with the Board of Management concerned to further advance the opening of the unit.

School Transport.

111. Dr. Twomey asked the Minister for Education and Science the number of safety incidents on school buses which have occurred in 2006; and if she will make a statement on the matter. [25765/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department has requested Bus Éireann to furnish a report on the number and nature of accidents that have occurred on school buses since January 2006. It would assist if the Deputy could be more specific regarding the type of incident that he has in mind.

Question No. 112 answered with Question No. 48.

Question No. 113 answered with Question No. 99.

Schools Building Programme.

114. Mr. Naughten asked the Minister for Education and Science the steps she is taking to upgrade science facilities in second level schools; and if she will make a statement on the matter. [25553/06]

Minister for Education and Science (Ms Hanafin): As part of the multi-annual school
building programme my Department has invested heavily in modernising school facilities throughout the country including science facilities in post-primary schools. Typically this investment involves the provision of modern science facilities in new post-primary schools or the upgrading of science facilities in existing schools either as part of a school building project or as a dedicated investment to facilitate the teaching of science. Additionally I have provided for class materials, basic general equipment and chemicals for practical work for the Sciences.

My Department also spent in excess of €13m in 2004 to facilitate the introduction of a revised Junior Science syllabus. Schools received a basic grant of €3,500 per science laboratory to enable them to provide the new curriculum. Additional funding was made available to schools where other specified equipment was required. In addition, certain schools identified as needing new or refurbished science laboratories as a result of a 1998 national survey received funding. Funding is also available this year to schools that have yet to apply for the basic grant of €3,500 per science laboratory and for other specified equipment to enable them to provide the new curriculum.

Schools have also received funding under the Summer Works Scheme in 2004 and 2005 to refurbish science laboratories. In the application for funding under the 2006 Summer Works Scheme post-primary schools were asked to specifically identify and provide details of any science and technology upgrade or refurbishment projects separate from any other projects being applied for so that consideration could be given to approving these projects for 2006. I approved funding for 26 such projects under the 2006 Summer Works Scheme.

The Deputy can be assured that my Department will continue to take a proactive approach in the provision of the necessary facilities for the teaching of science in schools.

**Early School Leavers.**

115. **Dr. Upton** asked the Minister for Education and Science the measures she proposes to introduce to achieve the goal in the draft social partnership agreement of reducing early school leaving by 10% by 2010; and if she will make a statement on the matter. [25936/06]

Minister for Education and Science (Ms Hanafin): A key focus of the Government’s education policy is to prioritise investment in favour of those most at risk and to optimise access, participation and outcomes at every level of the system for disadvantaged groups. The total provision for educational inclusion programmes in 2006 is more than €640m across all levels of education, as compared with almost €600m in 2005. This includes additional funding for the implementation of measures under the DEIS action plan at pre-school, primary and second-level, additional funding of €7m for further education programmes and a €20m increase in provision for third-level student support schemes.

My Department’s approach to addressing educational disadvantage and social exclusion is set in the context of the Programme for Government, the National Action Plans against Poverty and Social Exclusion, and social partnership agreements.

The wide variety of measures in place for tackling educational disadvantage and social exclusion range from pre-school interventions, supports for tackling children’s literacy problems, reduced pupil teacher ratios, increased capitation grants, measures to tackle early school leaving and strengthen ties between the school, the family and the community.

With regard to early school leavers, the available statistical evidence indicates that ongoing measures at primary and second level and the increasing range of further education and training opportunities available for students who leave school early are having a positive impact and these measures will be further strengthened and expanded as outlined in the new social partnership agreement. The latest CSO data show that the proportion of 18-24 year olds who left school with, at most, lower secondary education in Ireland was 12.3% in 2005 compared with an EU average of 14.9%. The educational profile of 20-24 year olds in Ireland has improved steadily over the last five years, as increasing opportunities have been made available in the further education and training sector. Almost 87% of 20-24 year olds in 2005 had completed second-level education (or higher), up from 82.4% in 2000.

This Government has pursued a dual strategy of both encouraging more young people to finish school and ensuring much greater second chance and further education opportunities for those who have left school early. This kind of strategy ensures that young people are empowered to achieve their full potential, be that by sitting the Leaving Cert or by pursuing qualifications through other pathways such as Youthreach or FAS apprenticeships which may be more appropriate to their individual interests.

With regard to curriculum, my Department’s strategies have included widening the educational experience available to students, which aim to achieve a greater level of inclusiveness in curricular provision and meet the needs of the diversity of pupils in our second level schools, by expanding funding for programmes such as the Leaving Certificate Vocational Programme (LCVP), Vocational Preparation Training (VPT) and the Leaving Certificate Applied (LCA).

The School Completion Programme was implemented to directly target those in danger of dropping out of the education system and is a key component of my Department’s strategy to discriminate positively in favour of children and
young people who are at risk of early school leaving, and in line with current thinking favours an integrated cross-community and cross-sectoral approach based on the development of local strategies to ensure maximum participation levels in the education process. It entails targeting individual young people aged 4-18, both in and out of school, and arranging supports to address inequalities in education access, participation and outcomes.

The Home School Community Liaison (HSCL) Scheme is concerned with maximising active involvement of children in the learning process, in particular those who might be at risk of failure; promoting active cooperation between home, school and relevant community agencies in promoting the educational interests of the children; raising awareness in parents of their own capacities to enhance their children's educational progress and to assist them in developing relevant skills; enhancing the children's uptake from education, their retention in the educational system, their continuation to post-compulsory education and to third level and their attitudes to lifelong learning and disseminating the positive outcomes of the scheme throughout the school system generally.

The Education Welfare Act and the establishment of the National Educational Welfare Board is an important part in the campaign to keep students at school and will provide a comprehensive framework for promoting regular school attendance and tackling the problems of absenteeism and early school leaving. The key principle of early intervention underpins both the early childhood education measure and many of the literacy and numeracy measures being adopted under DEIS, the actional plan for educational inclusion. The new action plan will place a renewed emphasis on the involvement of parents and families in children's education in schools. The Department and the National Educational Welfare Board will work together to ensure that an integrated approach to children at risk is adopted.

Progression from primary to second-level is recognised as a crucial transition period in a child's education. Under the action plan, a continuing emphasis will be placed on the development of effective transfer programmes by building on the existing work of the Home School Community Liaison Scheme and the School Completion Programme. Over a two year period, Home School Community Liaison and School Completion Programme services will be extended to all schools participating in a new integrated School Support Programme under DEIS and not already in receipt of these services. Other measures such as extending access to Schools' Business Partnerships, school meals, guidance counselling and student councils will also be facilitated through the action plan. In addition, increased integration will be promoted between the work of second-level schools and centres catering for young early school leavers, particularly Youthreach centres and Senior Traveller Training Centres.

### Pupil Teacher Ratio.

116. **Mr. Deasy** asked the Minister for Education and Science the most recent figures regarding the number of children in primary classes of 30 to 34 inclusive; and if she will make a statement on the matter. [25771/06]

**Minister for Education and Science (Ms Hanafin):** As the Deputy will be aware, major improvements have been made in primary school staffing in recent years. Next September there will no less than 4000 extra teachers in our primary schools, compared with 2002. Not only is the average class size in our primary schools down to 24, but there is now one teacher for 17 pupils at primary level, including resource teachers etc.

Children with special needs and those from disadvantaged areas are getting more support than ever before to help them to make the most of their time at school. Indeed, with the thousands of extra primary teachers hired by this Government, recent years have seen the largest expansion in teacher numbers since the expansion of free education. Over the next two school years even more teachers will be put in place both for the above priority areas of disadvantage and special education and also under a reduction in the mainstream staffing schedule.

As you know all schools are staffed on a general rule of at least one classroom teacher for every 29 children. Of course, schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school. Next year this is being reduced to 28 children per classroom teacher and in 2007/2008 it will be reduced to 27 children per classroom teacher.

So, as I have pointed out the general rule in the current school year is that at least one classroom teacher is provided for every 29 pupils, furthermore, the actual average class size nationally is 24.

Nonetheless, some schools do have classes with more than 30 children in them. The number of children in such classes has, however, decreased significantly under this Government. In the 2005/2006 school year, the most recent year for which details are available, there were 101,608 children in primary classes of 30-34 inclusive. This compares to a figure of 138,315 in 1996/97.

It is important to appreciate that there are a number of different reasons why a particular school may have a large class in a given year. Reasons why there are large classes include a significant fluctuation in enrolments from one year...
to the next and/or a decision by the school principal not to have multi-grade classes.

Regardless of the reason why there is a large class in a particular school one year, it should be noted that in the majority of cases this is not the situation in the following year. In the main, the same schools do not have large classes year after year and so the same children are not in large classes year after year.

Where some classes in a school have class sizes of greater than 29, it is often because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes. Indeed, I often find that when I look into why a particular school has a class of 35 in a particular grade, the answer is because there is another class in the same school with a much lower than average number of pupils in it.

I appreciate that splitting classes may not always be an option for a particular school, because for example there might be a large group in junior infants and a small group in sixth class and so on. But where it is possible, I believe that principals should consider the benefits of having smaller multi-grade classes as against having large differences in class sizes at different levels in the school.

This Government has clearly demonstrated its commitment to improving staffing in our primary schools by hiring thousands of extra teachers in recent years and we will continue to make progress on this issue.

Proposed Legislation.

117. Mr. Penrose asked the Minister for Education and Science if she will introduce legislation to provide land for schools in developing areas at reasonable costs and in good time to deal with the need for school places; and if she will make a statement on the matter. [25925/06]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that the provisions of the Planning and Development Act, 2000, do not place any onus on developers to provide school sites other than at market rates. I am keeping an open mind as to whether legislatively change might be of assistance or prove the best way forward here. In this regard, my Department has commenced exploratory discussions with the Department of the Environment, Heritage and Local Government. I would remind the House, however, that any changes in this area would require careful consideration in the context of constitutional protection for private property and indeed in weighing up how any reduction in the price per acre of any land given for schools development might impact on the unit costs and affordability of houses developed on the remaining lands.

Literacy Levels.

118. Mr. Morgan asked the Minister for Education and Science her views on the fact that literacy and numeracy difficulties among pupils are still a matter of concern; and the way in which she proposes to deal with same. [25810/06]

Minister for Education and Science (Ms Hanafin): The achievement of high literacy and numeracy standards is one of the primary goals of education, in my view. Since achievement in literacy and numeracy are such fundamental prerequisites for the development of personal and social competence, I believe that the education system should enable every individual to develop literacy and numeracy skills to the greatest extent possible, in accordance with their capacity to learn.

Schools generally have relatively low proportions of children with significant literacy difficulties as evidenced by comparatively high overall achievement levels in successive international surveys of reading of 15-year olds. The most significant levels of literacy and numeracy difficulties tend to be concentrated in designated disadvantaged schools.

I propose to target significant resources to ameliorate literacy and numeracy difficulties in disadvantaged schools through the measures announced in the DEIS action plan. These measures include a maximum class size of 20:1 in junior classes and 24:1 in senior classes in the 180 urban/town primary schools serving the most disadvantaged communities and increased access to literacy and numeracy support services and programmes for all 320 urban/town primary schools. I have also sanctioned the recruitment of 12 literacy and numeracy tutors to provide in-school support and guidance to all teachers in these schools.

In addition, I am making training in “Reading Recovery” available to all urban/town schools. “Reading Recovery” is designed to provide targeted support to younger children who are failing to learn. In addition, a number of off-the-shelf training packages will be made available to all teachers with a view to improving teaching methodologies and developing more robust assessment systems at classroom and school level. A new Family Literacy Project will also be implemented. Finally, the School Development Planning service will support schools in developing their plans and policies for teaching literacy and numeracy and in setting measurable targets for the reduction of serious literacy and numeracy difficulties.

I believe that these measures will equip our teachers and schools to tackle any outstanding literacy and numeracy problems in schools. I am confident that we are putting in place a world-class system to support even the most vulnerable pupils and I am confident that literacy and numeracy achievement will improve considerably as a result.
Higher Education Sector.

119. Mr. McGinley asked the Minister for Education and Science the number of recommendations of the OECD report on higher education implemented to date; and if she will make a statement on the matter. [25795/06]

Minister for Education and Science (Ms Hanafin): As the deputy is aware, the OECD Review of Higher Education in Ireland made a large number of recommendations regarding structural and institutional reform in the higher education sector and additionally pointed the way forward to the creation of a fourth level Ireland. The Government approved the broad thrust of these recommendations in April of last year.

The reform and modernisation agenda in the sector is now well underway. The Cabinet committee on Science and Technology is in place and is supported by a high level interdepartmental committee on Science and Technology. The OECD, in their review, pointed to the need for cross-departmental strategic thinking at a national level if Ireland was to become a major player in the global knowledge economy. The Taoiseach, the Minister for Enterprise, Trade and Employment and I recently launched the Strategy for Science, Technology and Innovation, which provides a blueprint for Ireland’s advancement in the global knowledge economy. Central to this will be the development of the capacity of our higher education system for the achievement of key targets such as doubling the number of PhD graduates, for attaining the necessary intellectual critical mass, for advancing the quality of our post-graduate and PhD training, for strengthening arrangements for industry collaboration and for providing all the necessary supporting structures to achieve the research objectives of a range of sectors.

I was also very pleased to announce late last year the Strategic Innovation Fund which aims to underpin the reform agenda in the higher education sector. A call for proposals for the Strategic Innovation Fund is issuing from the Higher Education Authority. This will support the institutions in the development of a strong, modernised and reformed third level sector, which is necessary to underpin the creation of an internationally excellent fourth level system. The fund will be competitively awarded and will incentivise inter-institutional collaboration in proposals which will aim to deliver on a number of national priorities. These are all elements of a new approach to funding recommended in the OECD Review. This will work in tandem with a new funding allocation model, currently being implemented by the HEA which places a strong emphasis on strategic planning both at institutional level and with due regard to national strategy.

In terms of structural reform, the Institutes of Technology Bill 2006 was published on 26th April last. Under this legislation, the institutes of technology will have significantly greater autonomy to fulfil their missions. They will also be brought within the remit of the Higher Education Authority which will provide for a more integrated and cohesive strategic approach to the development of higher education in line with national priorities. This is a very significant development in the sector and takes account of the OECD’s strong recommendation to recognise the importance of the differentiation of missions in the university and institute of technology sector.

The OECD also recommended that there be a massive increase in investment in higher education if Ireland is to aspire to greater prominence. In terms of capital investment, €900m has been included in the capital envelope for 2006-2010. Furthermore an additional €300m has been allocated under the Strategic Innovation Fund which will be made available to 2010. Very significant increases in funding will also be injected into the sector to deliver the targets outlined in the Strategy for Science Technology and Innovation for fourth level Ireland.

This is a clear signal of the high prioritisation being given by myself and colleagues in Government to the development of a world class higher education system in Ireland with the formulation and implementation of national policy on the sector underpinned by a huge commitment to investment in the coming years. As I have expressed before, we are very grateful to the OECD and the ideas contained in their extensive and wide ranging review. Following wide consultation, we have embarked on the road to reform and future prosperity. My Department intends that the benefits of our future success will be spread throughout society and through the National Office for Equity of Access to Higher Education aim to ensure that we continue to increase participation at all levels of society in our education system.

Disadvantaged Status.

120. Mr. Wall asked the Minister for Education and Science the resources which are made available by her Department to support summer activities programmes for schoolchildren, especially in disadvantaged areas; and if she will make a statement on the matter. [25938/06]

Minister for Education and Science (Ms Hanafin): The total provision for educational inclusion programmes in 2006 is some €647m across all levels of education provision, ranging from pre-school interventions, supports for tackling children’s literacy problems, reduced pupil teacher ratios, increased capitation grants, free book grant scheme, measures to tackle early school leaving and strengthen ties between the school, the family and the community. In addition, there are interventions in support of
DEIS (Delivering Equality of Opportunity in Schools), the new action plan for educational inclusion, addresses the educational needs of children and young people from disadvantaged communities, from pre-school to completion of upper second level education (3 to 18 years). The new action plan represents a shift in emphasis away from individual initiatives, each addressing a particular aspect of the problem, with the new plan adopting a multi-faceted and more integrated approach. Its core elements comprise:

- a standardised system for identifying, and regularly reviewing, levels of disadvantage
- a new integrated School Support Programme (SSP) which will bring together, and build upon, some ten existing educational inclusion measures.

This includes increased access to a range of academic supports such as one to one, small group tuition, literacy/numeracy and curricular supports, individual learning plans, revision and study skills courses and non-academic supports such as sports/recreational/extra-curricular activities, clubs & meal provision, after school supports and holiday time supports, based on best practices identified through the School Completion Programme.

There are currently 82 School Completion Programme (SCP) sites in 21 counties (108 post primary schools and 302 primary schools) with 53 second level schools in the Stay in School Retention Strand (SSR) of the School Completion Programme in 17 counties, targeting approximately 23,000 young people at risk of early school leaving.

Funding is provided to projects on the basis of multi-annual Retention Plans drawn up and agreed between the Local Management Committee and the Department of Education & Science. The Local Retention Plans contain strategies for the whole-school, targeted strategies for individual students, and those who are already outside of the formal system.

Supports are offered in-school, after-school, out-of-school and during holiday time in recognition of the fact that continuous support must be given to young people at risk of early school leaving.

Holiday Time Supports are delivered during holiday time, for example, mid-term break, Easter and Summer holidays. Holiday time supports are provided to young people at risk of early school leaving in order to provide a consistent educational experience for them all year round. Holiday supports are often delivered in conjunction with other external agencies, particularly youth services. Among the supports provided are: outward bound programmes including a mix of sporting and cultural activities; literacy and numeracy development programmes through the medium of Art; Drama and Music; youth programmes to promote teamwork, Sports and Arts camps; English language support for students for whom English is not the mother tongue; Science camps. Familiarisation days and week-long transfer programmes for new entrants to second-level schools to smooth their transition to the new school. €24.7 million has been allocated to the School Completion Programme for 2006.

Up to 800 children, aged between 7 and 11, will attend in July and August this year summer literacy camps which aim to help those with literacy difficulties learn through art, dance, music and drama. The 20 summer camps have been organised and funded by my Department. The camps involve 40 children in each centre using the arts to develop reading, literacy and thinking skills.

The project “Exploring Pathways to Literacy through Arts Activities” which began in Dublin in 2000 as a pilot initiative, has been extended to centres in Galway, Meath, Cork, Limerick and Waterford.

The summer camps are targeted at children at risk from social or academic difficulties. The project’s aim is to increase the child’s interest and motivation in acquiring basic literacy skills through exploring pathways to learning which reflects each child’s own style and intelligence. Qualified primary teachers provide the children with exciting opportunities to develop self-esteem, motivation, imagination, concentration and discipline. These are all key aspects of pupils’ attitudes to learning. The most important part of the project is that the emphasis throughout is on developing basic literacy skills through fun learning activities.

School Transport.

121. Mr. Naughten asked the Minister for Education and Science her plans to improve school bus safety; and if she will make a statement on the matter. [25554/06]

Minister of State at the Department of Education and Science (Miss de Valera): The safety of children travelling on the school transport service has been top of my agenda since coming into office. I have effected a range of measures to improve the quality and safety of school transport services both in the vicinity of, and on, school buses. In January, 2005, I launched a Warning Flashing Light Project on 22 buses in Ennis, Co Clare and I am currently examining proposals to extend the project into other areas. In July, 2005, Minister Hanafin and myself announced a package of measures to enhance the safety of school transport operations. The measures included:

- The phasing out of “3 for 2” seating on post-primary services by end December, 2005;
At this stage, Bus Éireann has advised that post-contracted by Bus Éireann. I understand that and maintenance of the fleet, both owned and systems in place for the management, operation requested an independent review to be carried my colleague, the Minister for Transport, has retrofitting of their vehicles.

The immediate fitting of seat belts on the Bus Éireann school bus fleet and setting a target date of December, 2006 for private buses in the scheme to be fitted with approved seat belts.

At this stage, Bus Éireann has advised that post-primary school transport services operating under the scheme are on a one-seat-for-one basis. A programme for creating additional capacity by enabling Bus Éireann to acquire new and modern second-hand buses, and by hiring in additional vehicles from private contractors, is well advanced. As a consequence, it is expected that primary school services will be operating on a one-for-one basis by the target date of the end of December.

Bus Éireann has commenced retrofitting seat belts on its own school bus fleet and work is progressing well. Progress will be accelerated over the summer holidays with a view to completion by September. Many vehicles in the private contractors’ fleet are already fitted with seat belts and discussions have commenced with the organisations representing contractors regarding the retrofitting of their vehicles.

To ensure ongoing safety and roadworthiness, my colleague, the Minister for Transport, has requested an independent review to be carried out within Bus Éireann of the arrangements and systems in place for the management, operation and maintenance of the fleet, both owned and contracted by Bus Éireann. I understand that Minister Cullen has requested that the review be completed as soon as possible and that a copy of the report be forwarded to him as soon as it is available.

Separately, the Minister for Transport has requested the Chief Executive designate of the proposed Road Safety Authority to undertake a fundamental review of the arrangements for the compulsory periodic roadworthiness testing of goods vehicles and buses. As part of that review, the matter of Bus Éireann undertaking such roadworthiness tests on their own vehicles will be examined.

Officials of my Department will liaise with the Department of Transport regarding the outcome of the review.

Departmental Funding.

122. Mr. Lowry asked the Minister for Education and Science if her attention has been drawn to the substantial financial shortfall that has arisen in a school (details supplied) in County Tipperary; her proposals to address this situation; if her attention has further been drawn to the fact that unless additional funds are provided the existing part of the school will continue to be a health and safety risk and no proper play area can be provided; and if she will make a statement on the matter. [25992/06]

Minister for Education and Science (Ms Hanafin): Devolving funding to school management authorities allows them to have control of their projects, assists in moving projects more quickly to tender and construction and can also deliver better value for money.

The two Devolved Schemes, the Small Schools Scheme and the Permanent Accommodation Scheme, were originally introduced on a pilot basis due to the positive feedback from schools and were extended to cover more schools over the last two years.

The Schemes are not structured on the basis that the Department funding must be supplemented by local fund-raising. They do however allow a school to supplement the funding from local resources if they so wish. The critical element is that with devolved authority the school must set the scope of works to match the funding allocated. The Department does not define the precise works to be carried out. A school can make choices within the budget allocated.

Setting the scope of works is the critical first step. Clearly where a school has a known level of resources apart from the Department funding or knows its capacity to raise additional resources it is open to that school to extend the scope of works to include additional facilities. However if the scope of works is not set appropriately from the outset based on the budget available there is a risk that the school will be faced with a funding gap when the project is at construction.

The choices to be made within these devolved schemes rest with the school and that is the cornerstone of any policy of devolution. The school authority knows the budget and must decide what it is capable of building with that budget. The time to identify a problem is at the outset before entering any contract. Schools can raise with my Department any site specific problems or unusual planning stipulations that impose additional costs and these will be examined. Otherwise schools must reduce the scope of intended works so as to remain within budget.

A school does not have to accept the invitation to participate in a devolved scheme and instead be considered for inclusion in the mainstream school building programme in line with the project’s priority band rating.

I am pleased to inform the Deputy that I have increased funding for the schemes this year by an average of 20% for the Permanent Accommodation Scheme and by an average of 10% for the Small Schools Scheme. These increases follow-on from increases of up to 25% in 2005.

The feedback has in general been very positive, the number of schools participating has increased
Learning Initiatives.

123. Mr. Morgan asked the Minister for Education and Science the efforts which are being made to ensure the wider roll-out of work based learning initiatives; and if she plans to address the need for a coherent strategy in the area. [25809/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department is strongly committed to improving participation and achievement at every level of education.

For those in the workforce who want to improve their literacy levels, there are workplace literacy schemes in operation around the country. The National Adult Literacy Agency has trained a number of tutors to provide literacy in the workplace and has promoted the availability of this facility among employer organisations. A literacy tuition scheme called the Return to Learning Scheme is now available for local authority outdoor staff nationwide who want to avail themselves of literacy tuition. Some numeracy tuition is provided as part of the scheme. Over 1,200 workers have attended the scheme in the first four years, 2001-2004, that it has been on offer. This scheme will continue in the foreseeable future.

There are also successful workplace literacy programmes in two hospitals and in a trade union. Under the FÁS/VEC Return to Education Scheme, participants on the Community Employment Scheme operated by FÁS can be released half-time from their work experience programmes to avail themselves of intensive literacy tuition provided by the Vocational Education Committees. This arrangement enables them to combine work experience and 10 hours per week literacy tuition.

In 2005, and again in 2006, FÁS has been allocated €2million for workplace literacy by the Department of Enterprise Trade and Employment (DTE). In addition, FÁS allocations for in-company training have increased from less than €9m in 2004 to more than €33m in 2005 and 2006. The DTE has also increased the allocations provided to Skillnets.

There is regular contact and co-ordination between my Department and the Department of Enterprise, Trade and Employment with regard to work-based learning initiatives, the identification of skills needs and the formulation of appropriate responses to these needs.

Workplace learning initiatives formed part of the negotiations between the social partners in drawing up the draft social partnership agreement “Towards 2016”.

The Government and partners are agreed on the need for a concerted effort to increase the levels of workplace learning and upskilling, building on progress already achieved in order to sustain and improve employability and competitiveness into the future. The draft refers to the need to review the workplace learning and upskilling programmes, in particular the options available and the availability of workplace learning and upskilling to lower skilled and vulnerable workers.

The Government and partners will work with existing and future partnership initiatives with a view to progressing workplace learning and upskilling projects. The allocation for the Workplace Basic Education Fund, aimed at increasing numeracy and literacy skills in the workplace, will be increased.

The draft states that a targeted fund will be put in place to alleviate the fees in public institutions for part-time courses at third level for those at work who have not previously pursued a third-level qualification.

Departmental Funding.

124. Mr. G. Mitchell asked the Minister for Education and Science the level of funding allocated to the National College of Art and Design; and if she will make a statement on the matter. [25798/06]

Minister for Education and Science (Ms Hanafin): I understand that the Deputy is concerned with the levels of funding paid to the National College of Art and Design in the years 2003 to 2005 inclusive.

Total funding amounting to €35,408,300 has been allocated to the College in the period in question. This figure breaks down between recurrent funding; capital funding; research funding and funding under the Access programme. The full details are as follows:

- Recurrent — €34,585,051
- Capital — €421,177
- Access — €335,405
- Research — €66,667
- Total — €35,408,300.

Proposed Legislation.

125. Mr. Quinn asked the Minister for Education and Science her views on introducing regulations under section 29 of the Education Act 1998 to address the problem of certain schools cherry picking students and, in particular, failing to cater for children with special learning needs;
and if she will make a statement on the matter. [25927/06]

Minister for Education and Science (Ms Hanafin): I am aware that some second-level schools do not appear to be doing as much as they could to ensure that students with special needs are as welcome in those schools as students without special needs. I expressed my belief in this regard at the Annual Conference of the National Association of Principals and Deputy Principals last October. However, this is a complex area, already governed by statute, and I am not sure that it would be amenable to resolution simply by the introduction of regulations as suggested by the Deputy.

The Education Act, 1998 requires all schools to have in place an admissions policy, detailing admission to and participation by students with disabilities or who have other special educational needs. The Act also requires schools to ensure that as regards that policy the principles of equality and the right of parents to send their children to a school of the parents’ choice are respected.

My Department provides a range of supports to all schools to enable them to welcome students with special educational needs. My Department allocates additional teacher support and special needs assistant support to second level schools and VECs to cater for students with special educational needs. The nature and level of support provided in each case is based on the professionally assessed needs of the individual student. However, this requires a willingness on the part of schools to be proactive in this area and also a willingness on the part of parents to more actively assert their rights in terms of their choice of school.

The level of resources being made available to support students with special educational needs in the second level system has grown significantly in recent years. In the current school year, my Department has allocated approximately 1,614 whole-time equivalent teachers and 1,023 special needs assistants to second level schools to cater for pupils with special educational needs. This represents an increase of approximately 225 teaching posts and 391 special needs assistant posts on the previous school year.

Currently, under section 29 of the Education Act 1998, parents of a student who has been refused enrolment in a school may appeal that decision to the Secretary General of my Department. Such appeals are dealt with within 30 days of their receipt and where an appeal is upheld the Secretary General is empowered to direct the school to enrol the student.

The Deputy will also be aware that with effect from 1 January 2005, the National Council for Special Education (NCSE) has taken over key functions from my Department in relation to special educational provision. I am confident that the advent of the NCSE will prove of major benefit in ensuring that all children with special educational needs receive the support they require, when and where they require it.

Third Level Institutions.

126. Mr. Penrose asked the Minister for Education and Science when she expects to publish the report which is close to being finalised on Access Programmes in Higher Education Institutions; and if she will make a statement on the matter. [25924/06]

Minister for Education and Science (Ms Hanafin): The National Office for Equity of Access to Higher Education in the HEA is currently undertaking an evaluation of access programmes in higher education institutions. This work is underway as part of the 2005-2007 national action plan on access. The evaluation is examining actions taken by higher education institutions to increase the participation of students from four specific under-represented target groups: students who experience socio-economic disadvantage, members of the Traveller community and ethnic minorities, students with a disability, and mature students. It will cover institutions’ access strategies, policies and practices, as well as specific initiatives and activities that aim to increase the participation of the target groups.

I understand that the evaluation is close to completion; the HEA expects to publish the final report this Autumn. I look forward to the findings which will inform future policy and practice in a critically important area of work for Government, that of achieving equality of access to higher education.

Question No. 127 answered with Question No. 61.

State Examinations.

128. Ms O’Sullivan asked the Minister for Education and Science the progress which has been made in the aim to alter the timetabling of the leaving certificate from 2007; and if she will make a statement on the matter. [25939/06]

Minister for Education and Science (Ms Hanafin): These matters are the subject of ongoing discussion with the partners in education and no decisions have been made at this stage.

Question No. 129 answered with Question No. 41.

Legal Proceedings.

130. Mr. McCormack asked the Minister for Education and Science the number of cases before the courts, or pending, against her Department; the reason for such cases; the number of cases settled since 2002; the costs involved; the
number of awards made against her Department since 2002; the amounts involved; and if she will make a statement on the matter. [25800/06]

Minister for Education and Science (Ms Hanafin): There are approximately 350 cases before the Courts which involve the Department as a Defendant or Respondent. They include litigation relating to schools, children detention schools, special needs, employment law matters and contractual disputes. This figure does not include childhood abuse cases relating to industrial and reformatory schools and residential Institutions, which number approximately 1,000 live cases. These are being dealt with primarily by the Residential Institutions Redress Board.

Approximately 200 cases have been settled since 2002. In the same period, awards were made against my Department in 4 cases, one of which is under appeal to the Supreme Court.

My Department meets the legal costs of plaintiffs where there is a settlement or an order for costs against the State where my Department is named. The Department has spent the following amounts (costs and awards) per year since 2002 in cases in which the Minister for Education and Science is a party:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amounts (€)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002</td>
<td>5,282,807.20</td>
</tr>
<tr>
<td>2003</td>
<td>5,887,384.59</td>
</tr>
<tr>
<td>2004</td>
<td>6,748,952.27</td>
</tr>
<tr>
<td>2005</td>
<td>2,927,329.58</td>
</tr>
<tr>
<td>2006</td>
<td>3,073,944.41</td>
</tr>
<tr>
<td>Total</td>
<td>23,920,418.05</td>
</tr>
</tbody>
</table>

It should be noted that these amounts do not necessarily relate to the years in which the proceedings commenced. For instance an action initiated in 1999 may have been settled in 2001 and the order for costs may not be finalised until some time after that.

Irish Language.

131. Mr. O’Shea asked the Minister for Education and Science her views on the recent report which indicated that the standard of spoken Irish has deteriorated in schools; her plans to put more emphasis on the spoken language at both primary and post-primary level; and if she will make a statement on the matter. [25923/06]

Minister for Education and Science (Ms Hanafin): I welcome the report entitled ‘Irish in Primary schools: Long term National Trends in Achievement’ by Dr John Harris which was published by my Department last Friday, 23 June 2006.

The report contains results relating to Irish language Listening, Speaking and Reading in the three populations of schools, ordinary, all-Irish and Gaeltacht. The report presents comparative data for 1985 and enables us to examine long term trends in achievement in the three types of schools over the period 1985-2002.

It is very gratifying to see that Gaelscoileanna are continuing to have very high achievement rates in language fluency. Such as been the development in that sector that each county has at least one all-Irish school and the numbers of pupils attending Gaelscoileanna has increased fivefold in the period between the two studies.

I am disappointed to read that pupil performance in Irish in English-medium schools has declined significantly in the past two decades. The reported fall in pupil performance in Irish in Gaeltacht schools though less serious, is also a worrying development.

My Department invests significant resources in the teaching and learning of Irish in Schools. This reflects the fact that Irish is the first official language and the national language under Article 7 of the Constitution and that the Irish language is a core part of our national culture and identity.

My opinions on the importance of oral Irish in schools are well known. I was happy to announce recently a number of initiatives to up-skill teachers in improving children’s oral competence. I am now in the process of recruiting thirty extra Primary Curriculum Support Programme (PCSP) cuiditheoirí. They will support and advise practising teachers in applying the communicative method for the teaching of Irish at primary school level. This additional support will build upon the existing work provided by the PCSP in relation to Gaeilge. For example, the in-service provided by the PCSP over the 2006/07 school year will involve an input on Irish into four of the six days of in-service provided to teachers which is equivalent to two full days of Gaeilge in-service.

Arrangements are being made to provide in-career courses for primary teachers to improve their language and teaching skills. At post primary level, the Second Level Support Service (SLSS) is providing a series of modular programmes in Irish through the education centre network.

In post-primary schools, provision for an oral examination, organised at school level in accordance with the Department’s guidelines, is already an optional feature of the Junior Certificate, although it is not widely used. Whether or not students are entered for this element of the examination, the focus of the syllabus is quite clear in the importance that attaches to communication — including oral communication — as the focus for teaching and learning in the subject. My Department has invited the Council of Europe to carry out an analysis of language education in Ireland. This process is progressing and Irish is one of the main areas for consideration.

I am confident that the package of measures which I have announced recently and other initiatives under the auspices of the NCCA in terms of ongoing review to the curricula in Irish at primary and post-primary will improve the
teachers’ competence and confidence regarding the teaching of Irish and in particular that such initiatives will cultivate renewed focus on developing the oral competence of pupils.

Question No. 132 answered with Question No. 37.

Early School Leavers.

133. Mr. Crowe asked the Minister for Education and Science if she will introduce a primary school database in order to assist with tracking and combating early school leaving. [25804/06]

Minister for Education and Science (Ms Hanafin): My Department is developing a Primary Pupils Database which will monitor the progression of individuals through the education system. The database will be a very useful tool for the Department in evaluating the effectiveness of educational initiatives and I am anxious that it be developed as soon as is practicable. However, I am sure the Deputy will appreciate that the project must be developed carefully to ensure that the final product meets the needs both of schools and of the Department.

Physical Sciences.

134. Mr. Hogan asked the Minister for Education and Science if she will introduce into a compulsory subject in the number of recommendations of the Task Force on Physical Sciences which have to be progressed; and if she will make a statement on the matter. [25789/06]

Minister for Education and Science (Ms Hanafin): There were some 39 recommendations in the Report of the Task Force on the Physical Sciences, with costed proposals totalling an additional €244 million, of which €66.3 million would be a recurring annual cost. Of the 39 recommendations, 4 are not for the education sector. Of the remainder, progress has been made on implementing 25 of the recommendations and my Department continues to progress the recommendations as resources permit in collaboration with the Department of Enterprise, Trade and Employment, FORFÁS and industry.

Significant progress has been made in a range of areas e.g.

- A new science curriculum has been introduced at primary level supported by a resource grant in December 2004 of €1000 per school plus €10.00 per pupil.
- A revised syllabus in Junior Certificate Science was introduced in 2003 and will be examined for the first time in June 2006. Revised syllabi in Leaving Certificate Physics, Chemistry and Biology have also been introduced and examined within the last five years. Work on the revision of the two remaining Leaving Certificate subjects — Agricultural Science and Physics and Chemistry (combined) — is well advanced. The introduction of each of the revised syllabi has been supported by comprehensive in-service programmes for teachers.
- Additional equipment grants have been provided to schools, and laboratories continue to be refurbished as part of the ongoing school building programme. In that context, €16 million was issued to schools in 2004 to support the implementation of the revised Junior Certificate Science syllabus.
- A review of grading of subjects in the Leaving Certificate and initial reports on teacher training have been undertaken.
- A review of mathematics at second level is being undertaken by the National Council for Curriculum and Assessment (NCCA).
- Investment in the Programme of Research in Third Level Institutes (PRTLI) is continuing apace to enhance and promote world class standards in research, innovation and development. Between this programme and the various grants to the Research Councils, and other sources, some €102.5 million was invested in third level institutions in 2005.

Literacy Levels.

135. Caoimhghín Ó Caoláin asked the Minister for Education and Science if she will ensure the creation of a separate sufficient budget dedicated to the provision of ESOL in order that the budget for adult literacy will be directed fully towards its intended purpose. [25805/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department funds the provision of adult literacy, which is delivered by the Vocational Education Committees, from the annual Adult Literacy and Community Education (ALCES) grant to VECs. This includes literacy and the teaching of English to non-Irish nationals.

Funding for adult literacy has been increased incrementally in recent years from just under €1 million in 1997 to over €23 million this year. Client numbers rose from 5,000 in 1997 to over 35,000 in 2005.

The increase in funding has enabled the introduction of special programmes targeted at groups with particular literacy needs. This includes non-Irish nationals whose first language is not English. In 2005, almost 10,000 clients, 27% of adult literacy clients, attended English for Speakers as Other Language (ESOL) courses.

The White Paper stated that asylum seekers would be entitled to free access to Adult Literacy, English language and mother culture supports and refugees are entitled to the same access to education and training as Irish nationals.
As the number of ESOL clients continues to increase, concerns have been expressed that displacement of indigenous adult literacy students may occur. In order to address these and other concerns which have been raised in relation to ESOL provision, my Department with the Reception and Integration Agency arranged a seminar with key stakeholders on ESOL in May 2006 to discuss the needs of ESOL learners. The findings of this seminar are currently being The language needs of migrants formed part of the negotiations between the social partners in drawing up the new social partnership draft agreement “Towards 2016”. A prioritised action included in the agreement is that there will be a particular focus on increasing the number of migrants receiving an English language service.

I have no plans currently to provide a separate funding line as I consider it more appropriate to allow VECs the discretion within their overall literacy budgets to allocate available resources in the light of local demand.

**Stay Safe Programme.**

136. **Mr. McGinley** asked the Minister for Education and Science the most recent and accurate statistics with regard to the take up of the stay safe programme; and if she will make a statement on the matter. [25733/06]

**Minister for Education and Science (Ms Hanafin):** My Department in conjunction with the ‘Stay Safe’ programme personnel in the Department of Health and Children is currently conducting a questionnaire survey in all primary schools in the country to find out the most up-to-date and accurate position in relation to the implementation of the ‘Stay safe’ programme in primary schools.

When all the questionnaires are returned and the data analysed, my Department will then be in a position to know the full extent of the take up of the ‘Stay Safe’ programme. When this work is completed, I will be happy to inform the Deputy about the results.

**Pupil Teacher Ratio.**

137. **Mr. Durkan** asked the Minister for Education and Science her proposals to address the issue of higher than average pupil/teacher ratios with particular reference to the needs of the commuter belt or areas of rapidly increasing population; if she will review or update the procedure whereby the allocation of teachers is determined on the basis of enrolment on 1 September 2006 in any given year, to take account of the likely enrolments in the course of a year arising from a new population influx; if she will in tandem therewith, provide the necessary resources to meet the accommodation needs arising; and if she will make a statement on the matter. [25947/06]

**Minister for Education and Science (Ms Hanafin):** As the Deputy will be aware, major improvements have been made in staffing at both primary and post-primary level in recent years. Next September there will no less than 4000 extra teachers in our primary schools, compared with 2002. Not only is the average class size in our primary schools down to 24, but there is now one teacher for 17 pupils at primary level, including resource teachers etc.

Children with special needs and those from disadvantaged areas are getting more support than ever before to help them to make the most of their time at school. Indeed, with the thousands of extra primary teachers hired by this Government, recent years have seen the largest expansion in teacher numbers since the expansion of free education. Over the next two school years even more teachers will be put in place both for the above priority areas of disadvantage and special education and also under a reduction in the mainstream staffing schedule.

The staffing of a primary school for a particular school year is determined by reference to the enrolment of the school on the 30th September of the previous school year and by reference to a staffing schedule which is issued annually to all schools. My Department has no plans to change this arrangement.

As you know all primary schools are staffed on a general rule of at least one classroom teacher for every 29 children. Of course, schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school. Next year this is being reduced to 28 children per classroom teacher and in 2007/2008 it will be reduced to 27 children per classroom teacher.

Under the staffing arrangements for primary schools, there is provision for the allocation of an additional post to a school where the school experiences rapid growth in its enrolment. In such cases, an additional post, referred to as a developing school post, may be sanctioned provisionally where the projected enrolment at 30th September of the school year in question equals or exceeds a specified figure. If the specified figure is not achieved on 30th September, sanction for the post is withdrawn.

For the current school year the threshold for getting a developing school post was reduced specifically to help schools that are seeing large increases in enrolments each year, as is the case in the commuter belt areas or areas of rapidly increasing population. 170 such posts have been sanctioned in the 2005/06 school year, compared to 105 in 2004/05.
At second level too major progress has been made. The pupil:teacher ratio at second level has been reduced from 16:1 in the 1996/97 school year to 13.4:1 in the 2004/05 school year. This reduction has been achieved through the creation of almost 1,800 posts and the retention of over 2,000 posts that would otherwise have been lost due to falling enrolments. This Government has shown a clear determination to improve the staffing in our schools and we will continue to prioritise this issue going forward.

I am conscious of the issue raised by the Deputy and in particular the pressures for places in some schools and colleges in the greater Dublin area and indeed in those areas within commuting distance of Dublin which are experiencing major population growth. To this end my Department is prioritising the provision of new and enhanced educational facilities in these areas. The prioritisation criteria which were recently revised in consultation with the Education Partners allocates a top priority band 1 rating to school building projects in such areas.

My Department is included among the prescribed authorities to whom local authorities are statutorily obliged to send draft development plans or proposed variations to development plans for comment. As a matter of course meetings are arranged with local authorities to establish the location, scale and pace of any major proposed developments and their possible implications for school provision so as to ensure as far as possible the timely delivery of the required education infrastructure.

The areas covered in the first phase of this approach to school planning include north Dublin, south Louth and mid Meath in one plan and a separate plan for the N4/M4 route running from Leixlip to Kilbeggan and including Maynooth, Celbridge, Kilcock, Edenderry and rapidly developing villages and towns on that route. Any additional school accommodation required as a result of these plans will be addressed in the context of the School Building Programme. I am satisfied that these measures will enable us to build on the progress made to date and respond ever more effectively to emerging need.

**Schools Building Programme.**

139. Mr. Costello asked the Minister for Education and Science the amount of the school building programme funding allocated for 2006 that has been spent; the amount that remains unspent; and if she will make a statement on the matter. [25909/06]

Minister for Education and Science (Ms Hanafin): In excess of €136m of the total budget of €506m allocated to the primary and post-primary school building programme has been expended to date in 2006. A further €370m remains to be expended by the end of 2006.

**Education Welfare Service.**

140. Mr. Crawford asked the Minister for Education and Science the number of cases in which legal proceedings have been instigated by the National Educational Welfare Board; and if she will make a statement on the matter. [25728/06]

Minister of State at the Department of Education and Science (Mr. B. Lenihan): The National Educational Welfare Board (NEWB) was established under the Education (Welfare) Act, 2000 as the single national body with responsibility for school attendance. The Act provides a comprehensive framework which promotes regular school attendance and tackles the problems of absenteeism and early school leaving. The general functions of the Board are to ensure that every child attends a recognised school or otherwise receives a certain minimum education.

To discharge its responsibilities, the Board is developing a nationwide service on a continuing basis that is accessible to schools, parents/guardians and others concerned with the welfare of young people. For this purpose, Educational Welfare Officers (EWOs) have been appointed and deployed throughout the country to provide a welfare-focused service to support regular school attendance and discharge the Board’s functions locally.

The Board’s main emphasis is on upholding the welfare of the child experiencing difficulty with school attendance and the family by ensuring that underlying problems that result in poor school attendance is dealt with before the issue becomes critical. The Act provides that a parent may be prosecuted where the Board forms the opinion that he or she is failing in his or her duty towards a child’s education. Taking legal action is the last resort after every possible effort has been made to improve attendance and where the Board feels that a prosecution will bring about change. The focus of the EWO is to work with the family, the school and others to identify and address the reasons for the absences.

Research shows that legal action on its own does not remedy poor school attendance. A range of measures are needed to support schools and families. Significant work is being done in schools through a range of schemes including the School Completion Programme and the Home, School, Community Liaison scheme. My Department is working with the Board on developing protocols which will outline areas for cooperation and collaboration between EWOs and other services that work with children and young people in schools.
This government is determined to do all that is possible to ensure that every child gets all the opportunities and support they need to enable them to achieve their potential and participate fully in education.

As regards the Deputy’s question relating to the number cases in which legal proceedings have been instigated by the National Educational Welfare Board, my Department has requested this information from the NEWB and I will respond directly to the Deputy when I have received the details requested.

Farmer Numbers.

141. Mr. English asked the Taoiseach the number of farmers in County Meath at 30 June for each of the years 2002 to 2006 inclusive; and if he will make a statement on the matter. [26355/06]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The exact information requested by the Deputy is not available. The Farm Structure Survey provides regional estimates and the following table shows figures for the combined Mid-East & Dublin regions on 1 June 1995, 1997, 2000 and 2003 (the latest year currently available).


<table>
<thead>
<tr>
<th>Year</th>
<th>Farms</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995</td>
<td>11,700</td>
</tr>
<tr>
<td>1997</td>
<td>11,100</td>
</tr>
<tr>
<td>2000*</td>
<td>10,500</td>
</tr>
<tr>
<td>2003</td>
<td>10,100</td>
</tr>
</tbody>
</table>

* June 2000 Census of Agriculture figure.

The combined Mid-East & Dublin regions comprise counties Kildare, Meath and Wicklow and Dublin County Borough, Dún Laoghaire-Rathdown, Fingal and South Dublin. Figures at county level are available from the 2000 Census of Agriculture. There were 4,500 farms in County Meath on 1 June 2000.

Employment Levels.

142. Mr. Morgan asked the Taoiseach the number of people residing here who are in employment in the Six Counties; and the number of people who reside in the Six Counties who are in employment here, both overall and by county of residence or location of employment. [25941/06]

Minister of State at the Department of the Taoiseach (Mr. Kitt): Statistics on residents here who are working in Northern Ireland are estimated from the Quarterly National Household Survey and are presented in the following table. These figures are available at State level only.

Persons in employment (ILO) whose place of work is outside the State, December-February 2006

<table>
<thead>
<tr>
<th>Country of normal place of work</th>
<th>'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northern Ireland</td>
<td>4.1</td>
</tr>
<tr>
<td>Other United Kingdom</td>
<td>1.2</td>
</tr>
<tr>
<td>All Other</td>
<td>2.5</td>
</tr>
<tr>
<td>Total</td>
<td>7.8</td>
</tr>
</tbody>
</table>

Note: Data may be subject to future revision.

State Funerals.

143. Ms Burton asked the Taoiseach the cost of the State Funeral for former Taoiseach Charles J. Haughey; if he will provide a breakdown of the cost; and if he will make a statement on the matter. [25942/06]

The Taoiseach: The arrangements for the State Funeral of former Taoiseach Charles J. Haughey were in line with those for State Funerals generally. Costs arise broadly in four main areas as follows:

— to my Department in relation to direct funeral expenses, the cost of refreshments afterwards, car and bus hire, florists costs, etc;

— to the Department of Justice, Equality and Law Reform in respect of Garda security, traffic management and general policing of the occasion;

— to the Department of Defence in respect of the ceremonial military involvement; and

— to the Office of Public Works who supplied essential structures/barriers to meet security requirements, large screens, lighting and sound systems and other necessary infrastructure.

I am not in a position to give precise details of the costs in relation to my own Department as all the invoices have not yet been received. Preliminary estimates suggest a figure in the order of €70,000. Staff costs are not included in this estimate. The costs attributable to the Department of Defence are estimated to be in the order of €5,000. Staff costs are not included in this estimate. The costs attributable to the Office of
Public Works are estimated to be in the order of €253,000. I am not in a position at this stage to give an estimate of costs arising for the Department of Justice, Equality and Law Reform.

Unemployment Levels.

144. Mr. Curran asked the Taoiseach the unemployment figures for Clondalkin for each of the years 2002 to date in 2006. [25943/06]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The exact information as requested by the Deputy is not available. Statistics on employment and unemployment are compiled, at a regional level, from the Quarterly National Household Survey. Sub-regional statistics, of the kind requested by the Deputy, are not available from the Quarterly National Household Survey.

The Live Register series gives a monthly breakdown of the number of people claiming Unemployment Assistance, Unemployment Benefit and other registrants as registered with the Department of Social and Family Affairs. Figures are published for each county and each Local Social Welfare Office. The most recent information available is for May 2006 and this indicates that there are 3,554 persons on the register in the Clondalkin office. It should be noted that:

(a) the Live Register is not a definitive measure of unemployment as it includes part-time workers, seasonal and casual workers entitled to Unemployment Assistance or Benefit. Statistics on unemployment are measured at regional level by the Quarterly National Household Survey.

(b) the exact area covered by each Local Office is not limited to the immediate locality of the particular office. For instance, in the Tallaght Local Office there may be registered, persons from the Blessington area.

The monthly Live Register figures for the Clondalkin office from 2002 are set out in the following table:

<table>
<thead>
<tr>
<th>Year</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002</td>
<td>1,675</td>
<td>1,731</td>
<td>2,465</td>
<td>2,434</td>
<td>2,302</td>
<td>2,432</td>
<td>2,564</td>
<td>2,627</td>
<td>2,550</td>
<td>2,560</td>
<td>2,560</td>
<td>2,586</td>
<td>2,367</td>
</tr>
<tr>
<td>2003</td>
<td>2,773</td>
<td>2,827</td>
<td>2,823</td>
<td>2,896</td>
<td>2,796</td>
<td>2,970</td>
<td>3,137</td>
<td>3,217</td>
<td>3,066</td>
<td>2,899</td>
<td>2,824</td>
<td>3,401</td>
<td>2,969</td>
</tr>
<tr>
<td>2006</td>
<td>3,630</td>
<td>3,700</td>
<td>3,563</td>
<td>3,622</td>
<td>3,554</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Live Register, Central Statistics Office.

Proposed Expenditure.

145. Mr. Kenny asked the Taoiseach the proposed spending envelopes approved and set out by his Department for the foreseeable future; the broad objectives to be achieved by spending of such financial envelopes; the timescale set out for achievement of targets; and if he will make a statement on the matter. [25962/06]

The Taoiseach: There is no capital financial spending envelope allocation to my Department.

Information Technology.

146. Mr. Quinn asked the Taoiseach the information technology purchasing requirements, for both hardware and software, in his Department for the second half of 2006; the requirements for which tender requests have been issued; and if he will make a statement on the matter. [26032/06]

The Taoiseach: The Department plans to upgrade a number of hardware and software items in the second half of 2006. In the case of most software upgrades, there will be little or no purchasing requirements as the upgrades will be covered by existing software support contracts.

With regard to hardware, a number of servers have been identified for upgrade during the second half of 2006 and possibly into early 2007. As part of this upgrade process, a tender request was issued on www.etenders.gov.ie seeking responses from interested parties for the supply of servers as required for 1 year from the commencement of the contract.

147. Mr. Quinn asked the Taoiseach his Department’s information technology purchasing policy; and if he will make a statement on the matter. [26047/06]

The Taoiseach: My Department complies with guidance on the procurement of supplies and services as set out in the “Public Procurement Guidelines — Competitive Process” issued in 2004. These guidelines set out the steps to be followed in conducting an appropriate competitive process under EU and national rules.

In addition, “Information and Communications Technology — Guidance on use of Generic Technical Specifications”, issued by CMOD, Depart-
[The Taoiseach.]  
ment of Finance and NPPPU (National Public Procurement Policy Unit), in May 2005 are also complied with.

148. Mr. Quinn asked the Taoiseach the average size of information technology procurement contracts in his Department; the median size of such contracts; and if he will make a statement on the matter. [26077/06]

The Taoiseach: Taking the figures for the past 12 months, the average size of information technology procurement contracts in my Department was €29,330.57. The median size of such contracts was €23,718.36.

149. Mr. Quinn asked the Taoiseach the steps he is taking to support the development of the indigenous software industry through his Department’s public procurement process; and if he will make a statement on the matter. [26092/06]

The Taoiseach: My Department complies with guidance on the procurement of supplies and services as set out in the “Public Procurement Guidelines — Competitive Process” issued in 2004. These guidelines set out the steps to be followed in conducting an appropriate competitive process under EU and national rules. During the evaluation and selection process itself, weighting is given to categories, defined in advance, appropriate to the procurement in question.

Private Rented Accommodation.

150. Mr. English asked the Taoiseach the number of private rental properties and landlords in County Meath. [26356/06]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The most recent information available on private rented properties is from the 2002 Census of Population. The census data does not distinguish landlords however. The relevant information in respect of County Meath is contained in the following table:

<table>
<thead>
<tr>
<th>Nature of Occupancy</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner-occupied with loan or mortgage</td>
<td>20,351</td>
</tr>
<tr>
<td>Owner-occupied without loan or mortgage</td>
<td>13,927</td>
</tr>
<tr>
<td>Being purchased from a Local Authority</td>
<td>1,011</td>
</tr>
<tr>
<td>Rented Local Authority</td>
<td>1,751</td>
</tr>
<tr>
<td>Private rented unfurnished</td>
<td>610</td>
</tr>
<tr>
<td>Private rented furnished or part furnished</td>
<td>1,813</td>
</tr>
<tr>
<td>Occupied free of rent</td>
<td>922</td>
</tr>
<tr>
<td>Not stated</td>
<td>950</td>
</tr>
<tr>
<td>Total</td>
<td>41,335</td>
</tr>
</tbody>
</table>

Child Abuse.

151. Mr. Deasy asked the Tánaiste and Minister for Health and Children the provisions which have been put in place to assist victims of abuse in residential institutions in relation to obtaining and receiving counselling; the locations where this information can be obtained; and if she will make a statement on the matter. [25512/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive (HSE) 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.

152. Mr. Kenny asked the Tánaiste and Minister for Health and Children her plans to ensure funding for services for rape victims, such as in the Rotunda Hospital, and other such services to ensure rape victims have the appropriate medical, forensic and counselling services in view of the recent report outlining the inadequacies of such services; and if she will make a statement on the matter. [25602/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Smoking Ban.

153. Mr. Gregory asked the Tánaiste and Minister for Health and Children if she will investigate complaints that a licensed premises (details supplied) in Dublin 1 is in breach of the smoking law and if appropriate action will be taken in relation to same. [25885/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy’s question relates to the enforcement of tobacco control legislation. The enforcement of the smoke-free workplaces measure is the responsibility of the environmental health service of the Health Service Executive. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.
Stem Cell Research.

154. Mr. Kenny asked the Tánaiste and Minister for Health and Children the restrictions, legal and medical, that apply to embryonic stem cell research being carried out here; the Government’s position in regard to such research; and if she will make a statement on the matter. [26125/06]

Tánaiste and Minister for Health and Children (Ms Harney): There is no legislation in Ireland governing the intervention in the natural process of creating human life; instead, medical practice is governed by guidelines issued by the Medical Council. These provide that the creation of new forms of life for experimental purposes or the deliberate and intentional destruction of in-vitro human life already formed is professional misconduct.

The Commission on Assisted Human Reproduction was established in March 2000. Its terms of reference were to prepare a report on the possible approaches to the regulation of all aspects of assisted human reproduction and the social, ethical and legal factors to be taken into account in determining public policy in this area.

The Commission has conducted an intensive and analytical examination of AHR issues, and its conclusions derive from this wide research. Its report was prepared after twenty three meetings. It also consulted widely and sought submissions from the public.

The Commission’s report was published in May last year and as I indicated at the time, the Government decided to refer the report to the Oireachtas Joint Committee on Health and Children. This will allow for further consideration of the complex issues involved and its report, along with the report of the Commission on Assisted Human Reproduction, will help to inform future policy in this area.

Health Services.

155. Ms Harkin asked the Tánaiste and Minister for Health and Children the plans in place, and the appropriate resources to operate a national freephone helpline as recommended in the report Sexual Assault Treatment Services — A National Review; and if she will make a statement on the matter. [26196/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy. [26197/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy. [26200/06]

156. Ms Harkin asked the Tánaiste and Minister for Health and Children the plans in place to set up one stop centres in each local area as recommended in the report Sexual Assault Treatment Services — A National Review; the proposed local areas throughout the country; and if she will make a statement on the matter. [26201/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

157. Ms Harkin asked the Tánaiste and Minister for Health and Children the plans in place to implement the recommendations to set up refuge accommodation in the south midlands and west Connaught as recommended in the report Sexual Assault Treatment Services — A National Review; and if she will make a statement on the matter. [26202/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

158. Ms Harkin asked the Tánaiste and Minister for Health and Children her plans to provide access to accredited counselling services for women and children who have experienced domestic violence; if it is planned that the funding and provision of this service will form part of the development of regional service plans, as recommended in the report Sexual Assault Treatment Services — A National Review; and if she will make a statement on the matter. [26202/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

159. Ms Harkin asked the Tánaiste and Minister for Health and Children her plans to estab-
lish regional planning committees in each health board region, as recommended in the report Sexual Assault Treatment Services — A National Review; and if she will make a statement on the matter. [26203/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Grant Payments.

160. Mr. Hayes asked the Tánaiste and Minister for Health and Children the position in the case of a group (details supplied) in County Tipperary which has applied for a staffing grant for their community playgroup. [26422/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): As the Deputy will be aware, I have responsibility for the Equal Opportunities Childcare Programme 2000-2006 (EOCP) and the National Childcare Investment Programme 2006-2010, which are being implemented by the newly established Office of the Minister for Children.

With regard to the appeal for staffing grant assistance under the EOCP referred to by the Deputy, I understand from inquiries I have made that this appeal is currently in the final stages of the appraisal process. Following this review, the application will be considered by the Programme Appraisal Committee and a recommendation made to the Secretary General of the Department of Health and Children, before a decision is made regarding funding. The Group in question will be informed of the decision in due course.

Health Service Staff.

161. Mr. Durkan asked the Tánaiste and Minister for Health and Children when she expects to meet in full the required allocation of speech and language therapists as set out by the various school authorities; if she expects to address this issue in the near future; and if she will make a statement on the matter. [26449/06]

Minister of State at the Department of Health and Children (Mr. T. O’Malley): My Department understands from the Health Service Executive that its priority in 2006 is to increase service provision in the area of multi-disciplinary supports to meet obligations to children with developmental delay, in the home, in the community and in other appropriate settings. In this regard €12.5m was made available by the HSE from the 2006 invest-
ment programme to provide multi-disciplinary supports to people with intellectual, physical and sensory disability and/or autism.

The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Child Care Services.

162. Mr. Naughten asked the Tánaiste and Minister for Health and Children the reason an application by a company (details supplied) in County Roscommon was refused; if she will review the decision and support the appeal which has been submitted; and if she will make a statement on the matter. [26478/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): As the Deputy will be aware, I have responsibility for the Equal Opportunities Childcare Programme 2000-2006 (EOCP) and the National Childcare Investment Programme 2006-2010, which are being implemented by the newly established Office of the Minister for Children.

With regard to the application for capital grant assistance under the EOCP referred to by the Deputy, I understand that the project was not recommended for funding under the Capital Measure of the EOCP as it was not deemed to adequately meet the criteria of the Programme as there is limited evidence of local need to substantiate a development of the scale proposed. A significant level of EOCP funding has been approved in the area to date and the service is in close proximity to other EOCP funded projects.

I understand from inquiries I have made that the Group has recently submitted a request to review this decision for capital funding. I understand that this review is currently under appraisal.

Following this assessment, the appeal will be considered by the Programme Appraisal Committee and a recommendation made to the Secretary General of the Department of Health and Children, before a decision is made regarding funding.

The Group in question will be informed of the decision in due course.

Accident and Emergency Services.

163. Mr. Costello asked the Tánaiste and Minister for Health and Children her views on the way in which a person (details supplied) was taken into the accident and emergency department of Beaumont Hospital for treatment of an infection; the reason the family received no formal apology or explanation from the authorities there; and if
she will make a statement on the matter. [26904/06]

226. Mr. Gregory asked the Tánaiste and Minister for Health and Children if she will investigate the circumstances outlined in correspondence (details supplied); her views on whether the treatment of the person by Beaumont Hospital accident and emergency unit is acceptable practice; the action she will take in relation to same; and if she will make a statement on the matter. [26174/06]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 163 to 226 together.

The Deputies' questions relate to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputies.

Departmental Correspondence.

164. Caoimhghín Ó Caoláin asked the Tánaiste and Minister for Health and Children if she has received correspondence from an alliance (details supplied) regarding recent studies of the health implications of incineration; and her views on the results of those studies. [25537/06]

Tánaiste and Minister for Health and Children (Ms Harney): My Department recently received correspondence from the Cork Harbour Alliance for a Safe Environment which was forwarded to my colleague the Minister for the Environment, Heritage and Local Government who has responsibility for waste management policy including issues relating to incineration.

Complaints Procedures.

165. Dr. Twomey asked the Tánaiste and Minister for Health and Children if the complaints procedure under Section 49 (1) of the Health Act 2004 has been established; if not, the reason it has not been established; when same will be established; and if she will make a statement on the matter. [25538/06]

Tánaiste and Minister for Health and Children (Ms Harney): Following an extensive consultation process, my Department is at present drafting the regulations required to establish the statutory complaints framework under Part 9 of the Health Act 2004. It is my intention that the regulations will be in place later this year.

The Health Service Executive is at present drafting procedures to implement the statutory scheme and is consulting with representative groups of service users, professional groups and trade unions with a view to finalising the procedures in the near future. It is also putting in place training programmes to enable staff to implement the scheme.

I am confident that the scheme, when established, will provide users of the health service with a statutory mechanism to pursue complaints and have them dealt with in an efficient and transparent manner.

Health Services.

166. Mr. O'Flynn asked the Tánaiste and Minister for Health and Children if, in view of the increasing emphasis and recognition of the importance of community care services within the health services through such initiatives as home care packages, additional public health nurses have been employed to facilitate developments particularly in view of the key role of a public health nurse in the organisation and delivery of community care services. [25563/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act, 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and have a reply issued directly to the Deputy.

Nursing Education.

167. Mr. O'Flynn asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that An Bord Altranais have introduced a rule change, which will remove the registered general nurse and midwifery qualifications as a prerequisite for entry into the higher diploma in public health nursing programmes. [25564/06]

Tánaiste and Minister for Health and Children (Ms Harney): I can assure the Deputy that I am aware of the Rule change to which he refers. Such change is reflected in the Rule Changes which obtained my signed approval on 7th December, 2004. In fact, the Report of the Commission on Nursing which was published in 1998 considered that registration as a midwife should no longer be a mandatory requirement for entry to the higher diploma in Public Health Nursing or registration as a Public Health Nurse.

I understand that An Bord Altranais, which is the statutory independent body charged with the regulation of the nursing profession has developed the Maternal and Child Health module for those nurses wishing to become a Public Health Nurse and who do not have a midwifery qualification. The new requirements will
be implemented in the third level colleges from September, 2007.

In addition, the Board has developed Requirements and Standards for Public Health Registration Education Programmes for nurses registered in the General Division of the Register of Nurses maintained by the Board.

I am advised that the Board is currently consulting with relevant stakeholders to finalise the Requirements and Standards for Public Health Nurse Registration Education Programmes to facilitate those nurses other than General Nurses to undertake the Public Health Nurse education programme.

Nursing Home Subventions.

168. Mr. O’Flynn asked the Tánaiste and Minister for Health and Children if funding allocated to primary community and continuing care incorporates moneys allocated to nursing home subventions. [25565/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The allocation for Nursing Home Subventions is specified at Appendix 1 of the Primary, Community and Continuing Care Grants in the Vote of the Health Service Executive. Additional funding of €20 million was provided for the Nursing Home Subvention Scheme in 2006, bringing the total available budget to €161 million. The €20 million is to support more basic nursing home subventions and reduce waiting lists for enhanced subventions: it is also to bring more consistency to subventions support throughout the country.

The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Cancer Screening Programme.

169. Mr. Quinn asked the Tánaiste and Minister for Health and Children the status of the national cervical cancer treatment programme; when it is intended to provide the service on a nationwide basis; the areas that it presently operates in; the numbers of staff associated with the programme; the way in which persons can avail of the service; and if she will make a statement on the matter. [25566/06]

Tánaiste and Minister for Health and Children (Ms Harney): Under the Irish Cervical Screening Programme (ICSP), cervical screening is currently offered, free of charge, to approximately 74,000 women in the 25 to 60 age group, at five year intervals, in the HSE Mid-Western Region.

I wish to see the ICSP rolled out nationally by 2008, based on an affordable model and in line with international best practice. Significant preparatory work is well underway involving the introduction of new and improved cervical tests, improved quality assurance training and the preparation of a national population register. An additional €9m is available to the Executive for cancer services development in 2006, including the continuation of preparations for the roll out.

As part of my response to the Strategy for Cancer Control, I recently announced my intention to establish a National Cancer Screening Board to amalgamate BreastCheck and the ICSP to deliver both programmes nationally. This will maximise the expertise in both programmes, ensure improved efficiency and develop a single governance model for cancer screening. The plan is to have cervical screening managed as a national call/recall programme via effective governance structures that provide overall leadership and direction, in terms of quality assurance, accountability and value for money. All elements of the programme, call/recall, smear taking, laboratories and treatment services must be quality assured, organised and managed to deliver a single integrated service.

The Deputy’s questions in relation to the number of staff associated with the programme and the way in which persons can avail of the service relate to the management and delivery of health and personal, social services, which are currently the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to respond directly to the Deputy in relation to the matters raised.

Health Services.

170. Mr. Neville asked the Tánaiste and Minister for Health and Children when diagnostic assessment of autistic spectrum disorder will be completed for a person (details supplied) in County Limerick. [25567/06]

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.

171. Cecilia Keaveney asked the Tánaiste and Minister for Health and Children if full details have been worked out in relation to the out of hours cross-Border pilot project that was announced for Inishowen, County Donegal; if so, when same will be up and running; the way in
which referrals are to be made; the way in which patient information will be exchanged between jurisdictions; and if she will make a statement on the matter. [25577/06]

Tánaiste and Minister for Health and Children (Ms Harney): I am advised by the Health Service Executive (HSE) that work has been underway over the last year under the auspices of Co-Operation and Working Together (CAWT) to introduce cross-border co-operation in the area of GP out of hours services. Interreg funding has been obtained for the project. This service will be of benefit to people across the border area who live closer to a GP out of hours centre in the other jurisdiction. Approximately 65,000 people across the border area live closer to a GP out of hours centre in the opposite jurisdiction.

A feasibility study has recommended the setting up of two pilot areas, each with populations of approximately 13,000 along the border, one where patients in the Republic will have access to a centre in Northern Ireland and one where patients in Northern Ireland will have access to a centre in the Republic.

I have been informed by the HSE that the two pilot areas are: patients from Inishowen will be able to obtain a service in Derry commencing by end 2006; patients from Keady will be able to obtain a service in Castleblayney commencing early 2007.

The respective Government Health Departments — the Department of Health and Children and the Department of Health, Social Services and Public Safety have met with the CAWT team and the Health Service Executive (HSE) to review progress. I welcome this service initiative and my Department will assist in addressing and resolving any obstacles at Government level to enable the service to begin.

Medical Cards.

172. Mr. Eoin Ryan asked the Tánaiste and Minister for Health and Children her views on changing the policy on medical card holders for the reason outlined in correspondence (details supplied); and if she will make a statement on the matter. [25584/06]

Tánaiste and Minister for Health and Children (Ms Harney): Under Section 45 of the Health Act 1970 medical cards are provided for persons who, in the opinion of the Health Service Executive (HSE), are unable without undue hardship to arrange general practitioner medical and surgical services for themselves and their dependants. Section 58 of the Health Act, 1970, as amended, provides for GP visit cards for adult persons with limited eligibility for whom, in the opinion of the HSE, and notwithstanding that they do not qualify for a medical card, it would be unduly burdensome to arrange GP medical and surgical services for themselves and their dependants.

The assessment of eligibility to medical cards is statutorily a matter for the HSE and is determined following an examination of the means and medical need of the applicant and his/her dependants.

In assessing eligibility income guidelines are used by the HSE. These guidelines are not statutorily binding and medical cards may be granted by the HSE to persons in circumstances where the income guidelines may be exceeded but the particular circumstances of the case warrant such a decision. Decisions to refuse an application or renewal of a medical card may, of course, be appealed to the Executive for further consideration.

Applicants whose sole income is derived from Department of Social and Family Affairs payments or HSE payments, which are below or in excess of the eligibility income guidelines will be granted a medical card. I have been informed by the HSE that under the existing medical card assessment guidelines in use in the HSE educational maintenance grants are not assessed as income for the purpose of determining eligibility for health services.

In support of Government policy in promoting employment, the retention of a medical card (without a means test) is approved for people as indicated below:

- Employed people who are participants on the following Government Schemes will retain their entitlement to a medical card for the duration of the scheme.
  - Back to Work
  - Community Employment
  - Social Economy

- When a person is participating on one of the following schemes for the long-term unemployed, their medical card will be retained for the duration of the scheme. The relevant schemes and retention periods are indicated below:

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<tr>
<th>Scheme</th>
<th>Retention Period</th>
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<tr>
<td>Revenue Job Assist</td>
<td>3 years</td>
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<tr>
<td>Community Employment</td>
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<tr>
<td>Social Economy Programme</td>
<td>3 years</td>
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<td>Employment Support Schemes</td>
<td>1 year</td>
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<tr>
<td>Back to Education Allowance</td>
<td>Variable</td>
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<td>VTOS</td>
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Health Services.

173. Dr. Cowley asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in County Mayo is unable to receive home help at weekends; and if she will make a statement on the matter. [25591/06]
Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Waiting Lists.

174. Mr. Kenny asked the Tánaiste and Minister for Health and Children the waiting list for a child to be assessed at the child sexual abuse treatment units in Temple Street Children’s Hospital and Crumlin Children’s Hospital; and if she will make a statement on the matter. [25601/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

175. Dr. Cowley asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Mayo will be called for an appointment in University College Hospital Galway in view of the fact that they are waiting to be called for five months; and if she will make a statement on the matter. [25629/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

Medical Cards.

176. Mr. Kehoe asked the Tánaiste and Minister for Health and Children the reason a medical card was not renewed for a person (details supplied) in County Wexford; the action he intends to take to get it renewed; and if she will make a statement on the matter. [25630/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

177. Mr. F. McGrath asked the Tánaiste and Minister for Health and Children if a final long term care plan will be provided for a person (details supplied) in County Dublin; and if the family will be given the maximum support. [25636/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Waiting Lists.

178. Mr. Ring asked the Tánaiste and Minister for Health and Children the number of times a person (details supplied) in County Mayo has been called for a procedure; the number of times this procedure has been cancelled; the length of time this person has been on the waiting list for surgery; if they will be treated under the National Treatment Purchase Fund; and if she will make a statement on the matter. [25637/06]

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.

Health Services.

179. Mr. Bruton asked the Tánaiste and Minister for Health and Children the details on the new health and education services national management structure established within the Health Service Executive; the details of its management structure and planned strategy; and if it has begun its review of the statutory role of the Special Residential Services Board. [25661/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): There is no health and education services national management structure established within the Health Service Executive as referred to by the Deputy. I
understand from inquiries made of the Deputy’s office that the question concerns information provided in the April, 2006 “Relate” publication from Comhairle concerning reform of the Youth Justice system. As the Deputy will be aware the Irish Youth Justice Service is being established as an executive office of the Department of Justice, Equality and Law Reform in accordance with the Government decision of December, 2005. The office is under the strategic direction of the Director General of the Office of the Minister for Children. The remit of the Irish Youth Justice Service is

- to develop a unified youth justice policy
- to devise and implement a national youth justice strategy to manage all youth offending detention facilities
- to manage the implementation of the Children Act, 2001 insofar as it concerns Youth Justice
- to establish and administer national and local youth justice oversight arrangements.

The necessary legal changes are being made to the Children Act 2001 via the Criminal Justice Bill, 2004 to allow for this policy to be put into effect.

The Deputy should note that, as part of the Youth Justice reforms, the Department of Education and Science has been charged with the preparation of an education strategy for children in detention schools and special care. The strategy will focus on the key principle of early intervention, the specific educational needs of children in detention and in special care and the supports required to assist with their reintegration into the community.

The Health Service Executive is in the process of recruiting a national manager for high support/special care to establish a dedicated national structure for the management of these services (and to facilitate a more planned and strategic approach in this context). I have therefore, asked the Executive to provide the Deputy with up to date details on this.

The Deputy will be aware that on the basis of the Government decision on the establishment of the Irish Youth Justice Service that Part 12 of the Criminal Justice Bill, 2004 amends the Children Act 2001 including the functions and membership of the SRSB. The Bill has now passed all stages in the Dáil and is currently before the Seanad.

**Child Care Services.**

180. Mr. Bruton asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 248 of 25 October 2005, the number of children that could be residentially cared for at each location and the number of children that were residentially cared for, for the same period 1998 to date in 2006; and the number of children who then attended daily. [25662/06]

**Minister of State at the Department of Health and Children (Mr. B. Lenihan):** The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

### Health Services.

181. Mr. Bruton asked the Tánaiste and Minister for Health and Children further to Parliamentary Questions Nos. 228 of 22 November 2005 and 180 of 4 April 2006, the locations of care; the reason care could not be provided within Irish settings; and the cost of this care. [25663/06]

**Minister of State at the Department of Health and Children (Mr. B. Lenihan):** The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

182. Mr. Kehoe asked the Tánaiste and Minister for Health and Children the reason the surgery of a person (details supplied) in County Carlow was cancelled at short notice; and when she expects the surgery to be rescheduled for. [25674/06]

**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.

183. Mr. Bruton asked the Tánaiste and Minister for Health and Children the names of all high support and special care units in operation; the number of children in each location; and the capacity for each location. [25685/06]

**Minister of State at the Department of Health and Children (Mr. B. Lenihan):** The Deputy’s question relates to the management and delivery of health and personal social services, which are
184. Mr. Bruton asked the Tánaiste and Minister for Health and Children her Department’s budget specifically allocated to high support units and special care units respectively from 1998 to date in 2006; and the capital expenditure allocated for same. [25687/06]

Ms Harney: The Deputy’s question relates to 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.

185. Mr. P. Breen asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Waterford will receive an appointment for rehab assessment; and if she will make a statement on the matter. [25690/06]

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.

186. Ms Enright asked the Tánaiste and Minister for Health and Children when the Thalidomide Assessment Tribunal was set up; when it concluded; if anyone new who went before the tribunal at the time was not included, but where evidence has come to light that the person should have been included and was a genuine Thalidomide victim, can be facilitated at this late stage; and if she will make a statement on the matter. [25698/06]

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.

187. Mr. F. McGrath asked the Tánaiste and Minister for Health and Children the reason a complaint by persons (details supplied) in Dublin 3 was not dealt with in a sensible and professional manner; and if she will take action in relation to same. [25712/06]

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.

188. Mr. F. McGrath asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in Dublin 11 was refused occupational therapy; and if she will support the family on this matter. [25713/06]
Tánaiste and Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Service Staff.

189. Mr. Haughey asked the Tánaiste and Minister for Health and Children if she has policy initiatives to increase the number of neurologists in order to reduce the waiting lists for these consultants; and if she will make a statement on the matter. [25726/06]

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.

190. Mr. P. Breen asked the Tánaiste and Minister for Health and Children the number of occupational therapists working for the Health Service Executive in the mid western health board region; her plans to increase that number; and if she will make a statement on the matter. [25749/06]

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.

191. Mr. P. Breen asked the Tánaiste and Minister for Health and Children the number of children on the waiting list for orthodontic treatment and the number on the assessment waiting list for orthodontic treatment following referral by a dentist in the mid western health board area for each of the years 2001 to 2005; the waiting list figures for the same years for County Clare based patients; and if she will make a statement on the matter. [25750/06]

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.

Cancer Screening Programme.

192. Mr. P. Breen asked the Tánaiste and Minister for Health and Children if she has policy initiatives to increase the number of neurologists in order to reduce the waiting lists for these consultants; and if she will make a statement on the matter. [25757/06]

Tánaiste and Minister for Health and Children (Ms Harney): I wish to see the Irish Cervical Screening Programme (ICSP) rolled out nationally by 2008, based on an affordable model and in line with international best practice. Significant preparatory work is well underway involving the introduction of new and improved cervical tests, improved quality assurance training and the preparation of a national population register. An additional €9m is available to the Executive for cancer services development in 2006, including the continuation of preparations for the roll out.

As part of my response to the Strategy for Cancer Control, I recently announced my intention to establish a National Cancer Screening Board to amalgamate BreastCheck and the ICSP to deliver both programmes nationally. This will maximise the expertise in both programmes, ensure improved efficiency and develop a single governance model for cancer screening. The plan is to have cervical screening managed as a national call/recall programme via effective governance structures that provide overall leadership and direction, in terms of quality assurance, accountability and value for money. All elements of the programme, call/recall, smear taking, laboratories and treatment services must be quality assured, organised and managed to deliver a single integrated service.

The Deputy’s question in relation to the number of Clare based women who have availed of cervical screening for each of the years since 2000 relates to the management and delivery of health and personal, social services, which are currently the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to respond directly to the Deputy in relation to the matter raised.

193. Mr. P. Breen asked the Tánaiste and Minister for Health and Children when the
[Mr. P. Breen.]
BreastCheck screening programme will be expanded to County Clare; and if she will make a statement on the matter. [25758/06]

199. Mr. McGinley asked the Tánaiste and Minister for Health and Children when BreastCheck will be made available to patients from Donegal; and if she will make a statement on the matter. [25820/06]

212. Mr. Kenny asked the Tánaiste and Minister for Health and Children the position regarding the roll-out of BreastCheck and appropriate facilities for women in the west of Ireland; when this facility will be operational; and if she will make a statement on the matter. [25958/06]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 193, 199 and 212 together.

I have met with representatives of BreastCheck and they are fully aware of my wish to have a quality assured programme rolled out to the remaining regions in the country as quickly as possible. For this to happen, essential elements of the roll out must be in place including adequate staffing, effective training and quality assurance programmes. I have made additional revenue funding of €2.3m available to BreastCheck to meet the additional costs of roll out. I have also approved an additional 69 posts.

BreastCheck recently interviewed for Clinical Directors for the Southern and Western regions and appointments have been made; both will take up their positions later this year. Both are currently undergoing additional training in relation to their roles as Clinical Director. BreastCheck will begin recruiting Consultant Radiologists, Consultant Surgeons and Consultant Histopathologists for both centres this week.

BreastCheck also requires considerable capital investment in the construction of two new clinical units and in the provision of five additional mobile units and state of the art digital equipment. I have made available an additional €21m capital funding to BreastCheck for this purpose.

BreastCheck is in the process of shortlisting applicants to construct its two new clinical units at the South Infirmary/Victoria Hospital, Cork and University College Hospital Galway. BreastCheck is confident that the target date of next year for the commencement of roll out to the Southern and Western regions will be met.

MRSA Incidence.

194. Mr. P. Breen asked the Tánaiste and Minister for Health and Children the number of MRSA cases which occurred in Ennis General Hospital for each of the past five years; and if she will make a statement on the matter. [25759/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospitals Building Programme.

195. Mr. P. Breen asked the Tánaiste and Minister for Health and Children when tendering for the €20 million upgrade project for Ennis General Hospital will commence; when it is expected that building will commence if it is given an expeditious planning process; and if she will make a statement on the matter. [25760/06]

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.

Accident and Emergency Services.

196. Mr. P. Breen asked the Tánaiste and Minister for Health and Children her plans regarding the maintenance and expansion of consultant led 24 hour accident and emergency care at Ennis General Hospital; and if she will make a statement on the matter. [25761/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospitals Building Programme.

197. Mr. P. Breen asked the Tánaiste and Minister for Health and Children the plans for the upgrading of St Joseph’s Hospital, Ennis; the funding available for same; the timetable for the achieving of such upgrading; and if she will make a statement on the matter. [25764/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy’s question relates to the management and delivery of health and personal social services, which are the
responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

198. Mr. McGinley asked the Tánaiste and Minister for Health and Children the number of patients referred for radiotherapy to St. Luke’s Hospital, Dublin and the Regional Hospital, Galway from Letterkenny General Hospital; and if she will make a statement on the matter. [25819/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management and delivery of health and personal, social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to respond directly to the Deputy in relation to the matter raised.

Question No. 199 answered with Question No. 193.

200. Mr. McGinley asked the Tánaiste and Minister for Health and Children her proposals to provide cancer services for Letterkenny General Hospital; and if she will make a statement on the matter. [25821/06]

Tánaiste and Minister for Health and Children (Ms Harney): I am fully committed to the development of high quality and quality assured cancer care for all patients regardless of geography. The most important thing for patients is getting the best treatment. Outcomes for patients is what drives our policy and investment in cancer care. This objective is shared by the Health Service Executive (HSE) and is reflected in the Executive’s National Service Plan, 2006.

There has been significant investment in cancer care in the North West since 1997. Additional medical consultants have been appointed in the region in key areas of cancer care, including medical oncology, palliative care, histopathology, haematology and surgery. Over twenty cancer care nurse specialists have been appointed and there was a 25% increase in oncology day case activity in 2005. Last May I officially opened an 11 bed oncology ward at Letterkenny General Hospital. The development is supported by an oncology day case area, breast care suite and a clean air pharmaceutical preparation room.

Last Friday the HSE concluded its review of options for the future provision of breast care services for Donegal. This review was based on the commitment to develop a sustainable model for the provision of high quality accessible services for Donegal patients. The HSE has decided to proceed with the provision of breast care services within a framework that merges the Regional Breast Care Unit at University College Hospital Galway with that at Letterkenny General Hospital. This will allow for a managed clinical network to be established, operating to defined standards and protocols for symptomatic breast disease service. The network will allow for the service in Letterkenny to be developed in a manner that is consistent with the objectives of the National Cancer Control Strategy. It will be quality assured by appropriate review and audit systems. This decision marks a significant development for breast services and will establish the first review and audit driven service nationally.

Health Services.

201. Mr. Lowry asked the Tánaiste and Minister for Health and Children the measures which will be implemented by the Health Service Executive as a result of the EU decision on allowing EU citizens the right to travel outside of this State for medical surgery at the expense of the State; if she has an indication of the costs involved in this measure; and if she will make a statement on the matter. [25827/06]

Tánaiste and Minister for Health and Children (Ms Harney): Regulation 1408/71 is the co-ordinating regulation covering the referral of patients to another EU/EEA member state for healthcare benefits in kind, including hospital care. This regulation requires that patients seeking to travel to another EU/EEA State for the purpose of receiving hospital care must obtain prior authorisation from their competent institution (HSE in Ireland) prior to receiving treatment. In circumstances where a person requires specific treatment that is not available in Ireland, or is not available within the time normally necessary for obtaining treatment in question taking account of the persons current state of health and the probable course of the disease, the HSE may issue the form E112 authorising the provision of treatment in another EU member state, having regard to the established criteria. The issue of the form E112 involves a commitment by the HSE to pay for the cost of the treatment.

The European Court of Justice (ECJ) has ruled, most recently in the Watts case (Ref: C-372/04), that EU member states are not precluded from restricting the free movement of persons for the purposes of receiving healthcare in another EU State, including the requirement to obtain prior authorisation, where such restrictions can be objectively justified. The risk of seriously undermining the financial balance of a social security system, “the objective of maintaining a balanced medical and hospital service open to all” and “the maintenance of treatment capacity or medical competence on national territory” are
...three such objective criteria set out by the ECJ. However, these rulings also stipulate a number of conditions where prior authorisation may not be refused, including that authorisation may not be refused where there is “undue delay” in providing appropriate treatment in the person’s Member State. A scheme of prior authorisation must however be based on “objective non-discretionary criteria which are known in advance, in such a way as to circumscribe the exercise of the national authorities’ discretion, so that it is not used arbitrarily”.

Referral of patients to non-EU countries and contracting out of cases to other EU member states, primarily the United Kingdom, and the United States are outside the terms of Regulations 1408/71 and rulings of the ECJ in this context.

Ireland has and continues to use the relevant provisions of Regulation 1408/71 to refer patients primarily the UK in circumstances where appropriate treatment is not available in this country. In 2004 the cost of referrals to the UK was in the region of €48.5m, whilst the figure for 2005 was approximately €24.4m. At this time, it is not expected that the ruling of the ECJ in the Watts case will have any significant impact on the level and cost of referrals made under this Regulation.

Health Statistics.

202. Mr. Lowry asked the Tánaiste and Minister for Health and Children her views on the recent OECD Health Data Report 2006; the measures she intends to take to address the shortcomings identified in the report; and if she will make a statement on the matter. [25828/06]

Tánaiste and Minister for Health and Children (Ms Harney): Over the past 15 years, the publication OECD Health Data has been an authoritative source of comparable statistics on the health systems in OECD countries. Much of this work involves information on health expenditure and financial data. The most recent OECD Health Data Report 2006 contains data up to and including 2004. This shows that health spending in Ireland grew in real terms by an average of 4.8% per year between 1999 and 2004. The OECD average was 5.2%.

Total health spending accounted for 7.1% of GDP. When adjusted for GNP, this is about 8.9 per cent, exactly the OECD average. In terms of health spending per capita, Ireland spent 2,596 USD (adjusted for purchasing power parity) in 2004. This is over the OECD average of 2550 USD.

Nearly 80% of health spending is funded by government revenues, above the OECD average of 73%. This compares to a figure of 71.5% in the mid-1990s and reflects the Government’s commitment to increase public health spending.

People in Ireland are living longer. In 2004 the average life expectancy was 78.3 years which is in line with the average across OECD countries. Infant mortality rates have fallen dramatically over the past few decades. The OECD figures show 4.9 deaths per 1,000 live births in 2004 the OECD average is 5.7.

With regard to medical manpower, the OECD Health Data 2006 Report shows 2.8 physicians per 1,000 population in Ireland in 2004. This is only slightly below the OECD average of 3.0 per 1,000 and is higher than countries such as the United States, United Kingdom, Australia and Canada. A Government initiative on medical education and training, announced in February of this year, will involve a more than doubling of the medical places from 305 to 725 over a four year period and the introduction of a new graduate entry programme for medicine from 2007 as part of the overall expansion of places.

With regard to nursing levels, Ireland records a very high density of practising nurses. The OECD has a ratio of just under 15 for Ireland which is much higher than the OECD average ratio of nurses per 1,000 people in the EU of 8.5. Since 1997 there has been an increase of almost 38% in the number of nurses employed in the public health service. This translates into an additional figure of just over 35,000 WTE nurses.

With regard to acute hospital beds, we have about 3 acute hospital beds per 1,000 population. This is lower than the OECD average of 4.1 per 1,000 population. The data for Ireland on the number of acute beds do not include the acute beds located in private hospitals in Ireland while some OECD countries include acute private hospital beds. Data on the number of acute beds per 1,000 population should not be considered in isolation from the average length of stay and the capacity for day case treatment. The OECD notes that the average length of stay in an acute bed in Ireland is below the OECD average. Since 1997, we are putting in place an average of 200 new acute beds per year, six times the level previously.

Funding has been provided to open an additional 900 in-patient beds/day places in public acute hospitals throughout the country. The Health Service Executive (HSE) has informed my Department that at the end of 2005, 818 of these beds/day places were in place and the remaining 82 beds/day places will come on stream over the coming months. The majority (80%) of additional beds/places provided so far are overnight in-patient beds.

In addition, a further 450 acute beds/day places are in various stages of planning and development under the Capital Investment Framework 2005-2009.

In July 2005, I announced an initiative to have private beds built on the campuses of public hospitals. The aim of this initiative is to enable up to 1,000 beds in public hospitals, which are currently used by private patients, to be re-designated for use by public patients. The HSE recently advertised for expressions of interest to...
construct private hospitals on the sites of 11 publicly funded hospitals.

The HSE National Service Plan 2006 gives details of 53 publicly funded acute hospitals with 12, 574 in-patient beds and 1,197 day places, a total of 13,771 treatment places. In addition, there are 1,800 beds in private hospitals giving a total bed capacity in acute hospitals in Ireland of 15,571. This total number of beds equates to 3.8 beds per 1,000 population which compares favourably with other OECD countries.

Obesity and overweight are problems that are affecting millions of people all over the world. The Government recognises that the prevalence of overweight adults has increased dramatically, particularly over the past ten years and that remedial action must be taken to abate the problem. A National Taskforce on Obesity reported in 2005. This report made comprehensive recommendations aimed at tackling overweight and obesity. The implementation of some of the health sector recommendations of the Taskforce report is already underway. The Health Service Executive has been allocated €3 million revenue funding, which is being used to provide Specialist Community Dietician and Physical Activity posts for obesity and weight management and for the development of Specialist Hospital Services for obesity treatment at Our Lady’s Hospital for Sick Children, Crumlin. My Department is currently developing a National Nutrition Policy which will provide strategic direction on nutrition for the next 10 years. The target group is young people, 0-18 years, and the priority actions are obesity and food poverty. A national consultation has taken place and the policy is due to be published later this year.

The OECD is an international leader in the development of performance evaluation tools which focus on assessments of health system performance. Its work includes policy reviews which assess performance and policy in the light of international experience and also cross-country comparisons of health expenditures, outputs and relative prices. This work contributes to countries achieving their required health policy goals as well as obtaining good value for money.

Hospital Waiting Lists.

203. Mr. Lowry asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in County Tipperary is waiting over four years for treatment; when an appointment will be given to this person; and if she will make a statement on the matter. [25829/06]

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.

Health Services.

204. Mr. Carey asked the Tánaiste and Minister for Health and Children if her Department has been involved in discussions in resolving the long running problems of chiropodists charging a top-up fee to GMS patients; and if she will make a statement on the matter. [25873/06]

Tánaiste and Minister for Health and Children (Ms Harney): 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 well underway.

Hospital Waiting Lists.

205. Ms McManus asked the Tánaiste and Minister for Health and Children the reason public patients have to wait between 18 months and two and half years to receive an appointment to be assessed by a consultant at Croom Orthopaedic Hospital, County Limerick; and if she will make a statement on the matter. [25874/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Nursing Home Subventions.

206. Mr. Ring asked the Tánaiste and Minister for Health and Children further to the money which was announced for subvention (details supplied), where this money is being spent; and the way in which it is being used. [25875/06]
Minister of State at the Department of Health and Children (Mr. S. Power): Additional funding of €20 million was provided for the Nursing Home Subvention Scheme in 2006, bringing the total available budget to €161 million. The €20 million is to support more basic nursing home subventions and reduce waiting lists for enhanced subventions: it is also to bring more consistency to subventions support throughout the country.

The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medical Cards.

207. Dr. Twomey asked the Tánaiste and Minister for Health and Children further to her press release of 26 June 2006, the amount she estimates that a couple with four children earning €1,580 gross a week would be paying in mortgage or rent, childcare and travel to work expenses and still be eligible for the doctor only medical card; and if she will make a statement on the matter. [25884/06]

Tánaiste and Minister for Health and Children (Ms Harney): The assessment of eligibility to medical cards and GP visit cards is statutorily a matter for the Health Service Executive (HSE) and is determined following an examination of the income and medical need of the applicant and his/her dependants. In assessing eligibility income guidelines are used by the HSE.

The following table gives details of sample cases of how much persons can earn weekly and the weekly outgoings required to enable them to be entitled to a GP visit card.

Increases in GP Visit Card Guidelines — June 2006

Sample Cases

<table>
<thead>
<tr>
<th>Base guidelines</th>
<th>Mortgage/rent</th>
<th>Childcare</th>
<th>Travel to work</th>
<th>Total Outgoings</th>
<th>Total Guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Single Person Living Alone</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aged up to 65 years</td>
<td>184.00</td>
<td>276.00</td>
<td>100</td>
<td>0</td>
<td>50</td>
</tr>
<tr>
<td>Aged between 66-69 years</td>
<td>201.50</td>
<td>303.00</td>
<td>100</td>
<td>0</td>
<td>50</td>
</tr>
</tbody>
</table>

| **Single Person Living with Family** | | | | | |
| Aged up to 65 years | 164.00 | 246.00 | 0 | 0 | 50 | 50 | 296.00 |
| Aged between 66-69 years | 173.50 | 260.00 | 0 | 0 | 50 | 50 | 310.00 |

| **Married Couple / Single Parent Families with Dependent Children** | | | | | |
| Aged up to 65 years | 266.50 | 400.00 | 200 | 0 | 100 | 300 | 700.00 |
| With 1 Child | 304.50 | 457.00 | 200 | 150 | 100 | 450 | 907.00 |
| With 2 Children | 342.50 | 514.00 | 200 | 300 | 100 | 600 | 1,114.00 |
| With 3 Children | 383.50 | 576.00 | 200 | 450 | 100 | 750 | 1,326.00 |
| With 4 Children | 424.50 | 637.00 | 200 | 600 | 100 | 900 | 1,537.00 |
| Aged up to 65 years | 266.50 | 400.00 | 250 | 0 | 100 | 350 | 750.00 |
| With 1 Child | 304.50 | 457.00 | 250 | 150 | 100 | 500 | 957.00 |
| With 2 Children | 342.50 | 514.00 | 250 | 300 | 100 | 650 | 1,164.00 |
| With 3 Children | 383.50 | 576.00 | 250 | 450 | 100 | 800 | 1,376.00 |
| With 4 Children | 424.50 | 637.00 | 250 | 600 | 100 | 950 | 1,587.00 |
| Aged up to 65 years | 266.50 | 400.00 | 300 | 0 | 100 | 400 | 800.00 |
| With 1 Child | 304.50 | 457.00 | 300 | 150 | 100 | 550 | 1,007.00 |
| With 2 Children | 342.50 | 514.00 | 300 | 300 | 100 | 700 | 1,214.00 |
| With 3 Children | 383.50 | 576.00 | 300 | 450 | 100 | 850 | 1,426.00 |
| With 4 Children | 424.50 | 637.00 | 300 | 600 | 100 | 1,000 | 1,637.00 |

†This is the amount of nett income a person can earn if they have the outgoings shown.
Health Services.

208. Mr. Wall asked the Tánaiste and Minister for Health and Children the position regarding an appointment for surgery at Tallaght General Hospital for a person (details supplied) in County Kildare; and if she will make a statement on the matter. [25893/06]

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.

209. Mr. Callely asked the Tánaiste and Minister for Health and Children the criteria for a person to qualify for an E121 card; and if she will make a statement on the matter. [25901/06]

Tánaiste and Minister for Health and Children (Ms Harney): Regulation (EC) 1408/71 provides for the coordination of social security systems, including healthcare, among EU member states. Under the Regulation, those who are insured with or covered by the healthcare system of one member state but who are residing or staying in another member state receive healthcare in the state of residence or stay on behalf of the member state with which they are insured or covered.

Under this Regulation, Form E121 is a certificate of entitlement to healthcare benefits-in-kind for pensioners and dependant members of their families who transfer residence from one member state to another. Benefits-in-kind are provided in the member state of residence on behalf of the competent member state, as if the pensioner and members of his/her family were covered under the health scheme of that Member State.

At present, to qualify for a From E121 in Ireland a pensioner or member of his/her family must be ordinarily resident in or intending to become ordinarily resident in another EEA Member State or in Switzerland; in receipt of a contributory social welfare pension; and not be employed or self-employed in the member state of residence.

Nursing Home Subventions.

210. Ms Cooper-Flynn asked the Tánaiste and Minister for Health and Children the reason the Health Service Executive in County Mayo have ceased paying enhanced subventions for new applicants in view of the fact that there has been an increase of €50 per week to €750 per week for subventions in Dublin and the gap in subventions as a result continues to widen despite assurances from her to bring about equality in this area. [25902/06]

Minister of State at the Department of Health and Children (Mr. S. Power): Additional funding of €20 million was provided for the Nursing Home Subvention Scheme in 2006, bringing the total available budget to €161 million. The €20 million is to support more basic nursing home subventions and reduce waiting lists for enhanced subventions: it is also to bring more consistency to subventions support throughout the country.

The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

211. Mr. Ring asked the Tánaiste and Minister for Health and Children the outcome of an assessment committee meeting in relation to a person (details supplied) in County Mayo. [25945/06]

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. 212 answered with Question No. 193.

Departmental Expenditure.

213. Mr. Kenny asked the Tánaiste and Minister for Health and Children the proposed spending envelopes approved and set out by her Department for the foreseeable future; the broad objectives to be achieved by spending of such financial envelopes; the timescale set out for achievement of targets; and if she will make a statement on the matter. [25963/06]

Tánaiste and Minister for Health and Children (Ms Harney): The only funding envelopes set out for the health sector, both in respect of my Department and the Health Service Executive, relates to the Multi-Annual Capital Investment Framework (CIF) 2006-10. The total capital funding for the Health Framework, as announced in the last Budget and including provision for a PPP initiative, is €3.359 billion as follows.
The bulk of this capital funding will be directed through the Health Service Executive, with the broad objective to continue to deliver enhanced infrastructure in an efficient manner across all healthcare programmes to ensure the development of a modern, high quality service. This will include achieving greater balance of investment between the acute and non-acute sectors and will also allow for new initiatives, for example, in the important areas of Research and ICT.

In addition to the above, the CIF provides for approximately €455m funding for the Office of the Minister for Children up to 2010 to undertake a range of new capital expenditure initiatives.

Consultancy Contracts.

214. Mr. Kenny asked the Tánaiste and Minister for Health and Children if, arising from payments made under the proposed PPARS system, she can confirm the directors and beneficial recipients of €2 million paid out for services provided in a firm (details supplied) which she undertook to investigate in 2005; and if she will make a statement on the matter. [25998/06]

Tánaiste and Minister for Health and Children (Ms Harney): At the request of HSE Management, the HSE Internal Audit Unit conducted an Audit into the procurement process and procedures in relation to the PPARS project in January this year, and its report was completed and presented to HSE Management and Audit Committee in April. The report was critical of the procurement process in respect of the recruitment of the companies to provide technical contractors. The recommendations of the Internal Audit Unit have been accepted and are being implemented.

I understand from the HSE that it was informed that there is no general statutory requirement on the Company in question to produce or file financial statements in the jurisdiction in question, nor is the register of directors and members required to be made public. I further understand that the Revenue Commissioners are investigating taxation aspects in respect of payments to this company.

Departmental Submissions.

215. Dr. Upton asked the Tánaiste and Minister for Health and Children if she will provide this Deputy with a copy of her Department’s submission to the EU consultative document on Labelling, Competitiveness, Consumer Information and Better Regulation in the EU. [26006/06]

Minister of State at the Department of Health and Children (Mr. S. Power): In February 2006 Member States were invited to make submissions on an EU consultative document on Labelling, Competitiveness, Consumer Information and Better Regulation in the EU. Against this background and at the request of my Department, the Food Safety Authority of Ireland (FSAI) undertook a public consultation exercise which assisted in developing the Irish response to the questions raised: the Irish response was co-ordinated by my Department.

I have arranged for a copy of my Department’s submission to be sent to the Deputy.

Hospital Services.

216. Mr. Ring asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Mayo will be called to University College Hospital Galway for an MRI scan. [26007/06]

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.

Food Labelling.

217. Mr. Sargent asked the Tánaiste and Minister for Health and Children if she will introduce strict regulations to require country of origin to be printed beside ingredients of dishes listed on menus in restaurants. [26017/06]

Minister of State at the Department of Health and Children (Mr. S. Power): I recently signed Regulations entitled the Health (Country of Origin of Beef) Regulations 2006 (S.I. No. 307 of 2006) which provide that with effect from 3 July, catering establishments are required to indicate on their menus or in another appropriate form, the country of origin of beef which is served. The making of these regulations was facilitated by existing traceability of beef arrangements under the European Communities (Labelling of Beef and Beef Products) Regulations 2000 (S.I. No. 435 of 2000).
While enabling legislation passed by the Oireachtas in March of this year also facilitates the extension of country of origin labelling to all meats, due to different systems of traceability and some import/export complexities, it is not as straightforward as it is for beef. There are no plans at present to extend the country of origin of beef requirements to other meats but the matter will be kept under review.

Nursing Home Subventions.

218. Caoimhghín Ó Caoláin asked the Tánaiste and Minister for Health and Children when a reply will issue from the Health Service Executive to Parliamentary Question No. 203 of 23 May 2006. [26018/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Parliamentary Affairs Division of the Executive has informed my Department that a reply was issued to the Deputy in relation to Parliamentary Question No. 203 on the 25th May 2006.

Information Technology.

219. Mr. Quinn asked the Tánaiste and Minister for Health and Children the information technology purchasing requirements, for both hardware and software, in her Department for the second half of 2006; the requirements for which tender requests have been issued; and if she will make a statement on the matter. [26033/06]

Tánaiste and Minister for Health and Children (Ms Harney): Several requirements for information technology goods and services have been issued or are currently being evaluated. These include contracts for the provision of servers and laptops, the provision of new data backup hardware, maintenance services for the existing software infrastructures and spyware management infrastructure. All purchasing requirements comply with the Department’s procurement policies.

It is envisaged that during the second half of 2006 that proposals will be sought for the provision of helpdesk support and desktop management services, the supply of personal computers, desktop software, computer consumables, computer room fit out, communication services, spam filtering, security products and web support.

Additional procurements may be necessary depending on future requirements, such as the integration of the various elements of the Office for the Minister of Children.

220. Mr. Quinn asked the Tánaiste and Minister for Health and Children her Department’s information technology purchasing policy; and if she will make a statement on the matter. [26048/06]

223. Mr. Quinn asked the Tánaiste and Minister for Health and Children the steps she is taking to support the development of the indigenous software industry through her Department’s public procurement process; and if she will make a statement on the matter. [26093/06]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 220 and 223 together.

All procurements in my Department, including IT procurement, are governed by the principles of transparency, equal treatment, proportionality and mutual recognition and these principles are recognised both at a national and EU level. Purchases for information technology goods and services including the purchase of software development services are done in accordance with public procurement law, national and EU procurement rules and guidelines.

These rules preclude giving any preferential treatment to any suppliers, indigenous or otherwise. Contracts are awarded on the basis of published criteria and all suppliers must be treated equally. My Department makes extensive use of the eTenders web site when opportunities for procurement arise. In many instances potential procurement opportunities are structured so as to encourage small and medium enterprises to submit proposals that will meet requirements. My Department is currently drafting its procurement strategy and is updating its procurement policy as required under the National Public Procurement Policy Framework. Both of these documents will be finalised in the autumn. The policies and procedures in place in my Department meet all national and EU procurements requirements.

221. Mr. Quinn asked the Tánaiste and Minister for Health and Children the percentage of information technology spend in her Department that went to Irish SMEs in each year from 2002 to date in 2006; the percentage for European Union and European Economic Area SMEs; if systems are in place in her Department’s procurement procedures to give preference to SMEs, such as the weighting system in place in the Local Government Computer Services Board; and if she will make a statement on the matter. [26063/06]

Tánaiste and Minister for Health and Children (Ms Harney): My Department does not routinely hold information regarding information technology purchases in the format requested by the Deputy. Following an analysis of expenditure for the last four full years the table below sets out the estimated spent attributable to SMEs. An SME is taken to be a company of fewer than 250
employees or with an annual turnover of less than €50m.

<table>
<thead>
<tr>
<th>Year</th>
<th>ICT Expenditure</th>
<th>% SME</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>€m</td>
<td>%</td>
</tr>
<tr>
<td>2002</td>
<td>1.527</td>
<td>79</td>
</tr>
<tr>
<td>2003</td>
<td>2.801</td>
<td>37</td>
</tr>
<tr>
<td>2004</td>
<td>2.060</td>
<td>34</td>
</tr>
<tr>
<td>2005</td>
<td>2.078</td>
<td>40</td>
</tr>
<tr>
<td>Total</td>
<td>8.466</td>
<td>44</td>
</tr>
</tbody>
</table>

During this period nearly all SMEs spend was in the EU or EEA area. In many instances potential procurement opportunities are structured so as to encourage small and medium enterprises to submit proposals that will meet requirements. While I am not in a position to comment on weighting systems used in the organisation referred to by the Deputy my Department purchases information technology services in line with both national and EU guidelines.

222. Mr. Quinn asked the Tánaiste and Minister for Health and Children the average size of information technology procurement contracts in her Department; the median size of such contracts; and if she will make a statement on the matter. [26078/06]

Tánaiste and Minister for Health and Children (Ms Harney): My Department deals with a number of suppliers in meeting its needs for information technology goods and services, including hardware, software, maintenance services, software development, security, web services and consumables. The following data are based on expenditure by company in 2005.

Number of companies: 48.
Mean: €43,296.
Median: €17,680

Question No. 223 answered with Question No. 220.

Health Services.

224. Ms McManus asked the Tánaiste and Minister for Health and Children when the review of orthopaedic services in the mid-west will be completed; and when it will be published. [26139/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 226 answered with Question No. 163.

Health Services.

227. Mr. Gregory asked the Tánaiste and Minister for Health and Children if she will ensure that circumstances outlined in correspondence (details supplied) will be fully investigated by the Health Service Executive; her views on whether this treatment is acceptable practice for the Mater Hospital accident and emergency unit; and if she will make a statement on the matter. [26175/06]

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.

Accident and Emergency Services.

228. Mr. Sherlock asked the Tánaiste and Minister for Health and Children if she received a letter in relation to Southern Health Board recommendation to Comhairle na nOspidéal in 2002 regarding accident and emergency plans for Cork University Hospital and Mallow General Hospital. [26181/06]

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, operational responsibility for the management and
delivery of health and personal social services falls within the remit of the Health Service Executive. This includes responsibility for the provision of accident and emergency services at Mallow General Hospital.

The designation of accident and emergency units in the southern hospitals group is guided by the Comhairle na nOspidéal Report of the Committee on Accident and Emergency Services, published in February 2002. This report recommended that a regional emergency service be established in the then Southern Health Board area, with Cork University Hospital as the regional emergency department. The report also recommended that Mallow General Hospital come under the remit of the Cork University Hospital emergency service. This has been the strategic direction adopted to date.

I understand that the conclusions contained in the Comhairle na nOspidéal Report were made following submission of workload information by individual hospitals in the Southern Health Board which had been invited by Comhairle to provide it with such information.

The information supplied to Comhairle at the time was not copied to my Department.

Departmental Correspondence.

229. Dr. Upton asked the Tánaiste and Minister for Health and Children if her attention has been drawn to a letter dated 21 December 2000 from a person (details supplied) in Dublin 8; the reason for the delay in replying to the letter; if it is proposed to reply; and if she will make a statement on the matter. [26182/06]

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.

231. Mr. Perry asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that cancer patients travelling from County Sligo to Galway for treatment have to travel by taxi; the instructions she has issued to the Health Service Executive officials to provide mini-bus services for this clinic; if a refund will be issued to patients for the taxi fees; and if she will make a statement on the matter. [26241/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to respond directly to the Deputy in relation to the matter raised.

232. Mr. Aylward asked the Tánaiste and Minister for Health and Children if she will support the application by the Irish Society for Autism to the Health Service Executive for the development of a centre of excellence at Myshall, County Carlow for people with autism; and if she will make the funding which may be required for this project immediately available to the Health Service Executive. [26242/06]

Minister of State at the Department of Health and Children (Mr. T. O’Malley): This property has transferred to the ownership of the Health Service Executive South Eastern Area.

Therefore 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.

Medical Cards.

233. Mr. Neville asked the Tánaiste and Minister for Health and Children when a medical card will be renewed for a person (details supplied) in County Limerick. [26243/06]
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.

234. Mr. Neville asked the Tánaiste and Minister for Health and Children when a medical card will be renewed for a person (details supplied) in County Limerick. [26244/06]

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.

235. Mr. Neville asked the Tánaiste and Minister for Health and Children when a medical card will be issued to a person (details supplied) in County Limerick. [26245/06]

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.

236. Mr. Neville asked the Tánaiste and Minister for Health and Children when a medical card will be renewed for a person (details supplied) in County Limerick. [26246/06]

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.

237. Mr. Neville asked the Tánaiste and Minister for Health and Children the outcome of an appeal against a decision to refuse a medical card for a person (details supplied) in County Limerick. [26247/06]

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.

238. Mr. Neville asked the Tánaiste and Minister for Health and Children when a medical card will be issued to a person (details supplied) in County Limerick. [26248/06]

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.

239. Mr. Neville asked the Tánaiste and Minister for Health and Children when a medical card will be renewed for a person (details supplied) in County Limerick. [26249/06]

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.

240. Mr. Neville asked the Tánaiste and Minister for Health and Children when a medical card will be issued to a person (details supplied) in County Limerick. [26250/06]

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.
Housing Aid for the Elderly.

241. Mr. Neville asked the Tánaiste and Minister for Health and Children when work will be completed to a house under special housing aid for the elderly for a person (details supplied) in County Limerick. [26251/06]

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.

242. Mr. Neville asked the Tánaiste and Minister for Health and Children when work will be completed to a house under special housing aid for the elderly scheme for a person (details supplied) in County Limerick. [26252/06]

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.

Hospital Waiting Lists.

243. Mr. English asked the Tánaiste and Minister for Health and Children the number of persons on waiting lists to see consultants at the Midland Regional Hospital at Mullingar; the length of time each of the patients has been on the waiting list; the estimated time each will be on the list before seeing a consultant; the way in which this compares nationally; and if she will make a statement on the matter. [26270/06]

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.

244. Mr. English asked the Tánaiste and Minister for Health and Children the number of persons on waiting lists to see consultants at the Midland Regional Hospital at Mullingar; the length of time each of the patients has been on the waiting list; the estimated time each will be on the list before seeing a consultant; the way in which this compares nationally; and if she will make a statement on the matter. [26271/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospitals Building Programme.

245. Mr. English asked the Tánaiste and Minister for Health and Children the stage of development of phase 2b of the Midland Regional Hospital at Mullingar; and if she will make a statement on the matter. [26271/06]

Tánaiste and Minister for Health and Children (Ms Harney): In accordance with Department of Finance requirements, no capital project in the Health Sector costing more than €30 million can proceed without a detailed cost benefit analysis being completed. This requirement applies to capital projects at the following locations: Our Lady of Lourdes Hospital, Drogheda, National Rehabilitation Hospital, Dún Laoghaire and Phase 2B Stage 2 of the Longford/Westmeath Hospital at Mullingar.

In relation to Longford/Westmeath Hospital, it should be noted that the completion of Stage 1 of Phase 2B of the development is not affected. This involves the fitting out of ward accommodation in a shelled-out area that was constructed in the 1990s and will provide a net increase of 45 beds. This project went to tender on 23 June last and the target date for completion is mid-2007.

Nursing Homes.

246. Mr. English asked the Tánaiste and Minister for Health and Children if she will report on the new 50 bed nursing home unit (details supplied) in County Westmeath. [26272/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy’s question relates to the management and delivery of
health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medical Cards.

247. Mr. English asked the Tánaiste and Minister for Health and Children the number of people in County Meath with a medical card as of 30 June for each of the years 2001 to 2006 inclusive; and if she will make a statement on the matter. [26284/06]

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.

248. Mr. English asked the Tánaiste and Minister for Health and Children the number of people in the Coole District of Westmeath with a medical card as of 30 June for each of the years 2001 to 2006 inclusive; and if she will make a statement on the matter. [26282/06]

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.

249. Mr. English asked the Tánaiste and Minister for Health and Children the number of people in County Meath who are currently in possession of a general practitioner visit card. [26283/06]

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.

250. Mr. English asked the Tánaiste and Minister for Health and Children the number of people in the Coole district of Westmeath who are currently in possession of a general practitioner visit card. [26284/06]

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.

251. Mr. English asked the Tánaiste and Minister for Health and Children the reason cancer patients are means tested for a medical card; if she will remove this test; and if she will make a statement on the matter. [26318/06]

Tánaiste and Minister for Health and Children (Ms Harney): Under the terms of the Health Act 1970 applications for medical cards for persons, other than for persons aged 70 years of age or over, are a matter to be assessed and decided upon by the Health Service Executive (HSE) based on a range of measures including the household income guidelines, particular circumstances and medical needs of individual cases.

The HSE has indicated that applications from persons with a serious illness have and will continue to be dealt with in as sensitive and compassionate a manner as possible, with the exercise of discretion towards the needs of the applicant during what is a very difficult and stressful time for them and for their loved ones.

252. Mr. English asked the Tánaiste and Minister for Health and Children the reason general practitioner visit card holders are being charged by their GP for repeat prescriptions; the plans she has to clarify the guidelines for GPs to rectify this situation; and if she will make a statement on the matter. [26319/06]

Tánaiste and Minister for Health and Children (Ms Harney): The GP visit card entitles the holder to free GP services under the General Medical Services Scheme and includes the provision of a prescription without charge. Contracted GPs are paid an annual capitation fee in respect of GMS services provided to GP visit card holders.

The contract for the provision of services to GP visit card patients is between the individual GP and the Health Service Executive (HSE). Therefore, it is requested that the Deputy would provide the HSE with information in respect of any particular cases, where additional charges are
being requested of GP visit card holders by contracted GPs for prescriptions, in order that the Executive may examine and investigate further.

**Departmental Properties.**
253. Mr. English asked the Tánaiste and Minister for Health and Children the plans she has to sell off land owned by her Department or the Health Service Executive in County Meath; and if she will make a statement on the matter. [26357/06]

**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.

**Autism Services.**
254. Mr. English asked the Tánaiste and Minister for Health and Children if she will increase funding available to the Health Service Executive North Eastern Region in order to prioritise autism assessments for pre-school children in County Meath; the numbers waiting for this service; if she will increase the staff numbers in order to clear existing back logs; and if she will make a statement on the matter. [26359/06]

**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.

**Hospice Care.**
255. Mr. Ring asked the Tánaiste and Minister for Health and Children the position in relation to a hospice (details supplied) in County Mayo; if the Health Service Executive made a decision on this matter; and if she will make a statement on the matter. [26383/06]

**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.

**Nursing Homes.**
256. Dr. Cowley asked the Tánaiste and Minister for Health and Children the reason for the delay regarding a nursing home (details supplied) in County Mayo; her views on this essential service which has been promised for 20 years; and if she will make a statement on the matter. [26408/06]

**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.

**Departmental Reports.**
257. Caoimhghín Ó Caoláin asked the Tánaiste and Minister for Health and Children if she has reviewed the report by the working group on haemochromatosis; if she will act urgently to implement its recommendations; and if she will make a statement on the matter. [26409/06]

**Tánaiste and Minister for Health and Children (Ms Harney):** I received the report of the working group on haemochromatosis from Dr. Manning on 26 June, and met with the Dr Manning and the working group to discuss each of the report’s recommendations. The report and its recommendations establish a good framework for a national policy on awareness, identification and treatment of hereditary haemochromatosis. I have referred the report to the relevant agencies for appropriate action.

**Home Help Service.**
258. Mr. Naughten asked the Tánaiste and Minister for Health and Children the waiting list for home help in Counties Roscommon and Leitrim; the time delay in processing applications in each county; the number of applications approved since January 2006; the number rejected and the number outstanding in each county; and if she will make a statement on the matter. [26410/06]

**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.

**Hospice Care.**

259. Mr. Naughten asked the Tánaiste and Minister for Health and Children if she will increase the funding available to the Roscommon/ Mayo Hospice; the plans she has to improve palliative care services in the western region; the plans she has to appoint additional palliative care consultants; and if she will make a statement on the matter. [26411/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

**Hospital Staff.**

260. Mr. Naughten asked the Tánaiste and Minister for Health and Children if she will appoint a palliative care consultant to the County Hospital, Roscommon; and if she will make a statement on the matter. [26412/06]

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.

261. Mr. Naughten asked the Tánaiste and Minister for Health and Children if she will appoint a palliative care consultant to Portiuncula Hospital, Ballinasloe, County Galway; and if she will make a statement on the matter. [26413/06]

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.

262. Mr. Naughten asked the Tánaiste and Minister for Health and Children the status of the development health centres in Ballaghaderreen, Strookestown and Keadue in County Roscommon; the plans there are to redevelop other health centres in the county; and if she will make a statement on the matter. [26414/06]

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.

263. Mr. Naughten asked the Tánaiste and Minister for Health and Children if she will approve the development of a primary care team in Elphin, County Roscommon; the plans she has for the development of primary care teams in the county; and if she will make a statement on the matter. [26415/06]

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.

264. Mr. Naughten asked the Tánaiste and Minister for Health and Children the plans she has to develop a community psychology service in County Roscommon; and if she will make a statement on the matter. [26416/06]

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.

265. Mr. Naughten asked the Tánaiste and Minister for Health and Children the status of the development project for a community hospital and health centre in Ballinamore, County
Leitrim; the funding available for the project; when construction will commence; and if she will make a statement on the matter. [26417/06]

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.

Housing Aid for the Elderly.

266. Mr. McGuinness asked the Tánaiste and Minister for Health and Children if a decision has been made in the case of a person (details supplied) in County Kilkenny in relation to their application under the housing aid for the elderly scheme; and if she will make a statement on the matter. [26426/06]

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.

Nursing Home Charges.

267. Mr. McGuinness asked the Tánaiste and Minister for Health and Children if she will confirm the timeframe for repayment of nursing home charges; the number of assessments completed; the type of process involved; and if she will make a statement on the matter. [26427/06]

Tánaiste and Minister for Health and Children 
(Ms Harney): The Health (Repayment Scheme) Act 2006 was signed by the President on 23 June 2006. This Act provides a clear legal framework for a scheme to repay recoverable health charges for publicly funded long term care.

The Health Service Executive (HSE) have announced the appointment of a preferred service provider, a consortium comprising KPMG accountancy group and McCann Fitzgerald solicitors, to administer this repayment scheme. The consortium has already commenced its preparatory work and intends to launch the scheme publicly in mid-July. The HSE has indicated that the consortium will, within four weeks of appointment, begin to issue application forms and begin notifying approximately 7,600 living patients of the amount of repayment due to them. The HSE has indicated that the details of these repayments have been prepared in advance of the appointment of the company. On submission of an application and receipt of notification of the calculated amount of repayment due, the applicant will have a period of 28 days in which to appeal or reject the calculated amount of repayment due prior to the issuing of money by the HSE.

Repayments will be made as soon as possible, with priority given to living persons, and provision has been made for repayments to continue up to 2008. It is anticipated that all repayments will have been completed within this period, however if required the cut off date for receipt of applications can be extended.

Health Services.

268. Mr. McGuinness asked the Tánaiste and Minister for Health and Children the progress in awarding a contract for the provision of a dialysis service in Kilkenny City; the timeframe involved for a decision to be made in this process; and if she will make a statement on the matter. [26428/06]

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.

Departmental Expenditure.

269. Mr. Callely asked the Tánaiste and Minister for Health and Children the undertakings which have been given with regard to the economic status of persons (details supplied); if undertakings were given with regard to the persons status in the event of the company ceasing operations; and if she will make a statement on the matter. [26429/06]

Minister of State at the Department of Health and Children (Mr. T. O’Malley): The matter referred to by the Deputy is being considered by my Department at present. I will respond again to the Deputy when further information is to hand.

General Practitioner Co-operatives.

270. Mr. McGuinness asked the Tánaiste and Minister for Health and Children the plans she has to provide a general practitioner service at
Glenmore, County Kilkenny; and if she will make a statement on the matter. [26430/06]

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 Staff.

271. Ms O’Sullivan asked the Tánaiste and Minister for Health and Children if progress has been made in the appointment of a consultant neurologist and support team for the mid-west region; if additional clinical nurse specialists will be appointed to address the needs of people with neurological illness, including Parkinson’s disease, in the region; and if she will make a statement on the matter. [26431/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospitals Building Programme.

272. Ms O’Sullivan asked the Tánaiste and Minister for Health and Children if a source of funding has been arranged in order to open the additional residential units that have been built at a site (details supplied) in County Limerick; and if she will make a statement on the matter. [26432/06]

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 Procedures.

273. Mr. Lowry asked the Tánaiste and Minister for Health and Children when an operation will be scheduled for a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [26433/06]

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.

Labour Court Awards.

274. Dr. Upton asked the Tánaiste and Minister for Health and Children the reason perfusionists are awaiting the Health Service Executive’s implementation of the Labour Court recommendations on on-call payments; and if she will make a statement on the matter. [26434/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management of human resources which is 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.

General Medical Services Scheme.

275. Mr. Kehoe asked the Tánaiste and Minister for Health and Children her views on making strips for the co-agucheck S system available through either the GMS or DPS schemes. [26435/06]

Tánaiste and Minister for Health and Children (Ms Harney): The current treatment available to patients on anti-coagulation therapy is normally provided in a hospital setting under the supervision of a specialist, or in certain GP clinics with specialist agreement. I understand that a small number of patients may be opting to self-test. This is a private matter between them and their doctors.

I currently have no plans to make these testing strips available through the Community Drugs Schemes.

Suicide Incidence.

276. Mr. Crawford asked the Tánaiste and Minister for Health and Children the number of deaths registered as suicides in each of the past five years and to date in 2006; if she has satisfied herself that every effort is being made to give in-hospital care if necessary to those who request it; and if she will make a statement on the matter. [26436/06]
medical and A&E settings.

The main benefits of liaison mental health services are the identification and treatment of mental health problems in the general healthcare setting. The introduction of liaison mental health teams can reduce the rate of deliberate self-harm (DSH), with a crisis nurse response to incidents of deliberate self-harm (DSH). In recognition of the speed of this follow-up at home or in a day/outpatient setting can reduce the rate of DSH, where the presentation of suicidal behaviour and self-harm (DSH) is high, it is now expected that the service will be extended to all A&E Departments by the end of this year. Most DSH staff work in A&E Departments but receive professional support from the local mental health services. As liaison mental health services develop DSH staff will become part of the multidisciplinary liaison mental health teams.

Liaison services intervene in A&E departments where the presentation of suicidal behaviour and substance abuse requires expert assessment and management. The main benefits of liaison mental health services are the identification and treatment of mental health problems in the general medical and A&E settings.

Consultancy Contracts.

277. Mr. Crawford asked the Tánaiste and Minister for Health and Children her plans to visit Cavan General Hospital and Monaghan General Hospital in the near future; her further plans for those hospitals; if she will allow decisions to be taken on these hospitals without discussion with the stakeholders; and if she will make a statement on the matter. [26437/06]

278. Mr. Crawford asked the Tánaiste and Minister for Health and Children her plans to visit Cavan General Hospital and Monaghan General Hospital in the near future; her further plans for those hospitals; if she will allow decisions to be taken on these hospitals without discussion with the stakeholders; and if she will make a statement on the matter. [26438/06]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 277 and 278 together.

Under the Health Act 2004, the Health Service Executive (HSE) has responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

The HSE commissioned Teamwork Management Services to undertake a review of acute hospital services in the former North Eastern Health Board area. The review, which commenced in March 2006, has recently been completed and the report has been considered by the Board of the HSE. I have been briefed on the contents of the report by the person referred to by the Deputy.

The report concludes that the present system, where five local hospitals deliver acute care to relatively small populations, is exposing patients to increased risks, that it is not serving the community well and is not sustainable.

The consultants believe that there is an unprecedented opportunity over the next 10 years to develop a very high quality responsive emergency and planned care service, in line with international standards, by developing local services within existing hospitals and other local centres supported by a new Regional Hospital.

The HSE is to establish a North East Steering Group to quickly address the issues that require immediate attention and at the same time develop a longer term strategy to deliver a world class health service during the next 10 years. The Group will have representation from key stakeholders such as clinicians and primary care providers. There will also be a widespread public engagement on the issues highlighted in the report.

I have visited numerous hospitals since my appointment as Minister for Health and Children. It is my intention to continue to visit various facilities, including hospitals in the North Eastern area, as my schedule allows.

The numbers for the first quarter of 2006 are not yet available.

As aspects 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, 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.

However, as the Deputy may be aware, the National Office for Suicide Prevention (NOSP) was established by the Health Service Executive following the publication of the National Strategy for Action on Suicide Prevention “Reach Out” on 8th September 2005. The Office has primary responsibility for implementing the Strategy and will co-ordinate suicide prevention activities across the State, consult widely in relation to the planning of future initiatives and ensure best practice in suicide prevention.

At the end of 2004, 24 A&E Departments had a crisis nurse response to incidents of deliberate self-harm (DSH). In recognition that the speedy follow-up at home or in a day/outpatient setting can reduce the rate of DSH, there has been further investment in this service through the NOSP in 2005 and 2006 and it is now expected that the service will be extended to all A&E Departments by the end of this year. Most DSH staff work in A&E Departments but receive professional support from the local mental health services. As liaison mental health services develop DSH staff will become part of the multidisciplinary liaison mental health teams.

Liaison services intervene in A&E departments where the presentation of suicidal behaviour and substance abuse requires expert assessment and management. The main benefits of liaison mental health services are the identification and treatment of mental health problems in the general medical and A&E settings.

<table>
<thead>
<tr>
<th>Year</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>519</td>
<td>478</td>
<td>497</td>
<td>457</td>
<td>431</td>
</tr>
</tbody>
</table>

The report into the north east; her views on the fact that the HSE has primary responsibility for implementing the Strategy and will co-ordinate suicide prevention activities across the State, consult widely in relation to the planning of future initiatives and ensure best practice in suicide prevention.

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Consultancy Contracts.

277. Mr. Crawford asked the Tánaiste and Minister for Health and Children the discussions she has had with persons (details supplied) regarding the Teamwork Management Services report into the north east; her views on the fact that Teamwork had no discussions with the stakeholders in Cavan and Monaghan hospitals and therefore lacks the knowledge or information needed regarding our rural service; if she will ensure that such discussions take place before further cutbacks or changes take place in that region that could put lives at risk; and if she will make a statement on the matter. [26437/06]

278. Mr. Crawford asked the Tánaiste and Minister for Health and Children her plans to visit Cavan General Hospital and Monaghan General Hospital in the near future; her further plans for those hospitals; if she will allow decisions to be taken on these hospitals without discussion with the stakeholders; and if she will make a statement on the matter. [26438/06]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 277 and 278 together.

Under the Health Act 2004, the Health Service Executive (HSE) has responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

The HSE commissioned Teamwork Management Services to undertake a review of acute hospital services in the former North Eastern Health Board area. The review, which commenced in March 2006, has recently been completed and the report has been considered by the Board of the HSE. I have been briefed on the contents of the report by the person referred to by the Deputy.

The report concludes that the present system, where five local hospitals deliver acute care to relatively small populations, is exposing patients to increased risks, that it is not serving the community well and is not sustainable.

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I have visited numerous hospitals since my appointment as Minister for Health and Children. It is my intention to continue to visit various facilities, including hospitals in the North Eastern area, as my schedule allows.
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. [26439/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy. [26497/06]

Departmental Correspondence.

280. Mr. Naughten asked the Tánaiste and Minister for Health and Children if she will furnish a reply to Parliamentary Question No. 389 of 25 January 2006; when she intends to furnish the information requested; and if she will make a statement on the matter. [26497/06]

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, 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.

279. Mr. Crawford asked the Tánaiste and Minister for Health and Children when services for the elderly will be provided in a health centre (details supplied) in County Cavan; if her attention has been drawn to the fact that the other part of this health centre was open for business in early 2002 and the care for the elderly was then guaranteed for the autumn of that year; her views on such capital expenditure remaining unutilised for such a long period; and if she will make a statement on the matter. [26439/06]

Minister of State at the Department of Health and Children (Mr. S. Power): I propose to take Questions Nos. 282 and 283 together.

The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Departmental Programmes.

282. Ms O’Sullivan asked the Tánaiste and Minister for Health and Children the financial, staffing or other resources her Department provides to support the Responding to Bullying First Steps for Teachers programme operating in the North Eastern Health Board area; and if she will make a statement on the matter. [26604/06]

283. Ms O’Sullivan asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that the Responding to Bullying First Steps for Teachers programme operating in the North Eastern Health Board area is under threat due to cutbacks leading to staff reductions; if she will take steps to ensure that the programme is maintained; and if she will make a statement on the matter. [26606/06]

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.

Tax Code.

284. Mr. Bruton asked the Minister for Finance the distribution by income bracket of income tax relief on pension contributions distinguishing that for retirement annuities and for employer pension schemes in 2002 and the most recent year for which he has returns. [26000/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the only relevant information available is in respect of income tax relief allowed for contributions to ‘Retirement Annuity Contracts’ for the income tax year 2002, which are available to the self-employed and to employees not in occupational pension schemes.

A distribution by income ranges of the number of cases, amount of deduction and reduction in tax for tax relief for Retirement Annuity Contracts is contained in the following table.

The information is based on income returns on Revenue records at the time the data were compiled for analytical purposes, representing about 95% of all returns expected.

It is not possible to provide corresponding figures in regard to the take-up of the tax relief for pension contributions by employers and employees as the relevant data are not captured in such a way as to make this possible.

A married couple who has elected or has deemed to have elected for joint assessment is counted as one tax unit.
Questions— 4 July 2006. Written Answers

INCOME TAX 2002

Retirement Annuity — by range of Gross Income.

<table>
<thead>
<tr>
<th>Range of Gross Income</th>
<th>Number of cases</th>
<th>Amount of deduction</th>
<th>Reduction in tax</th>
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<tr>
<td>€ — 8,000</td>
<td>1,104</td>
<td>€1,668,187</td>
<td>€65,117</td>
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<tr>
<td>8,000 10,000</td>
<td>782</td>
<td>€972,729</td>
<td>€81,988</td>
</tr>
<tr>
<td>10,000 12,000</td>
<td>1,193</td>
<td>€1,589,499</td>
<td>€204,706</td>
</tr>
<tr>
<td>12,000 15,000</td>
<td>2,431</td>
<td>€3,514,708</td>
<td>€488,079</td>
</tr>
<tr>
<td>15,000 17,000</td>
<td>2,106</td>
<td>€3,251,485</td>
<td>€475,272</td>
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<tr>
<td>17,000 20,000</td>
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<td>€6,408,719</td>
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<tr>
<td>20,000 25,000</td>
<td>8,383</td>
<td>€14,298,071</td>
<td>€2,687,469</td>
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<tr>
<td>25,000 30,000</td>
<td>3,744</td>
<td>€6,952,234</td>
<td>€1,337,486</td>
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<tr>
<td>27,000 35,000</td>
<td>5,418</td>
<td>€10,893,744</td>
<td>€2,303,061</td>
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<td>30,000 35,000</td>
<td>9,102</td>
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<td>100,000 150,000</td>
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<td>€81,306,400</td>
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<td>Over 200,000</td>
<td>5,043</td>
<td>€213,071,374</td>
<td>€89,412,527</td>
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<td>Totals</td>
<td>105,715</td>
<td>€640,268,061</td>
<td>€239,557,585</td>
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</table>

Vehicle Registration Tax.

285. Ms Harkin asked the Minister for Finance his views on whether the imposition of vehicle registration tax is an anti-competitive practice, which runs counter to free trade and the Treaty of Rome; and if he will make a statement on the matter. [26144/06]

**Minister for Finance (Mr. Cowen):** Within the EU Single Market, the facility is available for Member States to raise revenue through internal taxation subject to certain provisos such as: that the measures do not give rise to border controls; that there is no discrimination as between home produced goods and those imported from other Member States; and that the measures are not of the nature of quantitative restriction on imports or exports.

VRT has been examined by the European Court of Justice and has been found to be compatible with EU legislation. Motor vehicle taxes have been a traditional source of revenue in Ireland for decades and provide significant revenue to the Exchequer which is used to fund vital public services. Quite simply, the mix of taxes, their levels and rates are a matter for EU Member States based on legitimate choices. As regards the balance of taxation, Ireland has prioritised tax reductions on income earned by employees, in preference to other tax areas, and this policy has helped create record employment levels.

286. Ms Harkin asked the Minister for Finance his views on making refunds of vehicle registration tax where a vehicle is being exported second-hand from Ireland after VRT has already been paid here; if not, his further views on whether this represents a real interference in trade outside the national territory of Ireland; and if he will make a statement on the matter. [26145/06]

**Minister for Finance (Mr. Cowen):** I have no plans at present to introduce a VRT export refund scheme. I don’t accept that the introduction of such a scheme is necessary under EU law, and any such scheme has the capacity to simply act as a State subsidy for car dealers. Given the profitable nature of the motor trade, introducing such a refund scheme would seem inappropriate given that the money involved can be better spent elsewhere.

EU Directives.

287. Mr. Deenihan asked the Minister for Finance if he will confirm that if EU Regulation 2064/97 was not confirmed to the EU Commission as having been complied with, the cost to the Irish exchequer, as estimated by the Depart-
[Mr. Deenihan.]}
nent of Finance letter of 19 July 2001, was estab-
lished to be in excess of IR£300 million; and if he
will make a statement on the matter. [26187/06]

Minister for Finance (Mr. Cowen): I can con-
firm that, on 19 July 2001, my Department wrote
to all the Government Departments concerned
in the administration of Structural Funds, draw-
ing their attention to provisions involved in the
closure process. That letter signalled that the ap-
lication of EU Regulation 2064/97 would have
to include further expenditure checks, in
relation to a selection of pre-1998 expenditure,
and, where appropriate, to ensure that these
expenditure control checks were carried down
to the level of final recipient. This position arose
from the fact that the Regulation had been
introduced during the currency of the pro-
gramming period for the 1994-1999 round of Struc-
tural Funds. The letter urged all Secretaries
General concerned to take the necessary action
in order to minimise the risk of delays or losses in
Fund payments. In this context the letter
pointed out, that the outstanding balance of
receipts which was estimated to be in excess of
IR£300 million across all the Structural Funds
could be put at risk.

Effective action was taken by the Government
Departments concerned following receipt of this
letter. I am happy to confirm to the House, that
while some relatively minor matters remain to be
closed off, there has been no loss of funds due to
these particular issues.

288. Mr. Deenihan asked the Minister for Fin-
ance if he will confirm that two independent auth-
oritative consultancy reports undertaken by a
company (details supplied) in 1998 and 2000
stated explicitly and repeatedly that Irish admin-
istrative practices did not fulfil EU obligations,
that is, EU Regulation 2064/97 had not been com-
piled with; that subsequently an EU Audit in
2001 found system malpractice in respect of the
requirement of EU Regulation 2064/97; that in
2002, the Department of Enterprise, Trade and
Employment confirmed to the EU Commission
that it had applied EU Regulation 2064/97 retro-
spectively; and if he will make a statement on the
matter. [26188/06]

Minister for Finance (Mr. Cowen): The two
Arthur Andersen reports referred to were com-
misioned by my Department in 1997 to review
the financial management and control systems
within the European Regional Development
Fund (ERDF) and the Cohesion Fund. Regu-
lation 2064/97 was issued by the EU Commission
during the course of the Arthur Andersen inves-
tigations. Given this time scale, it is not surprising,
therefore, that the contents of this Regulation
had not been implemented at the time of the 1998
ERDF report. The 2000 report referred to the
Cohesion Fund, a fund which was not covered by
EU Regulation 2064/97.

The EU audit in 2001 on the implementation
of EU Regulation 2064/97 found that there were
certain provisions which had not been
implemented to their satisfaction. These pro-
visions had not previously been clarified by the
EU Commission, and, following negotiations with
that body, my Department issued a letter in July
2001 to the Government Departments concerned,
stressing the importance of fully meeting the EU
requirements.

EU Commission Regulation 2064/97 was
adopted in October, 1997. It established a new set
of requirements in respect of the financial con-
trols to be applied by member States for opera-
tions co-financed by the EU Structural Funds. I
understand that the Department of Enterprise
Trade and Employment did, in its Final Report
on the Small Business Operational Programme
submitted to the EU Commission, confirm that
the requirement, established by the Regulation,
to audit 5% of programme expenditure had been
exceeded and that the audits conducted had
included expenditure that had taken place in 1995
and 1996.

Gaeilge (Glassaí agus Naonraí.

289. D’fhiafraigh Mr. J. Higgins den Aire Air-
geadais cén réiteach atá á dhéanamh aige maidir
le fadhbanna maidir le Ghaelscoil (sonraí tugtha) i
Contae Luimnigh. [26233/06]

Minister of State at the Department of Finance
(Mr. Parlon): Feidhmionn Coimisinéirí na nOib-
reacha Poiblí in Éirinn mar ghníomhairí na
Roinne Oideachais agus Eolaitheochta i bhfáil
laitheáin do bhunscoileanna. Faoi laith in na Coimisinéirí ag measúnú laithrín do Ghaelscoil
Sáirséal ag Coonagh, Luimneach.

Tax Code.

290. Dr. Upton asked the Minister for Finance
the number of farmers over 40 years of age who
lease out land for a period of seven years or more
who benefitted from the rental income tax
exemption in 2005; the number of farmers over
40 years of age who lease out land for a period
of five to seven years who benefitted from the
rental income tax exemption in 2005; the number
of young trained farmers who benefitted from the
provision of full stamp duty relief in 2005; the
number of farmers who benefitted from stamp
duty relief for land swapped for the purpose of
farm consolidation; and the cost to the Exchequer
in respect of each of these schemes in 2005.
[26362/06]

Minister for Finance (Mr. Cowen): The exemp-
tion from income tax of certain farm land leasing
income is confined to individuals who are aged 40
years or more (or regardless of age if perma-
nently incapacitated by mental or physical infirmity from carrying on a trade of farming).

I am informed by the Revenue Commissioners that the number of farmers availing of the leased land relief scheme is tentatively estimated at approximately 5,700 in 2003, which is the last full year where data relating to all types of rental income is available, with a cost to the Exchequer in the order of €5 million. It is not possible to distinguish this estimate between the different rental periods.

The number of transactions which benefited from the Young Trained Farmer Stamp Duty Relief in 2005 was 1,150, at an estimated cost of €31 million to the Exchequer. In respect of the stamp duty relief for farm consolidation I am also informed by the Revenue Commissioners that, as the scheme was only recently introduced, the numbers of claims, as well as the cost to the Exchequer, in respect of the relief received in 2005 by them have been small.

Cross-Border Funding.

291. Mr. Crawford asked the Minister for Finance if further steps have been taken to support the Castle Sanderson’s scouting project; his views on the fact that this is one of the few projects that is of a truly cross-Border nature, which brings together the youth of all 32 counties and is therefore vital towards the work of the peace process in the future; if he will reconsider the possibility of this project being dealt with at a more realistic level starting with the building of the necessary accommodation; if he will ensure that all possible avenues of support are taken as there is great interest in this from both the US and Europe; and if he will make a statement on the matter.

[26489/06]

Minister for Finance (Mr. Cowen): Responsibility for funding youth projects of this nature falls to the Department of Arts, Sport and Tourism, under that Department’s Sports Capital Programme and the Youth Services Grant Scheme operated by the Department of Education and Science.

The position regarding the PEACE II programme, over which my Department has an overseeing role, is that the relevant measure, 2.2 Developing Children and Young People, is now closed. However, the Government is very aware of the valuable role that PEACE II and its predecessor, PEACE I, have played in building peace and reconciliation in Northern Ireland and the Border Region. Therefore, due to efforts of the Irish and the British Governments, the agreement at European Council of 16 December last on the Financial Perspectives for 2007-2013 included a provision for a successor to these programmes — PEACE III.

The European Union will provide €200m towards the PEACE III programme. The Special EU Programmes Body, as managing authority, are currently drafting the Operational Programme. I expect PEACE III will be accepting new applications for funding in early 2007.

Tax Collection.

292. Mr. Neville asked the Minister for Finance when a CA clearance certificate will be issued to a property for a person (details supplied) in County Limerick. [25562/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that a certificate of discharge for the purposes of the Capital Acquisitions Tax will be issued in respect of the property in question when Revenue has established that the capital acquisitions tax, if any, charged on the property has or will be paid.

At the moment solicitors for the estate are filing the necessary papers with Revenue and no significant delay in issuing the certificate is anticipated.

National Development Plan.

293. Caoimhghín Ó Caoláin asked the Minister for Finance the all-Ireland elements contained in submissions which his Department has received in relation to the next National Development Plan 2007 to 2013. [25609/06]

Minister for Finance (Mr. Cowen): As I have indicated in responses to previous questions the all-island dimension will be one of the key horizontal themes of NDP 2007-2013. There are a number of issues facing both parts of the island such as the need to invest in infrastructure, energy provision, education and training, new technology and R&D. It is intended that the NDP will set out an agreed strategic framework for cooperation in these and other areas to our mutual benefit.

My Department, as co-ordinator of the preparation of the next NDP, has engaged with other Departments on the issue of North/South cooperation with particular reference in this context to programmes in their area of responsibility. Officials from my Department will also be engaging directly in consultation with their Northern counterparts shortly on the North/South dimension of the NDP. There is ongoing liaison between Departments and their Northern counterparts in relation to matters pertaining to North/South cooperation.

As I am sure the Deputy will appreciate, it would not be appropriate for me to speculate at this stage on the content of the North/South cooperation elements of the NDP. I can, however, assure him that it is my objective that it will be a substantive element which will set a basis for further co-operation.

Tax Collection.

294. Mr. Carey asked the Minister for Finance
if he will consult with the Revenue Commissioners regarding the payment of outstanding taxes by a person (details supplied) in Dublin 11; and if he will make a statement on the matter.

[25628/06]

Minister for Finance (Mr. Cowen): This is a matter for the Revenue Commissioners. The compliance of individual taxpayers is, of course, in the first instance confidential between the taxpayer concerned and Revenue. However, Revenue has advised me that the person concerned has been contacted and advised on the course of action required to bring the matter to a satisfactory conclusion.

[25707/06]

Minister of State at the Department of Finance (Mr. Parlon): The Office of Public Works is currently considering several options for the future use of the reformatory in the context of the accommodation needs of the State and the formulation of a business case to support such a need that would justify any investment required in the property.

National Lottery Funding.

295. Mr. Costello asked the Minister for Finance his views on developing the old Daingean reformatory as a combined tourist and leisure centre; and if he will make a statement on the matter. [25707/06]

Minister of State at the Department of Finance (Mr. Parlon): The Office of Public Works is currently considering several options for the future use of the reformatory in the context of the accommodation needs of the State and the formulation of a business case to support such a need that would justify any investment required in the property.

296. Mr. Bruton asked the Minister for Finance if he will make arrangements to designate animal welfare as one of the purposes which will receive benefit from the proceeds of the National Lottery; and if he will make a statement on the policy for disbursement of lottery funding. [25725/06]

Minister for Finance (Mr. Cowen): It is not intended to designate animal welfare as one of the areas which will benefit from the proceeds of the National Lottery.

Under Section 5 of the National Lottery Act, 1986, the surplus from the National Lottery may be used for: sport and other recreation; national culture (including the Irish language); arts (within the meaning of the Arts Act, 1951); health of the community; and for such other purposes as the Government may determine. The following additional categories have been so determined: youth, welfare, national heritage, and amenities.

Under the legislation, the allocation of funding among the categories is a matter for the Government. There is no specific formula for the allocation of funding among categories. The Government decides on an annual basis how the surplus from the National Lottery is to be allocated in the context of the overall Estimates process.

Since 2005, total expenditure on National Lottery funded subheads in the Votes of various Government Departments has been greater than the proceeds from the National Lottery. Consequently, expenditure in these subheads has been part funded by the proceeds from the National Lottery, the balance being provided by the Exchequer.

In these circumstances, it is not intended to designate any further areas as being eligible for National Lottery funding.

Garda Stations.

297. Ms C. Murphy asked the Minister for Finance the stage of development of the Leixlip Garda Station; the estimated timeframe for commencement of works; the estimated timeframe for conclusion of works; and if he will make a statement on the matter. [25755/06]

Minister of State at the Department of Finance (Mr. Parlon): A formal decision by the Commissioners of Public Works on the proposed new Garda Station for Leixlip is expected in a number of weeks. Commencement of the tendering process is dependent on the outcome of the Commissioners decision.

Tax Code.

298. Mr. Naughten asked the Minister for Finance the tax incentives which are in place to assist on-farm investment; the annual cost of these incentives; and if he will make a statement on the matter. [25870/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that tax incentives are available in the form of capital allowances for various types of on-farm investment. Where a farmer incurs expenditure on the provision of plant and machinery for use in his or her farming trade, wear and tear allowances are available allowing the expenditure incurred to be written off over 8 years at the rate of 12\% per annum. Farm buildings allowances are available where capital expenditure is incurred on the construction of farm buildings, fences, roadways, holding yards, land reclamation or other works such as walls, water and electrical installation and sewerage. The allowances are available over 7 years with the expenditure being written off at the rate of 15% per annum over the first 6 years and 10% in year 7.

In addition, enhanced farm buildings allowances are available in respect of capital expenditure incurred on buildings and structures used for the control of farm pollution. While the allowances are available over a 3-year period, 50% of the expenditure, up to a maximum amount of €50,000, can be claimed in the first year at the discretion of the farmer. Prior to the Finance Act 2006 this maximum amount was set at €31,750. Examples of qualifying buildings and structures in respect of which farm pollution control allow-
ances may be claimed include waste storage facilities, effluent tanks, manure pits, and certain types of housing for cattle and sheep. To qualify for allowances, a farmer must have a farm nutrient management plan in place which has been approved by the Department of Agriculture and Food.

Capital allowances are also available in respect of expenditure incurred on the purchase of a milk quota. The allowances can be claimed over 7 years with expenditure being written off at the rate of 15% per annum over the first 6 years and 10% in year 7.

In addition to capital allowances, farmers are entitled to claim ‘stock relief’ where there is an increase in the value of a farmer’s trading stock, typically livestock and poultry, over the previous year. Where such an increase occurs, the farmer can claim a deduction against farming profits amounting to 25% of the increase in stock values.

An enhanced scheme of stock relief, allowing a deduction amounting to 100% rather than 25% of the increase in stock values, is available for young trained farmers. Finally, there is also an incentive to encourage re-stocking where a herd has been compulsorily disposed of under a scheme for the eradication or control of disease. This operates by allowing a reduction in profits from the proceeds of the compulsory disposal equivalent to the proportion of those proceeds which are re-invested in replacement stock over a period.

The estimated overall cost to the Exchequer of capital allowances claimed by farmers in respect of plant and machinery and of farm buildings is tentatively estimated at €139 million; Farm Buildings, €63 million; Total, €202 million. The cost to the Exchequer of stock relief for 2005, the latest year for which information is available, is tentatively estimated at €2 million.

299. Mr. Gregory asked the Minister for Finance the tax relief which is available for the refurbishment of rented accommodation; and the inspection procedures which are in place to ensure that such works comply fully with the provisions of the Planning and Development Acts. [25871/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that relief, generally known as “section 23 relief”, is available for the refurbishment of rental accommodation under all of the main property incentive schemes such as the urban, rural and town renewal schemes and the student accommodation scheme. Relief is also available under the general countrywide refurbishment scheme for rental accommodation.

The relief is available in respect of capital expenditure incurred on the refurbishment of a qualifying property which complies with various conditions and which is let as residential accommodation. The expenditure incurred can be set against the rent received from the letting of the premises or against any other Irish rental income, thus reducing the amount of rental income that is subject to tax.

Commencing with the first letting, a refurbished property must continue to be let for a period of 10 years, subject to being temporarily unoccupied for reasonable periods between lettings. Any relief already granted is withdrawn if the property is sold or ceases to be let within this 10-year period. However, a purchaser of the premises within the 10-year period would generally be entitled to the full amount of the relief that was available to the vendor.

The relief is dependent on the issue of certain certificates by the Department of the Environment, Heritage and Local Government. A “Certificate of Reasonable Cost” certifies that the cost of providing the accommodation is reasonable, that it is within specified floor area limits and that it complies with certain housing standards. This certificate is required where the builder or developer retains ownership and then lets the newly refurbished property. Specifically, in the case of refurbished properties, it also certifies that the work was necessary for the purposes of ensuring the suitability of the property as a dwelling. A similar certificate, the “Certificate of Compliance” is required where tax relief on rental income is being claimed by a person other than the developer as, for example, by the purchaser of a refurbished property.

As part of the phasing out of most of the incentive schemes, the Finance Act 2006 extended to 31 July 2008, subject to certain conditions, the qualifying period within which the refurbishment of rented accommodation could be carried out. The conditions require the submission of planning applications and the carrying out of a certain amount of the construction or refurbishment work by specified dates. However, while the deadline has been extended, the amount of expenditure eligible for relief after 2006 has been reduced. Thus, only 75% of the expenditure incurred during 2007 and 50% for expenditure incurred in the period up to 31 July 2008 will now qualify for relief.

The general countrywide refurbishment scheme, as the name implies, is not confined to any particular scheme or area. The scheme was introduced as a result of the recommendations of the report of the Commission on the Private Rented Residential Sector published in 2001 and is aimed at improving the standard of existing rented residential accommodation. Relief is
[Mr. Cowen.]
dependent on the refurbished building meeting certain standards specified in the Department of the Environment, Heritage and Local Government’s Housing Regulations.

This scheme differs from ‘section 23’ relief in several respects. Relief is only given for refurbishment expenditure, there are no maximum floor areas and the refurbishment expenditure is written off against rental income over seven years at the rate of 15% per annum for the first 6 years and 10% in year 7. As happens with ‘section 23-type relief’, the relief already granted is withdrawn if the property is sold or ceases to be let within the 10-year period following its refurbishment. The scheme had previously been opened-ended but now has a termination date of 31 July 2008 in line with the other incentive schemes.

The general countrywide refurbishment scheme is subject to compliance with the rented housing regulations, the enforcement of which is primarily a matter for the relevant local authorities. By virtue of section 11 of the 2006 Finance Act, eligibility for this scheme is also subject to compliance with the statutory requirements regarding registration with the Private Residential Tenancies Board.

**Decentralisation Programme.**

300. **Mr. O’Shea** asked the Minister for Finance the position regarding the provision of offices to facilitate the decentralisation of Ordnance Survey Ireland to Dungarvan, County Waterford; and if he will make a statement on the matter. [25897/06]

**Minister of State at the Department of Finance (Mr. Parlon):** I am pleased to confirm that contracts for the purchase of a suitable site for the proposed decentralisation of Ordnance Survey Ireland (OSI) to Dungarvan have been signed by the Office of Public Works (OPW).

The OPW is now proceeding with the procurement stage of this project. In that regard it is finalising a detailed brief of accommodation requirements with OSI. It is intended to seek Expressions of Interest from developers in the near future with a view to inviting tenders for construction at the earliest possible date.

301. **Mr. O’Shea** asked the Minister for Finance the position regarding the provision of offices to facilitate the decentralisation of part of the Department of the Environment, Heritage and Local Government to Waterford; and if he will make a statement on the matter. [25898/06]

**Minister of State at the Department of Finance (Mr. Parlon):** The Office of Public Works has identified a suitable site in Waterford City for the Department of the Environment, Heritage & Local Government and purchase terms have been agreed with Waterford City Council, subject to the approval of the elected Council.

In addition to offices for the 225 staff decentralising from the Department of Environment, Heritage & Local Government, the Commissioners are planning to extend the Court House, provide new offices for Probation and Welfare and a multi-storey carpark (with public access) as part of a quality integrated development of the 3 acre site.

**Semi-State Sector.**

302. **Mr. Kenny** asked the Minister for Finance if all semi-state companies, prior to the development of large scale infrastructure in pursuance of their statutory remit, must submit a cost benefit analysis to his Department; and if he will make a statement on the matter. [25899/06]

**Minister for Finance (Mr. Cowen):** Under my Department’s Guidelines for the Appraisal and Management of Capital Expenditure Proposals in the Public Sector, as amended by my Department’s Value for Money Circular Letter of 26 January 2006, all semi-state bodies with responsibility for developing capital projects are required to carry out an appropriate cost benefit analysis of projects costing over €30 million.

If a semi-state company proposes to proceed with such a project on the basis of its cost benefit analysis and if the project is to be funded from Exchequer capital under the multi-annual capital envelopes, the semi-state company concerned is required to submit the cost benefit analysis to the relevant sanctioning authority for approval to proceed with the project. The sanctioning authority would normally be the relevant Government Department with responsibility for the sector.

If the semi-state company is a commercial company funding the project from its own resources the cost benefit analysis would include an assessment of the commercial viability of the project. It would be the responsibility of the board of the company concerned to decide whether the project should proceed on the basis of the cost benefit analysis.

In the circumstances described above there is no requirement to submit the cost benefit analysis to my Department.

**Channel Maintenance.**

303. **Mr. Kenny** asked the Minister for Finance the maintenance programme of channels selected for action in the Moy drainage scheme area and the Robe Mask catchment area for the next two years by reference number and location; and if he will make a statement on the matter. [25955/06]

**Minister of State at the Department of Finance (Mr. Parlon):** Details of the channel maintenance programme are finalised at the beginning of each
year, so it is not possible at this stage to give details of the programme for the next two years.

I am arranging to provide details of this year’s programme for the Moy and the Corrib/Mask/Robe Catchment Drainage Schemes to the Deputy. The schedule shows the channel number and the location of each channel by the relevant 6 inch to 1 mile Ordnance Survey map.

Minor changes may occur in the programme during the year for a variety of reasons. Generally any scheduled work not undertaken is included in the following years’ programme.

Clarification of any of the information I am providing can be obtained from the Office of Public Works Regional Engineer in Headford, County Galway.

**Motor Vehicle Registration.**

304. Mr. Kenny asked the Minister for Finance the revenue accrued and collected by way of vehicle registration tax for each of the past 10 years; and if he will make a statement on the matter. [25956/06]

Minister for Finance (Mr. Cowen): Data in respect of total VRT received (and numbers of private cars registered) over the past ten years is set out in the following table:

<table>
<thead>
<tr>
<th>Year</th>
<th>Net Receipts (€)</th>
<th>Nos. Private Cars Registered</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996</td>
<td>448,867,644</td>
<td>163,290</td>
</tr>
<tr>
<td>1997</td>
<td>502,621,274</td>
<td>181,718</td>
</tr>
<tr>
<td>1998</td>
<td>615,068,488</td>
<td>191,057</td>
</tr>
<tr>
<td>1999</td>
<td>771,115,041</td>
<td>212,334</td>
</tr>
<tr>
<td>2000</td>
<td>1,001,252,058</td>
<td>256,432</td>
</tr>
<tr>
<td>2001</td>
<td>788,029,014</td>
<td>181,314</td>
</tr>
<tr>
<td>2002</td>
<td>792,570,662</td>
<td>170,151</td>
</tr>
<tr>
<td>2003</td>
<td>819,449,745</td>
<td>160,034</td>
</tr>
<tr>
<td>2004</td>
<td>945,973,401</td>
<td>178,070</td>
</tr>
<tr>
<td>2005 (Prov.)</td>
<td>1,148,783,152</td>
<td>213,682</td>
</tr>
</tbody>
</table>

While sales dipped in 2001 following the bumper sales year in 2000, receipts since 2001 have been growing strongly. The growth in VRT largely reflects higher disposable incomes which are in turn leading to higher car ownership rates and greater demand for larger and more expensive cars.

**National Development Plan.**

305. Mr. Kenny asked the Minister for Finance the shortfall, as of 1 June 2006, on nearest applicable date in spending under all headings in the Government National Development Plan in so far as it relates to the Border Midland Western region; if this shortfall in spending will be allocated to the region as additional spend in the context of the new Government programme being based on spatial strategy as against regional spend; and if he will make a statement on the matter. [25957/06]

Minister for Finance (Mr. Cowen): The next National Development Plan 2007-2013 will contain 7 year indicative financial allocations. These indicative allocations will be at national level rather than two Region level as is the case in the current Plan. The two Region basis derived from the Structural Funds regionalisation strategy under the current round which yielded an additional €600 million in Structural Funds. This issue does not arise on this occasion and the Regional Development strategy in the NDP will be built around the National Spatial Strategy template rather than the two Region approach.

More generally, the level of substantive funding under the next NDP will be a matter for decision by Government and will be revealed when the Plan is published in November next.

Data for first six months of 2006 will be available at the Autumn 2006 meetings of the Operational Programme Monitoring Committees. The most recent expenditure data on the National Development Plan 2000-2006 relates to the period to the end of December 2005. The data are set out in Tables 1 and 2 as follows.

Table 1 sets out the indicative total expenditure forecasts and the estimated total expenditure incurred under each Operational Programme in the Border, Midland and Western (BMW) Region for the period January 2000 to December 2005.

<table>
<thead>
<tr>
<th>Operational Programme</th>
<th>Original Profile</th>
<th>Estimated Expenditure</th>
<th>Expenditure versus Profile</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>m</td>
<td>m</td>
<td>%</td>
</tr>
<tr>
<td>Economic and Social Infrastructure</td>
<td>5,863</td>
<td>5,435</td>
<td>92</td>
</tr>
<tr>
<td>Employment &amp; Human Resources Development</td>
<td>3,653</td>
<td>3,449</td>
<td>94</td>
</tr>
<tr>
<td>Productive Sector</td>
<td>2,663</td>
<td>786</td>
<td>29</td>
</tr>
<tr>
<td>Border, Midlands &amp; Western Regional</td>
<td>3,519</td>
<td>2,273</td>
<td>64</td>
</tr>
<tr>
<td>PEACE II &amp; Technical Assistance</td>
<td>146</td>
<td>109</td>
<td>74</td>
</tr>
<tr>
<td>Total Expenditure</td>
<td>15,844</td>
<td>12,052</td>
<td>76</td>
</tr>
</tbody>
</table>
Profiles and Expenditure data includes all NDP sources of funding; Exchequer, EU and Private.

The Exchequer forecast and estimated Exchequer expenditure incurred under each operational programme in the BMW Region for the period January 2000 to December 2005 is set out in Table 2.

<table>
<thead>
<tr>
<th>Operational Programme</th>
<th>Original Profile ¥m</th>
<th>Estimated Expenditure ¥m</th>
<th>Expenditure versus Profile %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Economic and Social Infrastructure</td>
<td>4,054</td>
<td>4,570</td>
<td>113</td>
</tr>
<tr>
<td>Employment and Human Resources Development</td>
<td>3,654</td>
<td>3,495</td>
<td>96</td>
</tr>
<tr>
<td>Productive Sector</td>
<td>1,741</td>
<td>600</td>
<td>34</td>
</tr>
<tr>
<td>Border, Midlands &amp; Western Regional</td>
<td>2,566</td>
<td>1,920</td>
<td>75</td>
</tr>
<tr>
<td>PEACE II &amp; Technical Assistance</td>
<td>146</td>
<td>109</td>
<td>74</td>
</tr>
<tr>
<td><strong>Total Exchequer Expenditure</strong></td>
<td><strong>12,161</strong></td>
<td><strong>10,694</strong></td>
<td><strong>88</strong></td>
</tr>
</tbody>
</table>

It can be seen by the data presented in Table 2 that the Exchequer contribution to the BMW Region under the Economic and Social Infrastructure Operational Programme (ESIOP) has exceeded its original target by €516 million to the end of 2005.

However, a complete picture of extra expenditure in the region, over that committed in the lifetime of the NDP, will not be available until the full year expenditure data for 2006 are analysed and reported at the Spring 2007 meetings of the Operational Programme Monitoring Committees.

Investment under the NDP 2000-2006 in the BMW region has included over €1.5 billion spent in the National Roads Programme, with expenditure of €870m in the last two years 2004-05. The National Roads Authority has spent over €416m alone in 2005 on the BMW region with a similar amount forecast for 2006. A large number of major projects have recently been completed, the M1 Dundalk Western By-pass, the N4 Kinneogad by-pass, the N2 Carrickmacross by-pass, the N26 Ballina/Bohola, the N4 Sligo Inner Relief road, the N5 Stroketown/Longford, the N4 Boyle/Carrick-on-Shannon, and the N15 Ballyshannon/Bundoran. The Edgeworthstown by-pass opened on Monday 19 June, 2006. Major road projects under construction or due to begin construction in the Region in 2006 include N6 Kinneogad/Athlone, N2 Monaghan By-Pass, N2 Castleblayney By-Pass, N4 Dromod/Roosky, and the N5 Charleton By-Pass.

In the Public Transport area €283 million has been directly invested in projects in the BMW region including work on the Rail Network re-signalling project in the BMW in relation to the Dublin-Galway railway line and the Dublin-Sligo railway line, with consequent reductions in journey times. Furthermore, Iarnród Éireann took delivery of 36 new modern diesel railcars and most have been allocated to the Sligo route. An order of 150 new high specification Inter-city railcars has been placed by Iarnród Éireann at a cost of €324.3 million. These railcars are expected to enter service from 2007 onwards and will operate on the Dublin-Galway, Dublin-Westport and Dublin-Ballina railway lines.

Nearly €1bn in public funds has been spent in the BMW region since 2000 on housing projects, which is 121% of the forecasted amount for the period.

Since the Plan commenced 10,400 additional child care places and nearly 700 child care facilities have been established or upgraded in the BMW region.

There have been some difficulties in expenditure under the Productive Sector Operational Programme. This Operational Programme has achieved 29% or €786 million of forecast in the BMW region (52% in the S&E region). There are a number of reasons for this, including the following. The slowdown in economic activity in the early years of the Programme meant that businesses were not in a position to put forward investment plans to avail of funding. Industry in the BMW region had limited ability to absorb funding for Research and Development projects. Also, Research and Development projects usually have a long lead in time between inception and funding requests. The nature and extent of Third Level infrastructure in place in the BMW region — while there is one University and a number of Institutes of Technology — means that the ability of the region to carry out Research and Development projects is constrained. There were delays in getting State Aid clearance resulting in the late start to funding some schemes.

**Departmental Expenditure.**

306. Mr. Kenny asked the Minister for Finance the proposed spending envelopes approved and set out by his Department for the foreseeable future; the broad objectives to be achieved by spending of such financial envelopes; the time...
scale set out for achievement of targets; and if he will make a statement on the matter. [25964/06]

Minister for Finance (Mr. Cowen): The capital envelope for the Finance Group of Votes (other than the OPW, who will reply separately) for the period 2006-2010 is €20 million per annum, as published in the 2006 Public Capital Programme.

This broadly comprises €10 million each per annum for the Finance Vote and the Revenue Commissioners Vote, though this distribution may vary over the period according to their respective requirements.

The significant capital programmes in the Department of Finance (Vote 6), together with their broad objectives and time scales, are as follows:

<table>
<thead>
<tr>
<th>Subhead</th>
<th>Broad Objective</th>
<th>Time scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subhead E: Ordnance Survey Ireland</td>
<td>Upgrading of specialised IT hardware and software as technology develops.</td>
<td>Ongoing over the period to 2010</td>
</tr>
<tr>
<td>Subhead N.1: Peace II</td>
<td>To help bring about reconciliation between the two communities in the Border Region. To address the legacy of the conflict and underinvestment in the Border Region as a result of the conflict. To promote public sector cross border cooperation and working together for mutual benefit.</td>
<td>2008</td>
</tr>
<tr>
<td>Subhead N.2: Northern Ireland INTERREG</td>
<td>To address the economic and social disadvantage that can result from the existence of a border.</td>
<td>2008</td>
</tr>
<tr>
<td>Subhead P: Civil Service Child care Initiative</td>
<td>To provide workplace crèches in the main centres of civil service population.</td>
<td>Ongoing over the period to 2010</td>
</tr>
<tr>
<td>Subhead Q: Procurement Management Reform</td>
<td>To advance the broad e-procurement agenda, including the further development of the e-tenders web-site.</td>
<td>Ongoing over the period to 2010</td>
</tr>
</tbody>
</table>

In relation to the Office of the Revenue Commissioners, the capital allocation provided for under Subhead A.5.1 of Vote 9 funds the acquisition of computer hardware and software. Ongoing investment in this area is required to ensure that appropriate information and communications technology is available to support the administration of the tax system, and the collection of circa €50 billion annually by the Office of the Revenue Commissioners.

307. Mr. Quinn asked the Minister for Finance the information technology purchasing requirements, for both hardware and software, in his Department for the second half of 2006; the requirements for which tender requests have been issued; and if he will make a statement on the matter. [26034/06]

Minister for Finance (Mr. Cowen): My Department has no definite plans for software procurement in the second half of 2006. If any requirements emerge, they will be sought through normal procurement exercises.

My Department has recently issued a Request for Quotes for PCs to be procured during the second half of 2006, to the five suppliers who qualified under the Public Service wide PC Framework Agreement.

My Department does intend to procure servers and laptops later this year. The open procurement procedure under EU Directive 2004/18 was used for these procurements and the requirements were advertised on the Government tendering website www.etenders.gov.ie.

308. Mr. Quinn asked the Minister for Finance his Department’s information technology purchasing policy; and if he will make a statement on the matter. [26049/06]

309. Mr. Quinn asked the Minister for Finance the percentage of information technology spend in his Department that went to Irish SMEs in each year from 2002 to date in 2006; the percentage for European Union and European Economic Area SMEs; if systems are in place in his Department’s procurement procedures to give preference to SMEs, such as the weighting system in place in the Local Government Computer Services Board; and if he will make a statement on the matter. [26064/06]

311. Mr. Quinn asked the Minister for Finance the steps he is taking to support the development of the indigenous software industry through his Department’s public procurement process; and if he will make a statement on the matter. [26094/06]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 308, 309 and 311 together.

The information technology purchasing policy of my Department is to ensure that all procurements comply with procurement law, provide value for money and fitness for purpose, and to comply with all applicable standards.
My Department procures, where appropriate, from Public Service-wide framework contracts. However, no categorisation of any suppliers takes place in a procurement exercise as this is not permitted under procurement rules. Therefore, it is not possible to provide the precise breakdown committed under procurement rules. Therefore, it is possible to make a preference for indigenous companies. The framework recently set up for PCs involves a supplier who is an Irish SME. The nominated re-sellers for 3 of the other suppliers on the framework are also SMEs. Additional frameworks will be put in place this year for laptops and for printers. These tenders will also similarly make specific reference to the desirability of SME involvement.

It is not possible under public procurement law to make a preference for indigenous companies. The framework recently set up for PCs involves a supplier who is an Irish SME. The nominated re-sellers for 3 of the other suppliers on the framework are also SMEs. Additional frameworks will be put in place this year for laptops and for printers. These tenders will also similarly make specific reference to the desirability of SME involvement.

Departmental Contracts.

310. Mr. Quinn asked the Minister for Finance the average size of information technology procurement contracts in his Department; the median size of such contracts; and if he will make a statement on the matter. [26079/06]

Minister for Finance (Mr. Cowen): The total number of information technology procurement contracts put in place by my Department in 2005 was eleven. The total of these contracts was €259,957 Euro. The average was €23,632 Euro; and the median was €8,929 Euro.

Question No. 311 answered with Question No. 308.

Channel Maintenance.

312. Mr. Noonan asked the Minister for Finance if the Office of Public Works has responsibility for the maintenance of streams adjoining the Mulcair and Bilboa Rivers at Cappamore, County Limerick; if so, if the weed which is blocking such a stream at Cappamore Village between the residents of persons (details supplied) will be cleared; and if he will make a statement on the matter. [26113/06]

Minister of State at the Department of Finance (Mr. Parlon): The stream in question was cleaned in August 2004. It is scheduled to be cleaned again this year, probably before the end of August.

Banking Sector Regulation.

313. Mr. M. Higgins asked the Minister for Finance if the governors of the Central Bank had been informed, or had agreed, to a CIA monitoring system on Bank transfers here; his views on whether such transfer of information, as was involved, has a legal basis; and the discussions which took place between his Department, the Central Bank, the European Central Bank or the European Commission in this regard. [26138/06]

Minister for Finance (Mr. Cowen): It is understood from recent media reports that the US authorities as a means of identifying terrorist financing have had access to information from a financial industry owned co-operative based in Belgium that transmits electronic messages among banks worldwide to facilitate financial transactions.

My Department was not aware of this data transfer until these press reports were published in the media. The Deputy may wish to note that the activities of the relevant messaging intermediary are overseen, in so far as they relate to the maintenance of financial stability, by a committee drawn from the major central banks under the leadership of the National Bank of Belgium. The Central Bank and Financial Services Authority of Ireland is not a member of the oversight committee.

Tax Code.

314. Mr. Perry asked the Minister for Finance the reason seafarers allowance is not awarded to all merchant fishermen; and if he will make a statement on the matter. [26148/06]

Minister for Finance (Mr. Cowen): The seafarer’s allowance, which is provided for under section 472B of the Taxes Consolidation Act 1997, applies to the shipping industry and under EU rules constitutes a State Aid. The allowance of €6,350 at the marginal rate applies to seafarers who are at sea on a voyage to or from a foreign port for at least 161 days in total in a tax year on a passenger or cargo ship which is registered in an EU Member State’s shipping register. Other EU States have a similar concession.

The EU has exempts the shipping industry from certain State Aid provisions and has published guidelines (OJ C 205 of July 1997) to this effect. There is no similar exemption for the fishing industry and the extension of the seafarer’s allowance to merchant fishermen would breach the EU guidelines.

Leaving the State Aid issue to one side, I should point out that since the introduction of the Seafarers Allowance in 1998 a number of groups
have sought the extension of the allowance or the introduction of a similar tax allowance. Such a concession for the merchant fishermen as suggested would almost certainly lead to claims from other workers for similar treatment. The Deputy will appreciate that tax reliefs no matter how worthwhile in themselves, reduce the tax base and make general reform of the tax system that much more difficult. Accordingly, I have no plans at this stage to extend the seafarer’s allowance to merchant fishermen.

Departmental Contracts.

315. Mr. Sherlock asked the Minister for Finance if his attention has been drawn to the issues arising regarding the proposed new forms of public procurement contracts; and his views on correspondence (details supplied). [26179/06]

Minister for Finance (Mr. Cowen): The Government in mid 2004 decided to reform construction procurement so as to help achieve greater cost certainty, better value for money and more cost effective delivery of public works projects. My Department, with the assistance of the Government Contracts Committee for Construction (GCCC), specialist legal drafters and external technical expertise, has now developed a suite of Standard Forms of Construction Contract.

My officials have had extensive and constructive consultations with the construction industry over the last year on the content of the contracts. During this process, there has been very significant movement on the part of the State to help meet the industry’s concerns without compromising the core policy of having fixed price lump sum contracts with appropriate risk transfer, tendered on a competitive basis as the norm for future capital works projects. Following a very useful exchange of views with representatives of the construction industry in early June, I am aware that there are a small number of outstanding concerns for the industry. It would not be appropriate for me to comment further on the details at this time. However, let me say that I have listened carefully to the industry’s comments and views and I am currently reflecting on the points made with a view to finalising the contracts very shortly.

It is important that we move the process on now and prepare for the next phase of implementation, which is a comprehensive training programme for public sector practitioners, to ensure that the new arrangements are used appropriately across the public sector as soon as possible.

Departmental Staff.

316. Dr. Upton asked the Minister for Finance if his attention has been drawn to a letter dated 5 July 1995 to the Public Accounts Committee of Dáil Éireann regarding a former member of staff of his Department (details supplied); his views on whether the letter was correct in telling the Committee that the requirements of natural justice had been met in the case; the details of the way this was done as regards the intervention in January 1998 by the Secretary to a Government Department; and if he will make a statement on the matter. [26180/06]

Minister for Finance (Mr. Cowen): As I pointed out in my reply to Question No. 311 of 21 February, 2006, it is not the normal practice of my Department to make statements on former or current members of staff of the Department. In relation to the letter referred to, this was forwarded by my Department to the Public Accounts Committee on 5 July, 1995 to assist the Committee in its consideration of a number of matters that had been brought to its attention.

The Deputy will be aware from previous replies that my Department was engaged in extended personal correspondence with the person referred to and, on occasion, by her legal advisers. There have also been a number of parliamentary questions in recent years concerning this person and 20 requests under the provisions of the Freedom of Information legislation by the person. All matters raised in correspondence by the person concerned have been addressed and my Department has nothing further to add at this stage.

Departmental Correspondence.

317. Ms O. Mitchell asked the Minister for Finance if he has received a letter from a person (details supplied) in Dublin 16 dated 28 June 2006; and the way in which he will respond to the issues raised. [26240/06]

Minister for Finance (Mr. Cowen): I have received this letter and am preparing a detailed response.

The issue of bye-laws for the control of dogs at heritage properties in State care is a matter for the Department of the Environment, Heritage & Local Government, who hold the policy function for Heritage Properties, and the Office of Public Works who administer these properties. Both bodies are jointly considering how best to address this matter.

Tax Code.

318. Mr. English asked the Minister for Finance his plans to introduce a tax break scheme that would encourage the provision of community facilities, by individuals or business entities for voluntary community groups; and if he will make a statement on the matter. [26289/06]

Minister for Finance (Mr. Cowen): I have no plans to introduce a new tax break for the provision of community facilities. As I have indicated previously, while I am a supporter of properly focused, clearly defined specific tax reliefs, reliefs
narrow the tax base. A broad tax base is the price that must be paid to keep tax rates low. Any proposal for new tax reliefs would have to be considered in this context. Nonetheless, a current relief that may be suitable depending on the circumstances and nature of a proposal is a scheme of tax relief on donations made by either individuals or corporate bodies to eligible charities and other approved bodies including first and second level schools and third level institutions including universities. Tax relief is also available on donations to certain sports bodies for the funding of capital projects. Full details of the schemes are available on the Revenue Commissioners website.

319. **Mr. English** asked the Minister for Finance his plans to allow VAT exemption for voluntary group, community group and charities; and if he will make a statement on the matter. [26290/06]

**Minister for Finance (Mr. Cowen):** I would like to explain that charities and non-profit groups engaged in non-commercial activity are exempt from VAT under the EU Sixth VAT Directive, with which Irish VAT law must comply. This means they do not charge VAT on the services they provide and cannot recover VAT incurred on goods and services that they purchase. Essentially only VAT registered businesses which charge VAT are able to recover VAT. Accordingly, it is not possible under EU law to change the current VAT treatment of charities.

I presume that the Deputy is proposing the introduction of a VAT refund order for voluntary group, community group and charities. Refund Orders have in the past been used in a limited way to provide refunds of VAT on certain aids and appliances for the disabled and on medical equipment donated voluntarily to hospitals. These orders are focused and are designed to target particular sectors. However, it is no longer possible under EU law to introduce new schemes which would allow for VAT refunds to exempt bodies or non-taxable persons. However, I would add that the tax code currently provides exemption for charities from Income Tax, Corporation Tax, Capital Gains Tax, Deposit Interest Retention Tax, Capital Acquisitions Tax, Stamp Duty, Probate Tax and Dividend Withholding Tax.

**Garda Stations.**

320. **Mr. English** asked the Minister for Finance the plans the Office of Public Works has to refurbish and renovate the Garda Station at Castlepollard, County Westmeath; the potential costs involved; and if he will make a statement on the matter. [26296/06]

**Minister of State at the Department of Finance (Mr. Parlon):** The Commissioners of Public Works operate the Garda Accommodation programme from a prioritised list provided by the Department of Justice, Equality & Law Reform and the Garda Authorities. Financial resources are set aside based on planned works arising from this list. The Commissioners of Public Works carried out maintenance works to the doors, dashing and roof of Castlepollard Garda Station last year. Since then, the Commissioners have not received any requests from the Department of Justice, Equality & Law Reform or the Garda Authorities to carry out refurbishment or renovation works.

321. **Mr. English** asked the Minister for Finance the plans the Office of Public Works has to refurbish and renovate the Garda Station at Navan, County Meath; the potential costs involved; and if he will make a statement on the matter. [26297/06]

**Minister of State at the Department of Finance (Mr. Parlon):** The Commissioners of Public Works operate the Garda Accommodation programme from a prioritised list provided by the Department of Justice, Equality & Law Reform and the Garda Authorities. Financial resources are set aside based on planned works arising from this list. The Commissioners of Public Works have not received any requests from the Department of Justice, Equality & Law Reform or the Garda Authorities to carry out refurbishment works to Navan Garda Station, County Meath.

**Departmental Investigations.**

322. **Mr. English** asked the Minister for Finance the position regarding investigations by agencies under his control into a bogus internet investment scheme, known as PIPS scheme; and if he will make a statement on the matter. [26307/06]

**Minister for Finance (Mr. Cowen):** My Department has been informed by the Financial Regulator that the position in relation to the PIPS scheme remains unchanged since the subject was raised in the House earlier this year. Under legislation giving effect to Directive 93/22/EEC of 10 May 1993 (the Investment Services Directive) and other relevant EU legislation, the sale of investment products and the provision of investment advice to members of the public may only be undertaken by the holders of an appropriate authorisation issued by the Financial Regulator or by a Competent Authority in another EU Member State. Under the Investment Intermediaries Act 1995, as amended, it is unlawful for a person to claim to be an investment business firm unless so authorised. Irish legislation is enforceable against unauthorised investment service promoters within the State and there are effective mechanisms in place to deal with similar entities originating in other EEA jurisdictions. However, investors remain free to invest in products and schemes available in markets outside the EEA,
including those offered over the internet. I would of course urge investors to be extremely cautious in relation to such investments and at a minimum to obtain independent professional advice.

The Financial Regulator, in cooperation with the Gardaí, investigates alleged breaches of the law relating to the taking of deposits or intermediation of investments. The Financial Regulator is aware of the particular scheme to which the Deputy refers. If people believe they have been offered investment advice or sold a financial product by an individual who is not authorised to conduct this business, they should report the matter to the Financial Regulator in the first instance. Similarly, if people believe they may have been induced to invest in a fraudulent scheme they should report the matter to the Gardaí.

Tax Code.

323. **Mr. English** asked the Minister for Finance the plans he has to introduce a public information campaign to inform the PAYE worker of their entitlements for tax relief on medical expenses, dental expenses, rent and refuse charges; and if he will make a statement on the matter.

[26316/06]

**Minister for Finance (Mr. Cowen):** I am informed by the Revenue Commissioners that each year all PAYE workers receive in the post a tax credit certificate setting out their entitlements to tax relief according to Revenue's records. A leaflet accompanying the certificate contains information about the main tax credits/reliefs available to PAYE workers (including medical expenses, rent relief and refuse charges) and how to go about claiming them. In addition, Revenue's website provides easy-to-access information on the full range of credits and reliefs available to PAYE taxpayers. The website also prompts PAYE workers to claim their entitlements using a wide range of self-service channels.

I understand that Revenue is currently in the process of issuing an information leaflet to every PAYE taxpayer in the country, containing details of their latest PAYE On-line self service facilities, launched in June 2006. These greatly enhanced services allow taxpayers to do most of their PAYE business on-line, including claiming a wide range of tax credits, claiming a refund of tax including health expenses and changing their personal details. The leaflet is being issued in a variety of languages, including Chinese, Polish and Lithuanian.

This year, each of the 2 million or so PAYE workers in the country will have individually received direct communication from Revenue first of all about their tax relief entitlements (in the January/February bulk issue of tax credit certificates) and secondly about Revenue’s new Internet and telephone self-service options (between June and October), making it as easy as possible, on a 24 hour 365 day basis, to claim tax relief entitlements or a refund. Revenue are doing everything possible to publicise and facilitate PAYE workers in claiming their due entitlements, but the need for any further public information campaign will of course be kept under review.

324. **Mr. English** asked the Minister for Finance the monetary value of tax relief not claimed by PAYE workers from County Meath on medical expenses, dental expenses, rent charges and refuse charges for each of the years 2002 to date in 2006. [26317/06]

**Minister for Finance (Mr. Cowen):** I am informed by the Revenue Commissioners that in the absence of a claim from a taxpayer, Revenue has no way of knowing that an individual is entitled to an additional tax credit. There is, therefore, no basis on which the monetary value of unclaimed tax reliefs can be determined.

I would add, however, that procedures for allowing some of the more significant credits/reliefs to PAYE workers have been automated and streamlined over recent years either through the introduction of Tax Relief at Source (TRS), where this has proved feasible, or through the Automatic Carry Forward (ACF) of certain recurring reliefs. For example, Mortgage Interest Relief and Medical Insurance Relief are now provided at source through the taxpayer obtaining a reduction in repayments or premiums equivalent to the tax relief. Certain recurring reliefs, like those for trade union subscriptions and service charges, once claimed, are generally allowed on an ongoing basis and re-appear each year in the taxpayer’s certificate of tax credits. In the case of non-recurring reliefs involving variable amounts, such as Medical Expenses, it is up to each individual taxpayer concerned to claim his or her entitlements, as Revenue has no other way of ascertaining what these are. I understand that regular claimants of Medical Expenses relief are automatically sent a Med 1 claim form by Revenue.

In February 2005, Revenue launched a range of new self-service options for PAYE taxpayers, using the Internet, mobile text messaging or touchtone phone to claim, for example, tax relief for service charges and Trade Union subscriptions or to request claim forms. These facilities were widely advertised in the media and were included in the information leaflets issued with the Tax Credit Certificates for 2005 and 2006. Additional self-service channels were introduced at the beginning of June this year, including a full Internet service “PAYE On-Line”. PAYE workers can now access their Revenue records over the Internet, request a balancing statement and claim or amend their tax credit and personal details. Full details of how to access these services are available on Revenue’s website www.reven-
[Mr. Cowen.]

ue.ie. I understand that Revenue is in the process of issuing a comprehensive information leaflet about these new on-line services to every PAYE taxpayer in the country.

Flood Relief Schemes.

325. Mr. McGuinness asked the Minister for Finance further to a previous parliamentary question if he will confirm the plans to complete the landscaping proposals at a site (details supplied) in Kilkenny as part of the Nore Flood Relief Scheme: [26399/06]

Minister of State at the Department of Finance (Mr. Parlon): The programme for the installation of boundary railings at both the Dukesmeadows and Bishopsmeadows/Riverside Drive estates in Kilkenny City as part of the landscaping programme under the River Nore (Kilkenny City) Drainage Scheme is on track to be completed by Autumn 2006. The relevant materials have been purchased and manufacture of railings has already commenced. Actual installation on site is expected to commence in September 2006.

Decentralisation Programme.

326. Mr. Naughten asked the Minister for Finance if he will provide an updated reply to Parliamentary Question No. 269 of 30 May 2006; and if he will make a statement on the matter. [26400/06]

Minister of State at the Department of Finance (Mr. Parlon): I am informed by the Commissioners of Public Works that a premises has been selected in Drumshanbo, Co. Leitrim for the provision of temporary office accommodation for the Department of Agriculture and Food. Negotiations between the Commissioners and the landlord are in the final stages and it is hoped to finalise the terms of a lease shortly.

Schools Building Programme.

327. Mr. Naughten asked the Minister for Finance the status of the purchase of a site for a school (details supplied) in County Leitrim; and if he will make a statement on the matter. [26401/06]

Minister of State at the Department of Finance (Mr. Parlon): A technical assessment has been completed on the site options received in response to the recent advertisement for a Post Primary school site in Ballinamore, County Leitrim. Negotiations will commence shortly, and it is expected a full report will issue to the Department of Education and Science by the end of July.

328. Mr. Naughten asked the Minister for Finance the status of the plans to purchase a site for a school (details supplied) in County Roscommon; and if he will make a statement on the matter. [26402/06]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works in Ireland, on behalf of the Department of Education and Science, have reached agreement, subject to contract, for the acquisition of a site for a school in Rafterghohan, Co. Roscommon.

Disabled Drivers.

329. Mr. Crawford asked the Minister for Finance the number of individuals who have benefited from the use of primary certificates for the purchase of cars for the disabled in each of the past seven years; if he has satisfied himself that those who are in need of such certificates are able to avail of them under the present regulations; and that those regulations are administered in an even situation throughout the country; and if he will make a statement on the matter. [26404/06]

Minister for Finance (Mr. Cowen): A Primary Medical Certificate is required by a person to benefit from the car tax concessions under the Disabled Drivers and Disabled Passengers (Tax Concessions) Scheme. The Primary Medical Certificate (from the Senior Area Medical Officer of the appropriate local Health Service Executive administrative area) certifies for the purposes of the scheme, as set down in the 1994 Regulations, that a person is severely and permanently disabled and satisfies one of the following conditions:

(a) be wholly or almost wholly without the use of both legs;
(b) be wholly without the use of one leg and almost wholly without the use of the other leg such that the applicant is severely restricted as to movement of the lower limbs;
(c) be without both hands or without both arms;
(d) be without one or both legs;
(e) be wholly or almost wholly without the use of both hands or arms and wholly or almost wholly without the use of one leg;
(f) have the medical condition of dwarfism and have serious difficulties of movement of the lower limbs.

This determination is made by a Senior Area Medical Officer on foot of a clinical examination. If the applicant is refused a Certificate, he or she may appeal to the Disabled Drivers Medical Board of Appeal, which again carries out a clinical examination of the appellant and may issue a certificate on foot of its findings. If an applicant's condition changes, he or she may apply again for a Certificate. The decision at first instance or on appeal to grant or refuse a Certificate is a clinical
not aware of any evidence of decisions to grant/refuse Certificates being made other than according to the applicable medical professional standards.

There are around 9,500 claimants, including drivers and passengers, benefiting under the scheme and the cost to the Exchequer was over €56 million in 2005. Data on the number of individuals who actually purchased a car under the scheme in each of the past seven years is set out in the following table. The figures are based on VRT remitted or repaid data.

Cars purchased in year based on VRT remitted/repaid data

<table>
<thead>
<tr>
<th>Year</th>
<th>Drivers</th>
<th>Passengers</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999</td>
<td>1,337</td>
<td>1,199</td>
<td>2,536</td>
</tr>
<tr>
<td>2000</td>
<td>1,639</td>
<td>1,697</td>
<td>3,336</td>
</tr>
<tr>
<td>2001</td>
<td>1,590</td>
<td>1,690</td>
<td>3,280</td>
</tr>
<tr>
<td>2002</td>
<td>1,672</td>
<td>2,046</td>
<td>3,718</td>
</tr>
<tr>
<td>2003</td>
<td>1,604</td>
<td>2,015</td>
<td>3,619</td>
</tr>
<tr>
<td>2004</td>
<td>1,776</td>
<td>2,525</td>
<td>4,301</td>
</tr>
<tr>
<td>2005</td>
<td>1,884</td>
<td>2,729</td>
<td>4,613</td>
</tr>
</tbody>
</table>

Tax Code.

330. Ms C. Murphy asked the Minister for Finance if he will amend the tax code as it relates to stamp duty in order to relieve the burden on families who wish to provide for a disabled person in the family home; his views on whether such measures are socially desirable; and if he will make a statement on the matter. [26405/06]

**Minister for Finance (Mr. Cowen):** Stamp duty is a tax on certain documents, generally legal documents, used in transferring property or in creating rights for the parties concerned. The stamp duty code generally does not provide exemptions based on an individual’s particular circumstances and introducing such a provision would represent a significant departure from normal stamp duty rules. However, I have been advised by the Department of Environment, Heritage and Local Government that a scheme of disabled persons grants is operated by local authorities with capital provision from that Department. These grants are designed to meet the needs of persons who are either physically handicapped or are suffering from severe mental handicap or severe mental illness. Where a new dwelling is being bought or built a maximum grant of €12,700 is payable. In the case of adaptation of an existing dwelling, 90% of the approved cost of the works is available up to an effective maximum grant of €20,320. Full details of the scheme and the conditions applicable are available from the local authority in whose area the dwelling is situated.

I would point out that there is no stamp duty on the purchase of new residential property for owner-occupiers where the dwelling is not greater than 125 square metres and complies with certain conditions in relation to building standards. If the property is over 125 square metres, stamp duty is charged on the site value or one quarter of the total value of the property (whichever is the greater). You will appreciate that stamp duty is a significant contributor to the Exchequer and stamp duty receipts allow for a broader tax base than would otherwise be possible. These receipts form an important element of State revenues which permits Government spending on services such as health and education.

**Motor Fuels.**

331. Mr. Crawford asked the Minister for Finance the amount of VAT collected on diesel and petrol in each of the past five years; his views on reducing the level of VAT in view of the increasing cost of these products to motorists and so on; and if he will make a statement on the matter. [26406/06]

**Minister for Finance (Mr. Cowen):** I am informed by the Revenue Commissioners that the information to be furnished on VAT returns does not require the yield from particular sectors of trade to be identified. However, it is estimated that the amount of VAT received on auto diesel and petrol in each of the past five years is as shown in the table below:

<table>
<thead>
<tr>
<th>Year</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petrol</td>
<td>€265</td>
<td>€286</td>
<td>€290</td>
<td>€328</td>
<td>€368</td>
</tr>
<tr>
<td>Auto Diesel</td>
<td>27</td>
<td>30</td>
<td>32</td>
<td>38</td>
<td>46</td>
</tr>
</tbody>
</table>

It should be noted that the VAT content of purchases of auto diesel is a deductible credit for business in the Irish VAT system. The increase in the estimated amount of VAT received from auto diesel and petrol arises in part from increases in fuel prices but also from the very strong growth in the economy over the period in question. Fuel prices are driven by a number of factors including the price of oil on international markets, exchange rates, production costs and refining costs. The rise in oil prices over recent periods reflected additional factors such as geopolitical uncertainty, supply disruptions and strong economic growth in countries such as China.

In relation to the rate of VAT applicable to fuel, the position is that the VAT rating of goods and services is subject to the requirements of EU VAT law with which Irish VAT law must comply. Petrol and auto diesel are subject to the standard VAT rate which in Ireland is 21%. It would not be possible to reduce the VAT rate applicable to motor fuel without reducing the rate for all goods and services subject to the standard VAT rate.
decrease of 1 per cent in the standard VAT rate would cost the Exchequer €390 million per annum. Such a reduction would have little or no impact on the price of fuel but would be very costly to the Exchequer.

Garda Stations.

332. Mr. McGuinness asked the Minister for Finance the plans to maintain or refurbish the Garda station at Bennettsbridge, County Kilkenny; if immediate action will be taken to prevent the further deterioration of the building; and if he will make a statement on the matter. [26499/06]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works undertake works to Garda Stations at the behest of the Department of Justice, Equality & Law Reform and the Garda Authorities. The Commissioners of Public Works have not received any requests from the Department of Justice, Equality & Law Reform or the Garda Authorities to carry out maintenance or refurbishment works to Bennettsbridge Garda Station, Co. Kilkenny.

Court Accommodation.

333. Mr. M. Higgins asked the Minister for Finance the position of the renovation and refurbishment of the old courthouse in Oughterard, County Galway; if the moneys promised for this project remain available; the status regarding the renovation of this building; and if he will make a statement on the matter. [26611/06]

Minister of State at the Department of Finance (Mr. Parlon): Since its establishment in 1999, the Courts Service has responsibility for the provision, maintenance and management of Court Buildings throughout the country. The Office of Public Works act as agents for the Courts Service. The Courts Service have advised the Office of Public Works that priority is being given to upgrading Courthouses in the county towns as these accommodate High, Circuit and District Court sittings and the Circuit and District Offices.

Housing Grants.

334. Mr. McHugh asked the Minister for Communications, Marine and Natural Resources if there is compensation in relation to a fishing issue (details supplied) in County Mayo. [25541/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): I have no plans to provide compensation for commercial salmon fishermen arising from necessary reductions in total allowable catch in 2006 that are required to sustain and rebuild salmon stocks.

The reduction in quotas for the North Western Regional Fisheries Board’s districts referred to by the Deputy was recommended by the National Salmon Commission (NSC) and the National Fisheries Management Executive (NFME) based on scientific advice. The reductions, which have been made for conservation reasons, apply to all fisheries districts. In the circumstances compensation is not appropriate. The district quotas for 2007 will be determined on the basis of scientific advice from the NSC and the NFME. The Standing Scientific Committee of the NSC has indicated 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 and international obligations.

The NFME has identified a range of pilot projects to facilitate the commercial fishery to move from areas of indiscriminate mixed stock fishery exploitation. 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.

I recognise the considerable efforts made by the commercial fishing industry over the past number of years to build a sustainable fishery and that they have endured large cuts in the quotas available to them. I realise that these reductions have caused them difficulty and that full alignment with the scientific advice will likely com-
pound these problems. For these reasons, I recently appointed an independent group to examine the implications of the new regulations for the commercial sector in 2007 and beyond and to make recommendations on the options available to address any financial hardship that may arise.

**Telecommunications Services.**

336. Mr. Fleming asked the Minister for Communications, Marine and Natural Resources the extent of broadband coverage in County Laois; the towns and villages where this is available and planned; and if he will make a statement on the matter. [25666/06]

**Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey):** The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated by the Commission for Communications Regulation (ComReg), the independent regulator.

My Department’s website www.broadband.gov.ie lists all service providers offering broadband services in all towns in Laois, and gives contact details for each company, together with prices for the various service levels on offer. It has been clear for some time that the sector has failed to invest at the level necessary to keep pace with the demand for broadband, so my Department’s regional broadband programme is addressing the infrastructure deficit by building high speed, open access broadband networks, in association with the local and regional authorities, in the major towns and cities. These Metropolitan Area Networks (MANs) will allow the private sector to offer world-class broadband services at competitive costs.

Twenty-seven MANs are now completed, including Portlaoise. The second phase of the programme involves the building of MANs in over 90 towns with a population of 1,500 and above that do not have a satisfactory broadband offering from the private sector. Laois is developing detailed route designs in respect of the following towns: Portarlington and Mountmellick. The appointment of project managers and works contractors is expected towards the end of this year. Construction on these projects will commence in early 2007, with an estimated completion date of quarter 3 2007. My Department administers a group broadband scheme, which delivers broadband to many under-served areas. Under the first phase of the scheme projects were approved for Stradbally, Abbeyleix and Mountrath, County Laois. These schemes are now fully operational and providing a broadband service. Under the second phase of the scheme projects were approved for Clonaslee, Killenard, Emo, The Heath, Ballybrittas, Kilmínchý, Ballacolla, Durrow and Rathdowney, Co.Laois. Furthermore, a joint industry/Government fund of €18 million has been established for the Broadband for Schools Programme, which should provide every school in the country with broadband in 2006. This is a crucial strand in the strategy of integrating ICT into teaching and learning, and my Department’s wider vision of promoting the use of broadband technologies in local communities around the country. The installation phase is now almost complete, with over 90% of all schools broadband enabled.

**Port Development.**

337. Mr. P. Breen asked the Minister for Communications, Marine and Natural Resources the information Shannon Foynes Port Company has provided to his Department regarding its proposal for the development of a new container transhipment terminal on the lower reaches of the Shannon Estuary; the proposed timeframe for same; and if he will make a statement on the matter. [25766/06]

**Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne):** The Port Company made an application to the Department on 5 April 2005 for permission under the Foreshore Acts to reclaim 0.9 hectares of a small harbour at West Quay, Foynes, to facilitate the temporary storage of containers. Consultants acting for the Port Company subsequently withdrew this application. No reason was given for this decision, and no indication has been given by the Port Company as to how it proposes to proceed in this matter.

**Telecommunications Services.**

338. Mr. Walsh asked the Minister for Communications, Marine and Natural Resources when he intends to roll-out the metropolitan area network to a town (details supplied) in County Cork. [25944/06]

**Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey):** The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated by the Commission for Communications Regulation (ComReg), the independent regulator.

In planning the second phase of the MANs programme, a review of the availability of DSL broadband in the regions showed that over 90 towns with a population of 1,500 and above were not being offered a broadband option by the private sector. These towns were selected for investment under Phase Two of the MANs Programme. A number of regional towns already had DSL broadband on offer from the service providers, so priority was given to the provision of essential broadband infrastructure in those towns.
where none existed. Clonakilty is not part of the current roll-out but may be included in future phases subject to the necessary approvals and Exchequer funding being made available.

Broadband is currently available in Clonakilty. My Department’s sponsored website www.broadband.gov.ie, which facilitates consumers trying to locate broadband service providers in their area, lists thirteen internet service providers offering broadband on Digital Subscriber Line (DSL), two companies offering it via wireless and eleven satellite broadband providers.

Natural Gas Grid.

339. Mr. Kenny asked the Minister for Communications, Marine and Natural Resources the criteria that apply for extensions of gas pipelines from the Corrib field to the towns of Belmullet, Westport, Castlebar, Ballina and others; the position regarding such extensions being approved; and if he will make a statement on the matter. [25953/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The position is that; since 2002, the Commission for Energy Regulation (CER), which is a statutory independent body, has been charged with all aspects of the assessment and licensing of prospective operators who wish to develop and/or operate a gas distribution system within the State under the Gas (Interim) (Regulation) Act 2002.

The CER has recently approved a new Bord Gais Eireann (BGE) connection policy applicable to both the transmission and distribution networks. It is BGE’s intention to undertake a review of both a number of towns surveyed in the past and towns not previously surveyed to evaluate potential connections. It is planned that this study will be carried out in two phases over the next twelve months. A timetable and terms of reference are currently being drawn up and once finalised these will be published on the BGE and CER websites. Based on the information available at present; Westport, Castlebar, Ballina and the surrounding areas will fall into the first phase of the study, which is scheduled, for completion in September next. The project is being overseen by the CER.

Departmental Expenditure.

340. Mr. Kenny asked the Minister for Communications, Marine and Natural Resources the proposed spending envelopes approved and set out by his Department for the foreseeable future; the broad objectives to be achieved by spending of such financial envelopes; the timescale set out for achievement of targets; and if he will make a statement on the matter. [25965/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Deputy will be aware that the Multi Annual Capital Investment Framework, announced by the Minister for Finance in the December 2003 Budget, provides for five-year multi-annual capital envelopes. The objectives of the multi-annual investment framework are to:

1. Meet Government priorities for capital investment in the sectors for which the Department is responsible, ensuring, where appropriate, that a proper balance is maintained between different areas of investment.

2. Enable the Department and its agencies to plan and manage the capital investment programme more efficiently and effectively.

3. Ensure that value for money is obtained for the capital investment envelope provided.

The following table sets out the total envelope available to my Department for capital investment over the period 2006-2010.

<table>
<thead>
<tr>
<th>Year</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>€M Direct Exchequer Capital</td>
<td>155.885 *</td>
<td>141.828</td>
<td>166.347</td>
<td>181.250</td>
<td>181.250</td>
</tr>
</tbody>
</table>

*This figure is exclusive of the capital carryover of €11.429M from 2005.

The level of current funding provided for my Department in the 2006 Revised Estimates Volume is €371.803M current funding over the 2007-2010 period will be set incrementally in the course of the annual estimates process.

The employment of these allocations will be focussed on underpinning business delivery in pursuit of my Department’s overall mission to promote the sustainable development, management and regulation of the communications, energy, marine and natural resource sectors in support of national economic and social policy objectives. As a driver of sustainable economic growth across many diverse sectors, it is imperative that my Department continuously reviews the business environment and strategic context within which it operates. Priority will continue to be given to the best use of resources by my Department, focusing on outputs and outcomes, value for money, based on robust planning and evaluation.

Coastal Protection.

341. Mr. F. McGrath asked the Minister for Communications, Marine and Natural Resources if he will protect and care for the health and management of the greater coastal area of Dublin Bay by including the following (details supplied). [26004/06]
Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The Department is responsible under the Foreshore Acts 1933-2005 for the granting of leases, licences and permissions to occupy or use the foreshore. All applications for authorisation under the Foreshore Acts are examined carefully by the Coastal Zone Management Division (CZMD) of the Department, in conjunction with its internal and external expert advisors. These advisers include the Department’s Engineering Division and Sea Food Control Division, along with the Heritage Service of the Department of the Environment, Heritage and Local Government, the Marine Survey Office of the Department of Transport and the Valuation Office of Ireland.

More complex developments are also referred for consideration and advice to the Marine Licence Vetting Committee (MLVC), an expert committee comprised of scientific and technical staff of the Department, the Department of Transport, the Marine Institute and the Central Fisheries Board. Should our advisers have no objections in principle to a development, the applicant is required to advertise the project in a locally read newspaper and put plans on public display. This is to allow the public or interested organisations the opportunity to make representations or objections on the development.

A recommendation is then made to me, taking account of the expert advice and any submissions received, as to whether or not an authorisation should be granted. If the recommendation is that a lease or licence be granted, the conditions that are to be attached to the authorisation are specified. Developments on State or private foreshore adjoining a local authority’s administrative area generally also require planning permission in addition to a Foreshore Lease/Licence/Permission. I am satisfied that the above approach is comprehensive in nature and ensures that any applications for Development in Dublin Bay will be thoroughly assessed by the Department. In addition, Dublin City Council has also formed a multi agency Steering Group in order to develop a Development Framework for the future strategic role of Dublin Bay as a multifaceted resource. The Department is represented on this group, which had its first meeting last April.

Departmental Expenditure.

342. Mr. Ferris asked the Minister for Communications, Marine and Natural Resources the amount which was claimed in expenses by the chief executive officer and members of the Central Fisheries Board in 2005. [26019/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): I am informed by the Central Fisheries Board that the Chief Executive Officer claimed €10,736.12 in respect of expenses incurred for the year 2005. The members of the board claimed €26,802.61 in the same period.

Computerisation Programme.

343. Mr. Quinn asked the Minister for Communications, Marine and Natural Resources the information technology purchasing requirements, for both hardware and software, in his Department for the second half of 2006; the requirements for which tender requests have been issued; and if he will make a statement on the matter. [26035/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My Department will require additional hardware and software for a number of projects currently underway, which include: ICT fit-out for new decentralisation offices in Clonakilty and Cavan; Upgrade of Operating System and Desktop Productivity Tools for Windows 2003. Tenders for these projects were published on the public sectors’ electronic tenders website, www.etenders.gov.ie.

344. Mr. Quinn asked the Minister for Communications, Marine and Natural Resources his Department’s information technology purchasing policy; and if he will make a statement on the matter. [26050/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): All ICT requirements for my Department are procured through our Information Systems Division. All procurements are conducted in compliance with Department of Finance public procurement guidelines.

345. Mr. Quinn asked the Minister for Communications, Marine and Natural Resources the percentage of information technology spend in his Department that went to Irish SMEs in each year from 2002 to date in 2006; the percentage for European Union and European Economic Area SMEs; if systems are in place in his Department that went to Irish SMEs in

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): In the time available, it has not been possible to identify and assemble the information requested. My Department is compiling the data sought by the Deputy in this regard and I shall forward it to him as soon as possible.

346. Mr. Quinn asked the Minister for Communications, Marine and Natural Resources the average size of information technology pro-
[Mr. Quinn.]

procurement contracts in his Department; the median size of such contracts; and if he will make a statement on the matter. [26080/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The average size of IT procurement contracts from January 2006 to date in my Department is €114,408.40; the median size of these contracts is €92,202.

347. Mr. Quinn asked the Minister for Communications, Marine and Natural Resources the steps he is taking to support the development of the indigenous software industry through his Department’s public procurement process; and if he will make a statement on the matter. [26095/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My Department does not discriminate in favour of any specific vendors or vendor categories, in line with EU and Department of Finance Guidelines for Public Procurement. I would like to add that indigenous SMEs have a good track record within my Department for winning ICT contracts through the competitive process.

Common Fisheries Policy.

348. Mr. Kenny asked the Minister for Communications, Marine and Natural Resources when he proposes to introduce a scheme of administrative fines for minor indiscretions as promised; and if he will make a statement on the matter. [26110/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The Sea Fisheries and Maritime Jurisdiction Act, 2006 was enacted on the 4th of April 2006. It provides for dissuasive and effective penalties for infringements of fisheries law as required under the Common Fisheries Policy. During the passage of the bill through the Houses of the Oireachtas the principle of infringements was discussed at length. At that time the Attorney General advised me that administrative fines are considered inappropriate for fisheries infringements where the potential financial gains are substantial and would not be considered dissuasive or effective.

Accordingly, administrative fines for fisheries offences could only be introduced in Ireland if it was to be a requirement under European law. If the Commission were to bring forward proposals for the introduction of administrative sanctions at EU level, I would support such a proposal and would then again revisit the issue. I am sympathetic to keeping under review on an on-going basis, in the context of the evolving Common Fisheries Policy, the scope for the introduction of administrative penalties for minor indiscretions, subject to ensuring that any legal issues arising are satisfactorily addressed.

Aquaculture Development.

349. Mr. Kenny asked the Minister for Communications, Marine and Natural Resources his views on the implementation and monitoring of the evidence of sea lice affecting salmon and white trout stocks; the analysis of the impact of such sea lice on these stocks; the systems that are in place to deal with this position; and if he will make a statement on the matter. [26111/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): In recent years monitoring of both wild and farmed fish stocks has shown an increase in the level of sea lice infestation. There are a number of factors that may have contributed to this increase. They include increased winter sea temperatures, the impact of fish health on treatment efficacy and following strategies. In the case of licensed fish farms a national monitoring and control programme is carried out by the Marine Institute in accordance with the principles and objectives set out in the Department’s ‘Protocol for Sea Lice Monitoring and Control, which was published in 2000.

The programme involves a total of 14 inspections per annum at each site containing fish. One inspection is carried out in the period December/January, two inspections per month are undertaken in the period from March to May, and one inspection per month is carried out during the remainder of the year. Reports detailing the results of the monitoring are published and may also be accessed on the Institute’s website. The key objective of the monitoring inspections is to establish whether the lice levels at a site are in excess of the very strict trigger levels that are applied in this country. If the relevant trigger level is exceeded, the operator of the site is required to apply an appropriate treatment with a view to effecting a reduction in the lice levels.

The more frequent monitoring inspections, which occur during the period from March to May, are timed to coincide with the peak in Sea Trout smolt migration. This helps ensure that if an increase in sea lice levels during this period is detected, prompt action is taken to treat the fish and thus minimise the possible transfer of lice to the migrating smolts. The level of monitoring undertaken in this country and the threshold at which remedial action is taken compares very favourably with other states and is appropriate to the situation. The Department will, of course, continue to give this matter close ongoing consideration in view of its importance.

Natural Gas Grid.

350. Mr. Kenny asked the Minister for
Communications, Marine and Natural Resources

the position regarding the provision of a second interconnector for the provision of natural gas to ensure stability and supply; and if he will make a statement on the matter. [26112/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Under Section 19 of the Gas (Interim) (Regulation) Act 2002, the Commission for Energy Regulation (CER) is required to prepare and publish an annual forecast of capacity flows and customer demand on Ireland’s natural gas system over a seven year period. The 2005 Capacity Statement includes a range of possible demand scenarios that may be expected to arise over the coming years. The scenarios incorporate various levels of demand, based on forecasts for the domestic, industrial and commercial, and power generation sectors, while also considering potential time-frames for new indigenous supply.

Ireland currently imports up to some 85% of gas via the two interconnectors with the UK. In the long-term, imports via the interconnectors will increase and reinforcement of the Scottish onshore part of this route may be required as early as 2011/12. However, the timing of indigenous sources coming on-stream and any commercial developments in relation to storage and LNG will influence a decision on these reinforcements. In addition the completion of the South North gas pipeline in Autumn 2006 will advance the objective of an All-Island gas market. The development of gas infrastructure is characterised by long lead-in times and high costs which are reflected in increased consumer tariffs. While it is crucial that investment in gas infrastructure keeps pace with forecast demand, the increasing costs associated with this should not, as a policy imperative, undermine the competitiveness of gas or place undue burdens on consumers. The policy is therefore to ensure just-in-time delivery of increased capacity.

The current Gas Capacity Statement indicates that our infrastructure is sufficiently robust to cater for the majority of scenarios modelled. Only in the case of the highest demand forecast would reinforcements to the infrastructure be envisaged within the period of this forecast. Developments in the UK market are closely monitored and this informs the ongoing assessment of security of supply policy. The Kinsale Field continues to provide Ireland with an indigenous supply of gas and the potential for additional indigenous supplies when realised in the context of the Corrib Field will reduce Ireland’s import demands in the future. The CER and my Department will continue to closely monitor the supply situation.

Alternative Energy Projects.

351. Mr. Crawford asked the Minister for Communications, Marine and Natural Resources the forms of green energy used in the production of electricity other than wind farms; if he has satisfied himself that maximum efforts are being made to encourage alternative forms of energy; and if he will make a statement on the matter. [26369/06]

352. Mr. Crawford asked the Minister for Communications, Marine and Natural Resources the percentage of electricity being provided by wind turbines; the location of each of the wind farms; the percentage he expects to get from such production in the future and by what date; and if he will make a statement on the matter. [26370/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 351 and 352 together.

Support programmes put in place by this Government have more than doubled the capacity of renewable energy powered electricity generating plants connected to the electricity target in the last two years. Building on this progress, I announced recently an ambitious programme to treble the contribution by renewable energy sources from 5%, or so, of electricity produced to 15% by 2010.

There are over 860MW of renewable capacity connected to the national grid today. This consists of approximately 590MW of wind powered plant, 236MW of hydro powered plant with the balance (c.35MWs) made up of different biomass technologies (i.e. biomass landfill gas, biomass combined heat and power and biomass anaerobic digestion). The new target will require growth in the sector to double the available generating capacity from the 860MW, or so, currently connected to 1650MW by 2010.

The additional new capacity required to achieve the target will be delivered by projects already selected under the Alternative Energy Requirement (AER) programme and the new Renewable Energy Feed In Tariff (REFIT) programme. The terms and conditions of REFIT are available on my Departments website at www.dcmnr.ie. Wind will be the dominant technology in achieving the target. ESB Networks publishes a list of wind powered projects currently connected to the national grid. I have set out the available information as follows.

Agannygal Derrybrien 60.0MW
Booltiagh 19.5MW
Coomagearlaghy 42.5MW
Crane Ballywater 31.5MW
Cunghill Kingsmountain 23.8MW
Drumkeen Meentycat 71.0MW
Golagh Golagh 15.0MW
Ardnacrusha Curraghraigue 2.6MW
Ardnacrusha Mienvee 0.7MW
Arigna Corrie Mountain 4.8 MW
Arigna Kilronan 5.0MW
[Mr. N. Dempsey.]

Arigna Spion Kop 1.2MW
Arlow Banks 25.2MW
Ballylickey Kealkil (Curraglass) 8.5MW
Bellacorick 6.5MW
Binbane Burtonport Harbour 0.7MW
Carlow Cronelea Upper 2.6MW
Castlebar Burren [Mayo] 2.1MW
Castlebar Cuilala West 3.4MW
Castlebar Raheen Barr 18.7MW
Cath Fall Anagert 2.0MW
Cath Fall Anagert 1.1MW
Cath Fall Meenadreen 3.4MW
Corderry Altagowlan 7.6MW
Corderry Black Banks 3.4MW
Corderry Black Banks 6.8MW
Corderry Gecvagh 5.0MW
Corderry Moneenatieve 4.0MW
Crane Kilbranish (Greenoge) 5.0MW
Dallow Carrig 2.6MW
Dallow Skehanagh 4.3MW
Dunmanway Coomatallin 6.0MW
Dunmanway Curabwce 4.6MW
Dunmanway Lahanaght Hill 4.3MW
Dunmanway Milane Hill 5.9MW Galway Inis Mean 0.7MW
Galway Inverin (Knock South) 3.3MW
Glenlara Taurbeg 25.3MW
Ikerrin Ballinlough 2.6MW Ikerrin Ballinveny 2.6MW
Knockeragh Gneeves 9.4MW
Letterkenny Cark 15.0MW
Letterkenny Cronalagh 5.0MW
Letterkenny Culliagh 11.9MW
Letterkenny Meenanilta 2.6MW
Letterkenny Meenanilta 2.5MW
Meath Hill Gartnaneane I & II 15.0MW
Shankill Corneen 3.0MW
Somerset Sonnagh Old 7.7MW
Tonroe Largan Hill 5.9MW
Tralee Beenageeha 4.0MW
Tralee Mount Eagle 5.1MW
Tralee Tursillagh 15.2MW
Tralee Tursillagh 6.8MW
Tricn Beale 1.7MW
Tricn Beale 2.6MW
Trillick Crokakheny 5.0MW
Trillick Drumlough Hill 4.8MW
Tullabrack Moanmore 12.6MW
Wexford Carnsore 11.9MW
Total Connected: 592.4MW

**Fisheries Protection.**

353. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the reason he has protected our natural resource and managed it in a sustainable fashion for the benefit of the Irish Bottom Mussel Industry; and if he will make a statement on the matter. [26418/06]

354. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the reason the constitutional rights of the bottom mussel industry were not protected by him; and if he will make a statement on the matter. [26419/06]

355. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the reason since 2000 he took advice from SMAC which is a non-statutory body for the management of mussel resource here, when this action was in breach of his power; and if he will make a statement on the matter. [26420/06]

**Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne):** I propose to take Question Nos. 353 to 355, inclusive, together.

Under the Voisinage Agreement, an international agreement between Ireland and the UK in respect of Irish and Northern Ireland waters, access to the mussel seed fishery is on an All Island basis. Under this agreement, it is required that UK registered vessels licensed by the Northern Ireland authorities to operate in this fishery, must be owned and operated in Northern Ireland. Therefore, in order to provide for the proper management of this stock, it is necessary that it is managed through a process of consultation between the Department, the Department of Agriculture and Rural Development in Northern Ireland and the Loughs Agency.

These joint management arrangements are administrative and serve to ensure the coordinated implementation of the statutory requirements to be adhered to by all those operating in the fishery. These arrangements also serve to coordinate expert technical advice on the management of the fishery, such as opening and closing of the fishery and the allocation of tonnage of seed to be fished by individual operators, so as to ensure a sustainable and equitable level of exploitation. It may be noted that, in response to a call from industry, my Department has initiated a review of the bottom mussel sector, in conjunction with DARDNI and the Loughs Agency, which will involve consultation with industry at local level. As we have seen with other fisheries, participation by industry stakeholders is of key importance to ensuring best practice is followed in management strategies and, I hope this review will strengthen industry representation for the bottom mussel sector and facilitate stakeholder participation in its management.
Coastal Protection.

356. Mr. Morgan asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the EU Directives regarding the quality of waste water issued to seas in Member State coasts; if his further attention has been drawn to the fact that these Directives are being breached every day at Carlingford Lough, County Louth by Louth County Council through discharges from a sewerage scheme at Omeath; the plans he has to end this practice and its adverse effects on shellfish in the Lough; and if he will make a statement on the matter. [26664/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): EU Directives dealing with the quality of waste water generally are a matter in the first instance for the Minister for the Environment, Heritage and Local Government. I have, however, responsibility for the transposition and implementation of Directive 79/923/EEC of 30 October 1979 on the quality required of shellfish waters. On 22 May 2006 I made Regulations entitled the European Communities (Quality of Shellfish Waters) Regulations, 2006 (S.I. No. 268 of 2006) providing for the further transposition of this Directive. One of the areas designated as a shellfish waters under the Regulations is Carlingford Lough.

My Department has, on foot of the making of these Regulations, written to a number of public authorities and agencies whose functions may affect shellfish waters, including all local authorities, drawing their attention to their obligations under the Regulations. These obligations include promoting compliance with the Regulations and, in particular, ensuring that, as far as practicable, the shellfish waters comply with the quality standards specified in Schedule 2 of the Regulations, and taking such action, consistent with the performance of its functions, as will secure compliance with the Regulations and with any programme established by me in accordance with the Regulation. I have established an action programme in respect of each designated area as required by the Regulations. My Department through an inter-Departmental/Public Authority Committee recently established for that purpose will monitor these programmes over time.

International Agreements.

357. Mr. Gregory asked the Minister for Foreign Affairs if his attention has been drawn to the Commonwealth Secretariat assessment of the adjustment costs relating to the implementation of the EU-ACP Economic Partnership Agreements which estimated same to reach over €9 billion; the way in which he expects that this cost will be met; if it is advisable to proceed with EPAs in the absence of certainty that these funds can be raised; and if he will make a statement on the matter. [25638/06]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): My Department has received a copy of the British Commonwealth Secretariat report referred to by the Deputy. My own Department has commissioned research on the fiscal impact of the Economic Partnership Agreements (EPAs), including on our Programme Countries. While it is clear that the EPAs will entail adjustment costs, I am not convinced that the cost assessment undertaken in the Commonwealth paper is accurate. The Commonwealth study includes a number of questionable assumptions. For example, it appears to overestimate the reliance of African, Caribbean and Pacific (ACP) States on customs duties and assumes rapid liberalisation of imports from the EU. Until draft EPAs are available for all six EPA regions, which will include timetables for liberalisation, it will be difficult to make accurate estimates of the adjustment costs involved.

It should also be emphasised that the EPAs will bring benefits as well as costs. These agreements are intended to reverse the marginalisation of ACP States from an increasingly globalised economy. By enlarging ACP markets through regional integration, and by making regulatory frameworks in these countries more transparent, EPAs can create an environment conducive to the private sector and thus function as a vehicle for long-term economic development. Increased trade and economic development will help to offset the adjustment costs entailed by the EPAs. At the ACP-EC Council of Ministers meeting in Papua New Guinea on 1-2 June, the EU made a written declaration on the EPAs. In the declaration, the Commission reaffirmed that the gradually arising needs from the implementation of EPAs will be taken into account in the programming dialogue with the ACP on the end of term review of the 9th EDF and on the resources of the 10th EDF, covering the time period after the entry into force on 1 January 2008. The EU also recalled its commitments to substantially increase Aid for Trade by 2010 in addition to EDF resources.

Diplomatic Representation.

358. Aengus Ó Snodaigh asked the Minister for Foreign Affairs the steps he has taken to recognise the newly declared sovereign State of Montenegro; when an Irish Embassy will be opened there; and if he will make a statement on the matter. [25751/06]

Minister for Foreign Affairs (Mr. D. Ahern): At its meeting on 20 June 2006 the Government, in line with the common EU position as agreed at the General Affairs and External Relations
Council on 12 June, decided to recognise Montenegro as an independent State, and to establish diplomatic relations on a non-resident basis. Our Ambassador in Hungary will be accredited to Montenegro. Following that Government decision, I wrote to the Foreign Minister of Montenegro, Mr Miodrag Vlahovic, informing him of the Government decision and congratulating him on the peaceful and democratic way in which the people of Montenegro made their decision, and on the achievement of their independence.

Military Neutrality.

359. Mr. Allen asked the Minister for Foreign Affairs the number of times that Israeli Air Force planes have utilised airport facilities here to date in 2006; the date or dates such facilities were used by the Israeli Air Force; the reason given for the use of these facilities; and if he will make a statement on the matter. [25815/06]

Minister for Foreign Affairs (Mr. D. Ahern):
There have been three such landings to date this year, all by Boeing 707 aircraft. The first took place on 23 April, the other two on 5 May. The first flight left on 24 April and the others on 7 May. The landings were for refuelling and crew rest. The grant of permission in these cases was made subject to the normal conditions that apply to landings at Irish airports by foreign military aircraft; namely that the aircraft would be unarmed, would carry no arms, ammunition or explosives, would not engage in intelligence gathering, and that the flights in question would not form any part of military exercises or operations. The practice of permitting landings by foreign military aircraft at Irish airports, subject to such conditions, has been in place for more than fifty years.

Departmental Expenditure.

360. Mr. Kenny asked the Minister for Foreign Affairs the proposed spending envelopes approved and set out by his Department for the foreseeable future; the broad objectives to be achieved by spending of such financial envelopes; the timescale set out for achievement of targets; and if he will make a statement on the matter. [25966/06]

Minister for Foreign Affairs (Mr. D. Ahern):
This Department’s capital spending envelope for the five year period 2006 to 2010 is €111 million distributed as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>€31M</td>
<td>€20M</td>
<td>€20M</td>
<td>€20M</td>
<td>€20M</td>
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While a small proportion of My Department’s capital funding is attributed to Vote 29 (International Co-operation), the bulk of the allocation is contained in Vote 28 (Foreign Affairs) and is focused on three specific areas. First, the purchase of premises for our Missions abroad, where it is economically advantageous to do so, and major maintenance projects on existing State owned premises. While the State owns 29 Mission properties abroad, the majority of our Mission premises are leased. The Department has identified Missions where it makes good business sense to buy, rather than rent, premises and is currently actively pursuing a number of purchase options. In order to maintain their representational quality and effectiveness, the Department is also undertaking a number of major maintenance projects in State owned premises abroad. The capital allocation for our Missions also includes provision for furniture and fittings in selected Chanceries and official Residences.

The second area of the Department’s capital spending focuses on the renewal and upgrading of the Department’s ICT infrastructure, including its Automated Passport Services (APS) Project. With 76 offices outside of the State, the efficient business management of the Department requires that it has a secure and effective information and communications network. This requires ongoing maintenance and investment. A particular ICT priority for this year is the completion of the Department’s Global Communications Network. In addition, in a further development of the APS Project, the Department’s capital allocation for 2006 provides for the introduction of a biometric feature in Irish passports.

Finally, the third, and relatively modest, element of the Department’s capital budget relates to the purchase of official vehicles at Missions abroad. While most of these are official cars for Heads of Mission, they would also include heavy vehicles in our Development Aid Missions. Subject to budgetary constraints, the normal practice is to replace official vehicles at three year intervals. With regard to targets, the Deputy will appreciate that the fluidity of property markets makes it very difficult to estimate timescales for the completion of purchases in specific locations. Nevertheless, consistent with the imperative of achieving good value for money, the Department is planning to purchase a small number of Mission premises in 2006. The ICT and vehicle purchase programmes will be ongoing over the 2006-2010 period. However, the Deputy may be interested to know that the Biometrics Project is scheduled for completion in October 2006 and will be delivered on time and to budget.

Information Technology.

361. Mr. Quinn asked the Minister for Foreign Affairs the information technology purchasing requirements, for both hardware and software, in his Department for the second half of 2006; the
requirements for which tender requests have been issued; and if he will make a statement on the matter. [26036/06]

**Minister for Foreign Affairs (Mr. D. Ahern):**
The projected information technology purchasing requirements for the second half of 2006 is set out in the following table. The Department procures all its information technology requirements in accordance with EU and national procurement regulations and in consultation with the Department of Finance. Those requirements, for which tender requests have not yet issued, will be advertised in accordance with the procurement regulations and published on the Government’s procurement website www.e-tenders.gov.ie.

<table>
<thead>
<tr>
<th>Budget to end of 2006</th>
<th>€</th>
</tr>
</thead>
<tbody>
<tr>
<td>Computer equipment Communications equipment and consumables</td>
<td>6,609,272</td>
</tr>
<tr>
<td>Computer software and Software maintenance/licenses</td>
<td>4,381,429</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>10,990,701</strong></td>
</tr>
</tbody>
</table>

For 2006, tenders were issued as follows:

<table>
<thead>
<tr>
<th>Tenders issued</th>
<th>Company awarded contract</th>
</tr>
</thead>
<tbody>
<tr>
<td>Servers Biometrics in passports Infrastructure, switches and routers Firewalls</td>
<td>Dell Bearing Point Lan Communications, Cara and Entropy Tender to issue</td>
</tr>
<tr>
<td>Video conferencing units Satellite phones</td>
<td>Systems Video AST Connections</td>
</tr>
<tr>
<td>PC's Printers</td>
<td>Department of Finance framework agreement Tender to issue</td>
</tr>
<tr>
<td>Antivirus solution. System replication solution</td>
<td>Tender to issue Deft</td>
</tr>
<tr>
<td>Consumables</td>
<td>Datapac, EDS, Supplies Team and Ergo</td>
</tr>
</tbody>
</table>

362. Mr. Quinn asked the Minister for Foreign Affairs his Department’s information technology purchasing policy; and if he will make a statement on the matter. [26051/06]

**Minister for Foreign Affairs (Mr. D. Ahern):**
The Department of Foreign Affairs procures all its information technology requirements in accordance with EU and national procurement regulations and in consultation with the Department of Finance. Those requirements, for which tender requests have not yet issued, will be advertised in accordance with the procurement regulations and published on the Government’s procurement website www.e-tenders.gov.ie. The Department procures all its information technology requirements in accordance with EU and national procurement regulations and in consultation with the Department of Finance. The Department does not use company size or turnover as criteria for awarding contracts and as such does not have access to details relating to a respondent’s SME status. The Department has no weighting system in place to favour any single business sector and endeavours to award contracts for its information technology requirements in an open and fair manner, ensuring the best value for money to the Department and to the Exchequer. The Department has no constraints which preclude SMEs from competing in or being awarded tenders issued by the Department of Foreign Affairs.

363. Mr. Quinn asked the Minister for Foreign Affairs the percentage of information technology spend in his Department that went to Irish SMEs in each year from 2002 to date in 2006; the percentage for European Union and European Economic Area SMEs; if systems are in place in his Department’s procurement procedures to give preference to SMEs, such as the weighting system in place in the Local Government Computer Services Board; and if he will make a statement on the matter. [26066/06]

**Minister for Foreign Affairs (Mr. D. Ahern):**
The Department of Foreign Affairs procure all its information technology requirements in accordance with EU and national procurement regulations and in consultation with the Department of Finance. The Department does not use company size or turnover as criteria for awarding contracts and as such does not have access to details relating to a respondent’s SME status. The Department has no weighting system in place to favour any single business sector and endeavours to award contracts for its information technology requirements in an open and fair manner, ensuring the best value for money to the Department and to the Exchequer. The Department has no constraints which preclude SMEs from competing in or being awarded tenders issued by the Department of Foreign Affairs.

364. Mr. Quinn asked the Minister for Foreign Affairs the average size of information technology procurement contracts in his Department; the median size of such contracts; and if he will make a statement on the matter. [26081/06]

**Minister for Foreign Affairs (Mr. D. Ahern):**
The average size of information technology procurement contracts currently awarded by the Department of Foreign Affairs is €1,038,379. The Department’s figure is unusually high due to the information technology elements of the biometrics in passports project underway at present.

365. Mr. Quinn asked the Minister for Foreign Affairs the steps he is taking to support the development of the indigenous software industry through his Department’s public procurement process; and if he will make a statement on the matter. [26096/06]
Minister for Foreign Affairs (Mr. D. Ahern): The Department of Foreign Affairs procures all its information technology requirements including software in accordance with EU and national procurement regulations and in consultation with the Department of Finance. The Department endeavours to award all contracts for its information technology requirements in an open and fair manner, ensuring the best value for money to the Department and to the Exchequer.

**Sporting Facilities.**

366. Cecilia Keaveney asked the Minister for Arts, Sport and Tourism if the committee that he has committed to form under the aegis of his Department to coordinate the various agencies that will progress the 2012 Olympics in London, to maximise the sporting potential of athletes here, has been formed; and if he will make a statement on the fact that time is passing and Ireland’s ability to have a long-term rather than short run into the Olympics relies on quick action at this point. [25576/06]

368. Cecilia Keaveney asked the Minister for Arts, Sport and Tourism if the committee that he has committed to form under the aegis of his Department to co-ordinate the various agencies that will progress the 2012 Olympic Games in London, to maximise the economic potential that a sporting event of this scale offers, has been formed; and if he will make a statement on the fact that time is passing and Ireland’s ability to have a long-term structured and marketed programme relies on quick action at this point. [25697/06]

Minister for Arts, Sport and Tourism (Mr. O’Donoghue): I propose to take Questions Nos. 366 and 368 together.

I have recently finalised details of the membership of the proposed task force to oversee the development of a strategy to ensure maximum benefit is derived from our proximity to the London Olympics in 2012, details of which I will be announcing shortly.

Drawing on the expertise of people from across the sport, tourism, cultural and business sectors, the aim of the task force is to examine possible opportunities and identify the priority areas of interest to ensure Ireland adopts a strategic approach to make the most of this unique opportunity. I expect the group to begin their work at this point. [25597/06]

Minister for Arts, Sport and Tourism (Mr. O’Donoghue): As I indicated in my reply to Parliamentary Questions No. 128 and 129 on 8 June last, the Expenditure Review of the Local Authority Swimming Pool Programme which my Department is carrying out is examining, among other things, how it has worked to date and what changes, if any, are required to ensure its effective and efficient delivery. On completion of this Review, the question of re-opening the programme can be considered and if re-opened, it will be open to all local authorities to submit applications.

**Question No. 368 answered with Question No. 366.**

**Official Engagements.**

369. Aengus Ó Snodaigh asked the Minister for Arts, Sport and Tourism the plans for cultural and sporting exchanges to the newly declared sovereign State of Montenegro; and if he will make a statement on the matter. [25754/06]

Minister for Arts, Sport and Tourism (Mr. O’Donoghue): As the Government only very recently recognised the Republic of Montenegro as a sovereign, independent state my Department, as yet, has no specific plans in place for cultural and sporting exchanges. I look forward however to exploring the scope for the development of such exchanges with the Republic of Montenegro in the future.

**Departmental Expenditure.**

370. Mr. Kenny asked the Minister for Arts, Sport and Tourism the proposed spending envelopes approved and set out by his Department for the foreseeable future; the broad objectives to be achieved by spending of such financial envelopes; the timescale set out for achievement of targets; and if he will make a statement on the matter. [25967/06]

Minister for Arts, Sport and Tourism (Mr. O’Donoghue): As current, day-to-day expenditure for my Department has not been agreed beyond the figures published in the 2006 Revised Estimates Volume, my reply deals solely with the Arts, Sport and Tourism Ministerial Vote Group 5-year Capital Investment Framework for the period 2006-2010. The 5-year capital envelope agreed for my Department and the National Gallery for 2006-2010 is set out on page 11 of the Public Capital Programme 2006, published by the Department of Finance in February last. The total Exchequer and PPP provisions included in the envelope are as follows: in the July 2006 review of the local authority swimming pool programme; and if he will make a statement on the matter. [25597/06]
However, the only element of the envelope for which detailed spending plans by subhead have been approved relates to 2006, as outlined in the 2006 Revised Estimates Volume and Public Capital Programme and these are as follows:

<table>
<thead>
<tr>
<th>Subhead</th>
<th>2006</th>
<th>€000’s</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.5 Office machinery &amp; other office supplies</td>
<td></td>
<td>541</td>
</tr>
<tr>
<td>B.1 Fáilte Ireland (Grant-in-aid)</td>
<td></td>
<td>2,821</td>
</tr>
<tr>
<td>B.5 Tourism Product Development (Grant-in-aid)</td>
<td></td>
<td>3,000</td>
</tr>
<tr>
<td>C.1 Grants for sporting bodies &amp; the provision of sports &amp; recreational facilities (part funded by National Lottery)</td>
<td></td>
<td>62,724</td>
</tr>
<tr>
<td>C.2 Grants for provision &amp; renovation of swimming pools</td>
<td></td>
<td>22,800</td>
</tr>
<tr>
<td>C.4 Sports Campus Ireland</td>
<td></td>
<td>9,500</td>
</tr>
<tr>
<td>C.5 Lansdowne Road</td>
<td></td>
<td>20,000</td>
</tr>
<tr>
<td>C.6 Horse &amp; Greyhound Racing Fund</td>
<td></td>
<td>9,987</td>
</tr>
<tr>
<td>D.2 General expenses of the National Archives &amp; National Archives Advisory Council</td>
<td></td>
<td>1,100</td>
</tr>
<tr>
<td>D.3 General expenses of the Irish Museum of Modern Art, Chester Beatty Library, National Concert Hall &amp; the Crawford Gallery (Grant-in-Aid)</td>
<td></td>
<td>2,908</td>
</tr>
<tr>
<td>D.4 Cultural Projects</td>
<td></td>
<td>400</td>
</tr>
<tr>
<td>D.5 Cultural Infrastructure</td>
<td></td>
<td>45,000</td>
</tr>
<tr>
<td>D.7 An Chomhairle Ealaíon (Part funded by National Lottery)(Grant-in-Aid)</td>
<td></td>
<td>3,670</td>
</tr>
<tr>
<td>D.8 General expenses of the National Museum of Ireland (Grant-in-Aid)</td>
<td></td>
<td>6,626</td>
</tr>
<tr>
<td>D.9 General expenses of the National Library of Ireland (Grant-in-Aid)</td>
<td></td>
<td>2,350</td>
</tr>
<tr>
<td>D.10 Irish Film Board</td>
<td></td>
<td>15,000</td>
</tr>
<tr>
<td>Department subtotal</td>
<td></td>
<td>208,427</td>
</tr>
<tr>
<td>V. 33 National Gallery</td>
<td></td>
<td>1,260</td>
</tr>
<tr>
<td>Exchequer Total</td>
<td></td>
<td>209,687</td>
</tr>
<tr>
<td>PPP / NDFA</td>
<td></td>
<td>30,000</td>
</tr>
<tr>
<td>Envelope Total</td>
<td></td>
<td>239,687</td>
</tr>
</tbody>
</table>

In addition to the 2006 Voted allocations listed above, a further €16.5 million is available to my Department this year by way of application in unspent 2005 appropriations to capital supply services, known as the Deferred Surrender. The subheads under which the Deferred Surrender is to be applied is as follows:

<table>
<thead>
<tr>
<th>Subhead</th>
<th>€000’s</th>
</tr>
</thead>
<tbody>
<tr>
<td>B.5 Tourism Product Development (Grant-in-aid)</td>
<td>2,000</td>
</tr>
<tr>
<td>C.1 Grants for sporting bodies &amp; the provision of sports &amp; recreational facilities (part funded by National Lottery)</td>
<td>5,000</td>
</tr>
<tr>
<td>C.2 Grants for provision &amp; renovation of swimming pools</td>
<td>9,500</td>
</tr>
<tr>
<td>Total</td>
<td>16,500</td>
</tr>
</tbody>
</table>

The main elements of the 2006 capital provision include some €45m funding for development of Arts and Culture infrastructure, almost €68m for grants to organisations towards the provision of sports facilities, over €32m for grants towards the development of public swimming pools, €20m towards the redevelopment of Lansdowne Road stadium and over €9m towards the development of Phase 1 of the Sports Campus at Abbotstown.

While the 2007-2010 global allocations allow my Department to plan capital development pro-
In addition to financial support, Fingal County Council is assisted in the running of Morton Stadium by a Management Committee that includes representatives both of the Irish Sports Council and my Department. The Management Committees objective is to ensure that the Stadium and its facilities are maintained at an acceptable standard and remain available for use both as training facility and for major spectator events by athletics. Any future proposals for the use of Morton Stadium will be considered so as to ensure that the Stadium is operated in a cost effective and efficient manner and continues to be available to meet the needs of Athletics.

**Sports Funding.**

372. Mr. Perry asked the Minister for Arts, Sport and Tourism the details of submissions, requests or proposals made to him in relation to the provision of financial support from public funds to amateur sports persons who have represented their country or county in high quality competition; the Government policy in relation to such requests; and if he will make a statement on the matter. [26012/06]

**Minister for Arts, Sport and Tourism (Mr. O’Donoghue):** The Irish Sports Council was set up as a statutory body in July 1999 with responsibility for the development of sport, increasing participation at all levels and raising standards. The provision in funding for the Irish Sports Council in the 2006 Estimates is €40.9 million, in comparison to just over €13 million in 2000. The Sports Council provides funding to recognised National Governing Bodies (NGBs) which are dealt with as autonomous organisations and grants are allocated under agreed funding conditions and with specific priorities in mind. The grant allocation process is run on an annual basis by the Sports Council, with NGBs submitting an application form covering their programmes for the coming year.

The Sports Council also administers the International Carding Scheme to support aspiring athletes and players. This scheme provides direct support in terms of grant-aid and indirect support in terms of sport science and medical backup to athletes. In 2006, Ireland’s elite athletes and players received €1.92 million in grants under the International Carding Scheme. My Department has no role in the level of annual funding provided to individual national governing bodies of sport or to athletes and players under the International Carding Scheme.

However, the Gaelic Players Association (GPA) submitted proposals to me for a grant scheme for GAA players and I met with the GPA on 8th March, 2006 in this regard. I also met with the President of the GAA and officials on 16th May last in relation to this issue. At both of these meetings, I indicated that this issue is, in the first instance, a matter for the governance structures
within the GAA itself, as the national governing body, to determine how best the important contribution of its own elite players should be recognised.

Information Technology.

373. Mr. Quinn asked the Minister for Arts, Sport and Tourism the information technology purchasing requirements, for both hardware and software, in his Department for the second half of 2006; the requirements for which tender requests have been issued; and if he will make a statement on the matter. [26037/06]

374. Mr. Quinn asked the Minister for Arts, Sport and Tourism his Department’s information technology purchasing policy; and if he will make a statement on the matter. [26052/06]

375. Mr. Quinn asked the Minister for Arts, Sport and Tourism the percentage of information technology spend in his Department that went to Irish SMEs in each year from 2002 to date in 2006; the percentage for European Union and European Economic Area SMEs; if systems are in place in his Department’s procurement procedures to give preference to SMEs, such as the weighting system in place in the Local Government Computer Services Board; and if he will make a statement on the matter. [26067/06]

376. Mr. Quinn asked the Minister for Arts, Sport and Tourism the average size of information technology procurement contracts in his Department; the median size of such contracts; and if he will make a statement on the matter. [26082/06]

Minister for Arts, Sport and Tourism (Mr. O’Donoghue): I propose to take Questions Nos. 373 to 376, inclusive, together.

My Department currently estimates that it has requirements of approximately €202,000 for hardware and €22,500 for software for the second half of 2006. Thus far in 2006 the Department has tendered for hardware valued at €78,000.

My Department follows the Public Procurement Guidelines issued by the Department of Finance and the relevant EU Directives in all its information technology purchasing. My Department does not keep records of suppliers data based on nationality or size of enterprise. My Department does not use the LGCSB weighting system. The average invoice value in relation to IT purchases in my Department since its foundation is €2,593.38. In the time available, given the number of discrete IT purchases involved, it was not possible to complete a full frequency distribution of observed values or quantities such that exact medians could be established. The most frequently occurring value of purchase is, however, €925.65 (in respect of the Dell Optiplex 170L).

Departmental Programmes.

377. Mr. Quinn asked the Minister for Arts, Sport and Tourism the steps he is taking to support the development of the indigenous software industry through his Department’s public procurement process; and if he will make a statement on the matter. [26097/06]

Minister for Arts, Sport and Tourism (Mr. O’Donoghue): I have no statutory function in the matter referred to by the Deputy.

378. Mr. English asked the Minister for Arts, Sport and Tourism the grant programmes available from his Department and the deadlines for each programme. [26299/06]

Minister for Arts, Sport and Tourism (Mr. O’Donoghue): My Department is responsible for the administration of three grant programmes — the Sports Capital Programme, the Arts and Culture Capital Enhancement Scheme (ACCESS) and the Local Authority Swimming Pools Programme.

The Sports Capital Programme funds the provision of sports facilities across the country. Applications for funding under the 2006 programme were invited through advertisements in the press on November 27th and 28th last. All applications received before the deadline of January 20th were evaluated against the programme’s assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I announced details of the provisional grant allocations for local projects on June 6th last and I will be announcing further allocations in the coming weeks for the national, regional and municipal projects throughout the country.

No date has been set for receipt of applications for the next round of the programme but I plan to make an announcement in that regard later in the year. The ACCESS programme provides capital grants to arts and cultural centres around the country. The current programme ACCESS 2001-2004 is fully allocated and closed for applications. I hope to make an announcement on a successor scheme shortly. The current round of the Local Authority Swimming Pools Programme has been closed to new applicants since July 2000. An expenditure review of the Programme is scheduled for completion late this year, following which the question of launching a new Programme will be considered.

Departmental Investigations.

379. Mr. Wall asked the Minister for Arts, Sport and Tourism the position of the Dalton Report; when will it be placed in the Library of the Houses of the Oireachtas or published; and if he will make a statement on the matter. [26366/06]
Tourism Promotion.

380. Mr. Crawford asked the Minister for Arts, Sport and Tourism the funding he is providing for the promotion of tourism in the Border region; if he has satisfied himself that there is sufficient cross border involvement to maximise the tourism potential of that area; and if he will make a statement on the matter. [26367/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The allocation of funding to specific cross-border initiatives is a day-to-day matter for Fáilte Ireland and Tourism Ireland. As the Deputy will be aware, I have secured an unprecedented level of funding for tourism promotion generally which has been distributed to the Tourism agencies to support their business plans this year. The Deputy will also be aware that the promotion of tourism in the BMW area is a key priority under the National Development Plan and has been prioritised again in the objectives and targets set out in the “New Horizons for Irish Tourism” report where the target is to double the number of overseas promotable visitors staying at least one night in the Border Midland and Western (BMW) region by 2012.

In terms of North-South cooperation, tourism is widely considered to be the best example of the tangible benefits to be derived from working together on an all-island basis. The work of the Tourism Agencies, North and South, and their business partners continues to inspire all of those who are working towards a vision of an island economy based on practical co-operation and mutual benefit. Through the all-island Tourism Marketing Partnership, the three tourism agencies — Tourism Ireland, Fáilte Ireland and the Northern Ireland Tourist Board — together with the industry on the island are working to develop a cohesive and integrated approach to their overseas marketing activities, including potential synergies in Niche/Special Interest Tourism areas. Apart from the international marketing of Ireland as a single tourist destination, there are many other initiatives currently underway to promote cross-border tourism. These include Rally Ireland, the cross-border event held in March to showcase Ireland as a suitable venue for a World Rally Championship event; the North West Passage tourist route; the North West Trail for cycling and walking; Destination North West, a cross-border co-operative arrangement between tourism development and marketing agencies in the Northwest region, Glens and Lakelands is a similar linked venture covering Cavan, Monaghan and parts of Antrim; Green Box Eco-Tourism project, an EU-funded project designating a cross-border area as Ireland’s first integrated eco-tourism destination, which also incorporates the EU-funded Kingfisher Cycle trail; North-South co-operation in the field of tourism statistics. The development of closer cooperation on tourism research has also been identified as a key priority going forward.

In terms of future cross-border initiatives, I understand the three tourism Agencies on the island have been working together to identify priorities for tourism development in the border region and the results of this work will feed into the development of the next Interreg and Peace Programmes.

Work Permits.

381. Mr. G. Murphy asked the Minister for Enterprise, Trade and Employment his views on the work visa application of a person (details supplied). [25994/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The above named individual entered the State on a Holiday Working Visa. This person could be the subject of a work permit application and the normal requirements would apply. If successful this permit would only take effect from the date of expiry of the Holiday Working Visa. The issue as to whether she can remain in the State while making an application for a work permit is a matter for my colleague the Minister for Justice, Equality and Law Reform.

Property Management Companies.

382. Mr. Timmins asked the Minister for Enterprise, Trade and Employment the situation with respect to home owners who signed up to a management company and where the builders who were originally members of that management company, have resigned; the recourse which is available to them; and if he will make a statement on the matter. [26133/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The basic principle in company law is that the shareholders or members control the company. If the builders resign their membership the remaining shareholders control the company and may take decisions accordingly. If the remaining shareholders in this particular instance believe that the builders have breached company law they should make a complaint to the Office of the Director of Corporate Enforcement. Full contact details for the Office can be found at www.odce.ie. If there are issues other than company law at issue the homeowners/shareholders in question may wish to consult their own legal adviser.
EU Regulations.

383. Mr. Deenihan asked the Minister for Enterprise, Trade and Employment if previous replies to Dáil Éireann questions in relation to EU Regulation 2064/97 should be corrected; and if he will make a statement on the matter. [26191/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I would ask the Deputy to please contact my office to discuss any inaccuracies that he perceives were included in previous replies to Dáil Éireann questions in relation to EU regulation 2064/97.

Industrial Development.

384. Mr. Wall asked the Minister for Enterprise, Trade and Employment the number of portfolios of potential industrial sites, businesses or potential entrepreneurial opportunities from the Kildare south constituency that he or his officials or the officials of any State agency that accompanied him on the trade mission to Japan and China; and if he will make a statement on the matter. [25527/06]

385. Mr. Wall asked the Minister for Enterprise, Trade and Employment the number of companies from the Kildare south constituency that were contacted in regard to the trade mission to Japan and China; and if he will make a statement on the matter. [25528/06]

386. Mr. Wall asked the Minister for Enterprise, Trade and Employment the constitution of the trade delegation to Japan and China in June 2006; the format used to determine the companies or organisations that are on the delegation; and if he will make a statement on the matter. [25529/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 384 to 386, inclusive, together.

Potential participants on any Enterprise Ireland organised trade event are canvassed in advance to ascertain their interest in becoming involved. The canvass is based on existing exporters to that particular market; potential exporters identified by Enterprise Ireland and companies which Enterprise Ireland has previously worked with in the market. Organisations such as the Chambers of Commerce, County Enterprise Boards, Irish Exporters Association and bodies such as Bord Bia and BIM may also be approached, where appropriate, to ascertain their interest and that of their members in participation. This process is not dealt with on a geographical basis and, given the different strands involved, as set out above, it is not possible to say definitively how many specific organisation in County Kildare may have been canvassed.

The composition of the 30 companies who participated in last week’s Trade Mission to Japan is as follows:

<table>
<thead>
<tr>
<th>Sector</th>
<th>No. of Participating Companies</th>
</tr>
</thead>
<tbody>
<tr>
<td>ICT and Technology</td>
<td>15</td>
</tr>
<tr>
<td>Food</td>
<td>5</td>
</tr>
<tr>
<td>Engineering Services</td>
<td>3</td>
</tr>
<tr>
<td>Aeronautical</td>
<td>2</td>
</tr>
<tr>
<td>Financial</td>
<td>2</td>
</tr>
<tr>
<td>Healthcare</td>
<td>2</td>
</tr>
<tr>
<td>Consumer</td>
<td>1</td>
</tr>
</tbody>
</table>

These companies did not opt to participate in the China leg of the visit.

The focus of the Chinese part of the Mission was the consolidation of existing trade and economic relations with China. This involved a range of events, including the opening of representational offices for Tourism Ireland and the IDA, opening of two new Enterprise Ireland incubator units in Shanghai and Beijing, as well as other promotional events and the signature of company agreements. On this particular Trade Mission, none of the 30 companies were from County Kildare. In relation to specific sites or facilities in Kildare, or indeed, elsewhere, this would not arise, as Trade Missions do not have a specific geographical focus.

The objectives of the Mission were to raise awareness of Ireland as a source of world class products and services in the Japanese market; to assist Enterprise Ireland client companies in developing existing business and securing new business in the Japanese market; to highlight the successes of Irish companies in Japan and create a more positive image of Japan within the Irish business community.

Job Losses.

387. Mr. Eamon Ryan asked the Minister for Enterprise, Trade and Employment the job losses which have been successfully identified in advance by his Department’s internal warning system; the actions which were taken as a consequence thereof; and if he will make a statement on the matter. [25530/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Early Warning System of potential job losses and firms in difficulty operating in my Department is an internal system based on material provided on a confidential basis through IDA Ireland, Enterprise Ireland and Shannon Development. Not only is the information confidential, but it is also very sensitive. Indeed, the information is provided initially by the relevant companies on the basis that it will be treated as both confidential and sensitive. It is
important for the companies in question that no advantage is given away to their competitors.

Notification of firms in difficulty can range from a number of hours to a number of months. Clearly, the earlier the notification the more time there is for the Industrial Development agencies to work with the companies to minimise potential job losses or avoid them completely if alternative business can be secured. The actions of the agencies in this regard are handled on a one to one basis with each individual client and it is of the utmost importance that the client/agency confidential working relationship is upheld.

I am satisfied with the system that is currently in operation but I am acutely aware that it can only continue to operate if all parties continue to respect the sensitive and confidential nature of this work.

Citizenship Applications.

388. Mr. Timmins asked the Minister for Enterprise, Trade and Employment the position in relation to students whose parents have long term residency visas and have been here for over five years and who are applying for Irish citizenship or naturalisation is a matter for my colleague the Minister for Justice, Equality and Law Reform. As regards persons in the situation to which the Deputy refers, I will be examining their position as part of the implementation of the new economic migration arrangements which I intend to introduce by the end of the year. In the meantime, any applications for work permits on behalf of in this position will be examined sympathetically.

Inward Investment Strategy.

389. Mr. Morgan asked the Minister for Enterprise, Trade and Employment the progress that has been made to date in respect of negotiations with the Northern Ireland Office regarding the development of a single inward investment strategy for the whole island; and when it is expected such a strategy will be in place. [25627/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): A comprehensive study is currently underway to identify opportunities for further practical North/South co-operation on the development of a more competitive and prosperous all-island economy. The study, which was agreed by my colleague the Minister for Foreign Affairs, Mr. Dermot Ahern T.D. and the Secretary of State for Northern Ireland, Mr Peter Hain M.P., at the British-Irish InterGovernmental Conference in February, is being carried out under the direction of key policy Departments, North and South, including my Department. Representatives of the business community, North and South, are participating in the work of the study.

The initial focus of the study is on the potential for further co-operation around the strategic areas of science, technology and innovation; labour market skills; enterprise and business development; and trade and investment promotion, which will deliver mutual benefits and tangible outcomes. InterTradeIreland is providing the secretariat for the study and is working closely with relevant Departments, agencies and business interests, North and South. A progress report was submitted to the British-Irish InterGovernmental Conference in May and a further report is being prepared. As the final report is not expected until the Autumn, it is therefore not possible to pre-empt the conclusions from the study for further North/South co-operation.

In addition to the comprehensive study IDA Ireland (IDA) and Invest Northern Ireland (INI) continue to identify and pursue collaborative cross-border initiatives. The Boards of both agencies hold an annual joint Board meeting to update each other on issues such as strategy, opportunities for collaboration, EU affairs and other topics of mutual interest. These high level Board meetings have resulted in a commitment to establish a Virtual Cross-Border Technology Park initiative. This is currently being progressed by executives from both IDA and INI and is the most current and practical example of joint efforts to create a platform for the development of new economy enterprises in the North-West of the island.

IDA closely monitors other issues with a North/South dimension such as energy, transportation, infrastructure development, spatial planning and opportunities for improved collaboration or co-ordination are highlighted for the appropriate authorities on an on-going basis.

Work Permits.

390. Mr. Perry asked the Minister for Enterprise, Trade and Employment if he has received a work permit application for a person (details supplied) in County Sligo; when same will be approved; and if he will make a statement on the matter. [25654/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The work permits section received a work permit application in respect of the above named individual on 1st June 2006. I am informed that the section has recently
approved this application. The permit will issue when the individual’s original work permit is returned. The section has written to the original employer requesting its return.

**Trade Issues.**

391. Aengus Ó Snodaigh asked the Minister for Enterprise, Trade and Employment if he will report on plans for an official trade delegation to travel to Montenegro to support them as a newly declared sovereign State in Europe; when same will occur; and if he will make a statement on the matter. [25752/06]

392. Aengus Ó Snodaigh asked the Minister for Enterprise, Trade and Employment if he will report on the balance of trade between Montenegro and Ireland; and if he will make a statement on the matter. [25753/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. M. Ahern): I propose to take Questions Nos. 391 and 392 together.

In 2005, Ireland’s exports to Serbia and Montenegro were €5,470,000 (down from €14,831,000 in 2004) and our imports from that country were €593,000 (down from €1,477,000 in 2004). As Montenegro did not exist as a separate country then, a breakdown of this trade between the two parts of the former State is not available.

At present, Enterprise Ireland clients do not view Montenegro as a priority export market. In particular, given the low level of Irish exports to the former State of Serbia and Montenegro and the focus by clients on other markets with greater potential for trade, there is no evidence of interest by Enterprise Ireland clients in participating in a trade delegation to Montenegro in the near future.

**Departmental Expenditure.**

393. Mr. Kenny asked the Minister for Enterprise, Trade and Employment the proposed spending envelopes approved and set out by his Department for the foreseeable future; the broad objectives to be achieved by spending of such financial envelopes; the timescale set out for achievement of targets; and if he will make a statement on the matter. [25968/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): In accordance with the provisions of the Capital Investment Framework, a capital spending envelope for the five year period 2006-2010 has been approved for my Department by the Minister for Finance. The total value of the five year capital spending envelope is €2,494.1 million. This funding relates to capital expenditure programmes operated by a number of my Department’s agencies. The following table sets out the full allocation to each agency/programme over the period 2006-2010:

<table>
<thead>
<tr>
<th>Agency/programme</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>InterTrade Ireland (Business support)</td>
<td>€6,611</td>
<td>7,309</td>
<td>7,714</td>
<td>8,224</td>
<td>8,700</td>
<td>38,558</td>
</tr>
<tr>
<td>IDA (Grants to Industry)</td>
<td>84,000</td>
<td>99,000</td>
<td>103,000</td>
<td>106,000</td>
<td>95,000</td>
<td>487,000</td>
</tr>
<tr>
<td>IDA (Building Operations)</td>
<td>17,300</td>
<td>3,400</td>
<td>3,500</td>
<td>3,500</td>
<td>3,500</td>
<td>31,200</td>
</tr>
<tr>
<td>Enterprise Ireland (Grants to Industry)</td>
<td>48,300</td>
<td>49,300</td>
<td>48,800</td>
<td>49,600</td>
<td>51,100</td>
<td>247,100</td>
</tr>
<tr>
<td>Enterprise Ireland (Grant for Capital requirements)</td>
<td>3,900</td>
<td>3,400</td>
<td>3,400</td>
<td>3,400</td>
<td>3,400</td>
<td>17,500</td>
</tr>
<tr>
<td>Shannon Development (Grants to Industry)</td>
<td>3,300</td>
<td>3,000</td>
<td>3,050</td>
<td>2,000</td>
<td>1,500</td>
<td>12,850</td>
</tr>
<tr>
<td>Science and Technology and Innovation Programmes</td>
<td>232,865</td>
<td>250,322</td>
<td>278,032</td>
<td>303,446</td>
<td>339,300</td>
<td>1,403,965</td>
</tr>
<tr>
<td>City and County Enterprise Boards (Grants for Enterprise Development)</td>
<td>17,600</td>
<td>18,022</td>
<td>18,454</td>
<td>19,376</td>
<td>20,000</td>
<td>93,452</td>
</tr>
<tr>
<td>National Standards Authority of Ireland</td>
<td>834</td>
<td>742</td>
<td>550</td>
<td>1,558</td>
<td>1,500</td>
<td>5,184</td>
</tr>
<tr>
<td>FÁS</td>
<td>30,390</td>
<td>25,505</td>
<td>12,500</td>
<td>12,896</td>
<td>16,000</td>
<td>97,291</td>
</tr>
<tr>
<td>Decentralisation projects</td>
<td>—</td>
<td>20,000</td>
<td>20,000</td>
<td>20,000</td>
<td>—</td>
<td>60,000</td>
</tr>
<tr>
<td>Total demand</td>
<td>445,100</td>
<td>480,000</td>
<td>499,000</td>
<td>530,000</td>
<td>540,000</td>
<td>2,494,100</td>
</tr>
</tbody>
</table>

The majority of the funding will be used to promote enterprise development and growth through employment grants, training grants, management development grants, grants for fixed assets and grants for research, development and innovation. Funding will also be used by IDA Ireland to support the provision of high specification property solutions as part of its strategy to continue to attract Foreign Direct Investment to Ireland. The allocation to the National Standards Authority of Ireland will fund the purchase of technical equipment, laboratory equipment, vehicles, accommodation, IT requirements and an extension to the agency’s Limerick office. Funding to FÁS will provide for the refurbishment of its training centres and the purchase and replacement of training equipment.

The 2006 allocation to FÁS includes a sum of €4 million in respect of the agency’s decentralis-
[Mr. Martin.]  

ation programme. A further €60 million is provided for subsequent years of the capital spending envelope for decentralisation costs relating to FAS, Enterprise Ireland, the Health and Safety Authority and the National Standards Authority of Ireland. It is expected that the funding for Science, Technology and Innovation programmes set out above will be increased in the course of the annual Estimates campaigns to support the Strategy for Science, Technology and Innovation 2006-2013 which was recently published by the Government.

Most of the capital expenditure programmes administered by my Department’s agencies involve grant schemes which operate year-on-year. I will set out the main targets to be achieved under these programmes in the presentation of my Department’s annual Estimate to the Select Committee on Enterprise and Small Business each year.

Industrial Development.

394. Mr. Kenny asked the Minister for Enterprise, Trade and Employment the extent and nature of the facilities available in Castlebar, County Mayo, and owned and available to the IDA for use by potential investors; if he has satisfied himself that these facilities are appropriate for a town of its size and population; and if he will make a statement on the matter. [25995/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): IDA Ireland is an autonomous statutory agency set up under the Industrial Development Acts 1986-2003. The Agency operates in accordance with the provisions of the Acts and under the aegis of my Department. Consequently the management of IDA Ireland’s industrial property portfolio, including the purchase of land and the creation of business parks, is a day-to-day operational matter for the Agency and not a matter in which I have a function.

In line with the National Spatial Strategy, IDA Ireland is committed to the achievement of balanced regional development and seeks to attract Foreign Direct Investment into the gateway and hubs as well as a small number of additional towns. In Mayo, the Agency concentrates on the linked hubs of Ballina and Castlebar and on Westport. Through its network of overseas offices, IDA is actively marketing and promoting these towns for Greenfield investment. IDA Ireland has informed me that its sectoral emphasis for the West Region, which includes Mayo, is on attracting new knowledge intensive projects in the Medical Technologies, Life Sciences, Information Communications and Technology and International Services sectors. To ensure that Mayo has appropriate property solutions, tailored to specific key sectoral targets, the Agency is investing significantly in the development of world class Business and Technology Parks in a number of towns throughout the county.

In Castlebar, the Agency has developed a Business and Technology Park on a 29-acre site, of which 16 acres are currently available for investment projects. The Agency is satisfied that this facility will be sufficient to service the needs of potential investors in the area for the foreseeable future. Planning permission for the construction of one 20,000 sq. ft. Advance Technology Building and three office buildings has been secured and tenders for the construction of the Advance Technology Building are currently being evaluated.

395. Mr. Kenny asked the Minister for Enterprise, Trade and Employment the number of visits to Castlebar, County Mayo organised by the IDA to facilitate investment there that have been conducted each year since 2000; the number of jobs that have been established as a consequence; the investment involved; and if he will make a statement on the matter. [25997/06]

402. Mr. Kenny asked the Minister for Enterprise, Trade and Employment the number of visits to Ballina, County Mayo organised by the IDA to facilitate investment there that have been conducted each year since 2000; the number of jobs that have been established as a consequence; the investment involved; and if he will make a statement on the matter. [26172/06]

403. Mr. Kenny asked the Minister for Enterprise, Trade and Employment he number of visits to Claremorris, County Mayo organised by the IDA to facilitate investment there that have been conducted each year since 2000; the number of jobs that have been established as a consequence; the investment involved; and if he will make a statement on the matter. [26173/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 395, 402 and 403 together.

IDA Ireland is the agency with statutory responsibility for the attraction of foreign direct investment (FDI) to Ireland and its regions. The marketing of individual areas and towns for new or expansion FDI investments and jobs is a day-to-day operational matter for the agency. While I may give general policy directives to the agency, I am precluded under the Acts from giving directives regarding individual undertakings or from giving preference to one area over others.

Since the beginning of 2000 IDA Ireland has facilitated a total of twenty-two site visits by potential investors to the towns of Castlebar, Ballina and Claremorris. Details of these visits are set out in the attached tabular statement. One of these site visits resulted in Fort Wayne Metals Ireland (FWMI) establishing in Castlebar Co. Mayo in 2002. The company is a subsidiary of pri-
vately owned Fort Wayne Metals, the leading manufacturer of guide-wire, which is headquartered in Indiana, USA. Fort Wayne currently employs approximately 30 people at its Castlebar facility. For reasons of commercial sensitivity it is not possible to disclose the investment involved in the project.

In line with the National Spatial Strategy, IDA Ireland is committed to the achievement of balanced regional development and seeks to attract Foreign Direct Investment into the gateway and hubs as well as a small number of additional locations. In Mayo, the Agency is concentrating on the linked hubs of Ballina and Castlebar and on Westport. IDA Ireland has advised me that they are actively working towards maximizing the level of high value sustainable FDI employment opportunities in Mayo and in the West region by investing in the provision of focused property solutions to support this objective. Specifically, IDA Ireland is developing world class Business and Technology Parks in a number of towns throughout Mayo. IDA Ireland’s sectoral emphasis is on attracting new knowledge intensive projects in the Medical Technologies, Life Sciences, Information Communications and Technology and International Services sectors. In addition the agency is also actively working with the existing base of overseas companies in Mayo to encourage them to grow and expand.

The decision regarding where to locate is ultimately up to the individual investor and clients looking at Ireland are often only willing to consider larger centres that have the scale, infrastructure and services capable of sustaining their investment. However, the agency is optimistic in regard to job creation in Mayo 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.

Number of Site visits in each of the years 2000 to 2005

<table>
<thead>
<tr>
<th>Location</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Castlebar</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>2</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>Ballina</td>
<td>1</td>
<td>4</td>
<td>1</td>
<td>3</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Claremorris</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Job Protection.

396. Mr. F. McGrath asked the Minister for Enterprise, Trade and Employment the action he will take regarding companies moving out of Ireland to low wage economies; and the impact on employment here. [26005/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): One of my Department’s main tasks is to ensure that Ireland remains an attractive place to do business, and to support the development of economic competencies higher up the value chain. Maintaining the capacity of the economy to consistently generate new employment opportunities is a key policy of this Government. We continue to work to maintain and enhance our framework competitive conditions, and to promote new areas of competitive advantage, such as by developing our R&D base.

Further, to promote the development of high value, sustainable employment, the enterprise development agencies are working with companies to provide mentoring and developmental supports, enhance management capabilities and critical workforce skills, build productivity, support the creation and implementation of strategies for market entry, development and growth, and to provide support for innovation and for research and development.

Ireland’s strengths and competitive advantages have changed over the last ten years, and our economy is now characterised by high output and productivity, together with high returns to labour in terms of remuneration and living standards. Low technology production is being replaced by higher technology and services enterprises. Against a backdrop in some traditional sectors, of declining external demand, downward price pressure, and an increasingly competitive international environment together with upward pressure on costs and the strengthening of the Euro against key trading currencies, there are areas of activity in which our competitiveness is seriously challenged. It is inevitable that among the factors that influence the location decisions of companies, the competitive attractions of alternative geographic locations have some impact.

However, CSO figures show a 4.7% increase in employment during 2005 with almost 90,000 new jobs created across the economy. In the two years since 2004, employment in Financial Services and other business services has grown by 20,000 while employment in the construction sector grew by 49,000. While employment within manufacturing has declined by 10,000 in the same period, this decline has been more than offset by the rise in the number of jobs in services and manufacturing output has continued to increase, indicating improved productivity.

While the changing nature of our economy has resulted in some losses, the new jobs created in the economic development agencies’ client companies in the last number of years are mainly concentrated in high value added, knowledge based companies, which offer greater security in the face of intense international competition.

Information Technology.

397. Mr. Quinn asked the Minister for Enterprise, Trade and Employment the infor-
Mr. Quinn asked the Minister for Enterprise, Trade and Employment his Department’s information technology purchasing policy; and if he will make a statement on the matter. [26038/06]

Mr. Quinn asked the Minister for Enterprise, Trade and Employment the percentage of information technology spend in his Department that went to Irish SMEs in each year from 2002 to date in 2006; the percentage for European Union and European Economic Area SMEs; if systems are in place in his Department’s procurement procedures to give preference to SMEs, such as the weighting system in place in the Local Government Computer Services Board; and if he will make a statement on the matter. [26053/06]

Mr. Quinn asked the Minister for Enterprise, Trade and Employment the average size of information technology procurement contracts in his Department; the median size of such contracts; and if he will make a statement on the matter. [26083/06]

Mr. Quinn asked the Minister for Enterprise, Trade and Employment the steps he is taking to support the development of the indigenous software industry through his Department’s public procurement process; and if he will make a statement on the matter. [261098/06]

Mr. Quinn asked the Minister for Enterprise, Trade and Employment his Department’s public procurement guidelines for both hardware and software, in his Department for the second half of 2006; the requirements for which tender requests have been issued; and if he will make a statement on the matter. [26038/06]

Mr. Quinn asked the Minister for Enterprise, Trade and Employment the steps he is taking to support the development of the indigenous software industry through his Department’s public procurement process; and if he will make a statement on the matter. [261098/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 397 to 401, inclusive, together.

My Department’s information technology purchasing policy is based on the procedures set out in the public procurement guidelines issued by the Department of Finance. These latter are based on various EU public procurement Directives. In general, the EU Directives encourage a competitive process carried out in an open, objective, transparent and non-discriminatory manner, with the aim of achieving best value for public money while providing equality of opportunity for suppliers. These various guidelines are incorporated in an internal Departmental policy document entitled ‘IT Procurement Guidelines 2006’.

My Department’s procurement procedures do not give preference to SME’s. Nor do the procedures seek to give preference to the domestic software industry over EU competitors, which would be contrary to EU rules.

Our assessment of information technology tenders submitted is based on the principle of the most economically advantageous tender — that is we seek to identify the respondent who can do the job at the best price and thereby achieve best value for taxpayers’ money. Because of the nature and scale of information technology purchases by my Department, the reality is that the majority of IT contracts entered into by my Department involve Irish SMEs. My Department does not compile specific data on the percentage of information technology spend that goes to Irish, EU or EEA SMEs.

Where appropriate, our tendering procedures allow for the division of contracts into lots and/or make provision for the engagement of sub-contractors, the effect of which is to ensure that SMEs are not precluded by virtue of their size from bidding for large contracts. This is in line with the Lisbon Agenda which recognised the low involvement in tendering by SMEs and recommended that they be encouraged to participate by dividing tenders into lots or by facilitating sub-contracting arrangements.

I am informed that the Local Government Computer Services Board awards marks for widening the social and economic benefits of its contracts. Such social and economic benefits include the use of sub-contractors and SMEs as well as participation in community and charitable re-use schemes, donation schemes and accessibility issues. The effect of this is that a supplier that isn’t an SME or doesn’t use SMEs can score as highly as one that does if it participates in charitable or community schemes, makes donations of some kind to a worthy cause in Ireland or abroad. My Department will pursue with the Department of Finance the extent to which national guidelines should be amended to take on board issues covered by the Local Government Computer Services Board’s procedures.

The technology purchasing requirements, both hardware and software, for which tender requests have been issued by my Department for the second half of 2006 are as follows: support and maintenance contracts for the Department’s management information framework and operating systems (Linux/Unix); accessibility audit services for the Companies Registration Office’s website; the provision of an electronic press cuttings service for the Department, and hard disk storage and network remote access equipment.

The average size of information technology procurement contract in my Department for the period from 2002 to 2006 (2006 are estimated figures) is €93,983 and the median size of such contracts is €32,125.

Questions Nos. 402 and 403 answered with Question No. 395.
Industrial Development.

404. Mr. Sargent asked the Minister for Enterprise, Trade and Employment the reason after almost one year since he announced a new mandate for Shannon Development, it has not been implemented; the issues that remain to be clarified in talks between unions and his Department, the number of times unions have met with Department officials since the start of 2006; when the company will produce a new corporate plan; when he expects that the new mandate will be implemented; if the continued uncertainty over Shannon Development’s future role, brought about by the delay in implementing the new mandate, has adversely affected State agencies ability to attract inward investment into the mid west.

Minister for Enterprise, Trade and Employment (Mr. Martin): As I have indicated in response to previous Dáil Questions, following detailed consultations with the Board of Shannon Development, other stakeholders and regional interests, on 28th July 2005 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.

Since then, I have facilitated discussions between Departmental officials and SIPTU in order to provide clarification on aspects of the decision that had given rise to concern among Shannon Development staff represented by SIPTU.

I have recently approved the Shannon Development Corporate Plan drawn up, at my request, to give effect to the new mandate. My colleague, the Minister for Arts, Sport and Tourism has also indicated his approval. The Plan sets out a clear and focused vision on the part of the Company for its own future consistent with its mandate. As such it merits the support of all stakeholders in furthering the interests of the region.

This process has not progressed as quickly as we may have wished but it is more important to implement changes that all stakeholders can subscribe to rather than impose a unilateral solution that does not fully address the concerns of some of those stakeholders. Nevertheless, I expect this process to be brought to a successful conclusion very shortly and that the mandate will be implemented this year. There is no evidence to suggest that the process of engagement that has been undertaken with the staff representatives of the Company has, in any way, inhibited investment in the region.

Work Permits.

405. Mr. Connaughton asked the Minister for Enterprise, Trade and Employment the position regarding an application by a person (details supplied) in County Galway for a work permit; and if he will make a statement on the matter.

406. Mr. Connaughton asked the Minister for Enterprise, Trade and Employment the position regarding an application by a person (details supplied) in County Galway for a work permit; and if he will make a statement on the matter.

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 405 and 406 together.

The Work Permit Section of my Department received work permit applications in respect of the above named individuals on 23rd June 2006. The section has written to the employer seeking additional information so that the applications can be processed.

Job Creation.

407. Mr. English asked the Minister for Enterprise, Trade and Employment the progress made by his Department for a replacement company to take over the NEC factory plant in Ballovak, County Meath; the efforts which have been made to date to aid staff in finding replacement employment opportunities within County Meath; and if he will make a statement on the matter.

Minister for Enterprise, Trade and Employment (Mr. Martin): Finding alternative employment for the workers in question is a priority for the Industrial Development agencies. To date, FAS has briefed all employees on the range of services available to them and has been heavily involved in supporting both the company and its employees. Registration and guidance interviews on a one-to-one basis have been completed with 312 employees and training plans have been developed to meet the needs of the staff concerned. Last week, FAS supported the company in organising a Jobs Fair on site and approximately 28 companies and recruitment agencies were present at this event.

In March, Meath County Council hosted an Investment Showcase at the International Financial Services Centre in Dublin to promote County
Meath as an attractive business location. The theme of the event was 'Meath — A Better Business Direction'. In this context, the Financial Controller of the company spoke at the event about the highly trained and enthusiastic workforce in Ballivor and how they would be a huge asset to potential employers taking over the factory.

Furthermore, Enterprise Ireland is participating at meetings with the company outlining the various types of assistance that are available. The next meeting is scheduled for 14 July. In conjunction with the Meath County Enterprise Board, Enterprise Ireland will also be participating in a series of workshops scheduled to begin this month on Ideas Generation and Start Your Own Business.

Both IDA Ireland and Enterprise Ireland will continue their marketing efforts for County Meath, in partnership with the County Council and other local interests in order to increase the flow of potential investors for the County and to convert any suitable investment projects into job opportunities particularly for Ballivor and the surrounding area where possible.

408. Mr. English asked the Minister for Enterprise, Trade and Employment the number of jobs his Department or State Bodies under his control have created in Clonmellon, County Westmeath for each of the years 2002 to 30 June 2006. [26347/06]

409. Mr. English asked the Minister for Enterprise, Trade and Employment the number of jobs his Department or State Bodies under his control have created in Delvin, County Westmeath for each of the years 2002 to 30 June 2006. [26348/06]

410. Mr. English asked the Minister for Enterprise, Trade and Employment the number of jobs his Department or State Bodies under his control have created in Castlepollard, County Westmeath for each of the years 2002 to 30 June 2006. [26349/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 408 to 410, inclusive, together.

Figures relating to 2006 are not yet available for employment generated in companies assisted by the enterprise development agencies. Data on employment in agency-assisted firms is recorded at county level, so it is not possible to give figures relating to such employment in relation to areas within Co Westmeath. The attached tabular statement gives jobs generated in such companies from 2002 to 2005 in County Westmeath.

<table>
<thead>
<tr>
<th>Jobs created</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>585</td>
<td>365</td>
<td>544</td>
<td>424</td>
</tr>
</tbody>
</table>

411. Mr. Kehoe asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the fact that the IDA Business Park in Carlow is lying idle; if site visits have recently taken place to same; the details for same; if he will list all the jobs announcements made by him in the last twelve months. [26391/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): IDA Ireland is an autonomous statutory agency set up under the Industrial Development Acts 1986-2003. The Agency operates in accordance with the provisions of the Acts and under the aegis of my Department.

IDA Ireland has invested almost €11.5 million to date in developing the Carlow Business and Technology Park on the Dublin Road. Following receipt of planning permission, development of a 17,000 sq. ft. Advance Office Building with one hundred per cent expansion capability was only completed in November 2005. I understand from the Agency that, since the beginning of 2005, there have been a total of nine site visits to the Carlow Business and Technology Park and negotiations are ongoing between IDA Ireland and a number of the companies who have visited the site. Meanwhile the Agency assures me that it continues to market the building and park through its network of overseas offices.

In the period from 1 June 2005 to 30 June 2005, I have made 29 announcements relating to the proposed creation of 5,373 new jobs in IDA Ireland supported companies. The following tabular statement sets out the names of the companies involved, details of the activity engaged in, the location, and the number of new jobs announced. In this connection, I should add that many IDA supported projects proceed without any formal announcement.
### Details of Job Announcements made by Minister Martin in period 1 June 2005-30 June 2006

<table>
<thead>
<tr>
<th>Company</th>
<th>Location</th>
<th>Details of Activity engaged in</th>
<th>Number of jobs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Qlogic Corporation</td>
<td>Dublin</td>
<td>Storage Area Network Infrastructure Component Providers</td>
<td>100</td>
</tr>
<tr>
<td>Bristol-Myers Squibb Company</td>
<td>Dublin &amp; Galway</td>
<td>Biopharmaceutical Research</td>
<td>32</td>
</tr>
<tr>
<td>Citigroup</td>
<td>Dublin</td>
<td>Financial Services</td>
<td>8</td>
</tr>
<tr>
<td>Genzyme Corporation</td>
<td>Waterford</td>
<td>Pharmaceutical &amp; biopharmaceutical Research &amp; Development</td>
<td>12</td>
</tr>
<tr>
<td>BISYS Hedge Fund Services</td>
<td>Waterford</td>
<td>Financial Services</td>
<td>250</td>
</tr>
<tr>
<td>Axa Assistance SA</td>
<td>Athlone, County Westmeath</td>
<td>Assistance service centre</td>
<td>300</td>
</tr>
<tr>
<td>Zeus Industrial Products</td>
<td>Letterkenny, County Donegal</td>
<td>Produce and distribute medical tubing products</td>
<td>150</td>
</tr>
<tr>
<td>International Fund Services (IFS)</td>
<td>Drogheda, Co Louth</td>
<td>Funds accounting and administration</td>
<td>230</td>
</tr>
<tr>
<td>Palm</td>
<td>Dublin</td>
<td>Mobile computing &amp; provider of smartphones</td>
<td>35</td>
</tr>
<tr>
<td>Parsons</td>
<td>Cork</td>
<td>Engineering</td>
<td>80</td>
</tr>
<tr>
<td>Alps Electric Co. Ltd</td>
<td>Cork</td>
<td>Manufacture electric components</td>
<td>140</td>
</tr>
<tr>
<td>Google</td>
<td>Dublin</td>
<td>Internet Search Company</td>
<td>600</td>
</tr>
<tr>
<td>Vmware</td>
<td>Cork</td>
<td>Virtual infrastructure software for industry-standard systems, technical support centre EMEA</td>
<td>78</td>
</tr>
<tr>
<td>USCI (Universal Sciences Catheter and Instruments) Japan Ltd</td>
<td>Ballinasloe, County Galway</td>
<td>Manufacture &amp; Distribute interventional vascular products</td>
<td>125</td>
</tr>
<tr>
<td>Amgen</td>
<td>Cork</td>
<td>Biotechnology</td>
<td>1,100</td>
</tr>
<tr>
<td>Citco</td>
<td>Cork</td>
<td>Hedgefund Administration</td>
<td>250</td>
</tr>
<tr>
<td>Vodafone</td>
<td>Dublin</td>
<td>Mobile phone operator</td>
<td>25</td>
</tr>
<tr>
<td>Vesta Corporation</td>
<td>Dublin</td>
<td>Virtual commerce solutions</td>
<td>350</td>
</tr>
<tr>
<td>Sage Group Plc</td>
<td>Dublin</td>
<td>Accounting and business management software solutions</td>
<td>40</td>
</tr>
<tr>
<td>Amazon.com</td>
<td>Cork</td>
<td>Online Retailer</td>
<td>450</td>
</tr>
<tr>
<td>Hewlett-Packard Financial Services</td>
<td>County Kildare</td>
<td>Financial Services</td>
<td>110</td>
</tr>
<tr>
<td>Georgia Tech Research Institute (GTRI)</td>
<td>Athlone, County Westmeath</td>
<td>Research Institute</td>
<td>50</td>
</tr>
<tr>
<td>Vistakon</td>
<td>Limerick</td>
<td>Contact Lenses Manufacture</td>
<td>124</td>
</tr>
<tr>
<td>Abbott</td>
<td>Donegal</td>
<td>Healthcare manufacture</td>
<td>155</td>
</tr>
<tr>
<td>Pillar Data Systems Inc</td>
<td>Drogheda, Co Louth</td>
<td>Design &amp; Build Computer Data Storage</td>
<td>200</td>
</tr>
<tr>
<td>Becton Dickinson</td>
<td>Drogheda, County Louth</td>
<td>Medical technology</td>
<td>125</td>
</tr>
<tr>
<td>SanDisk</td>
<td>Swords, County Dublin</td>
<td>Flash Data Storage</td>
<td>38</td>
</tr>
<tr>
<td>Netgear</td>
<td>UCC Cork</td>
<td>provider of technologically advanced branded networking products</td>
<td>100</td>
</tr>
<tr>
<td>Trend Micro</td>
<td>Cork</td>
<td>Anti-Virus Software &amp; Content Security Software &amp; Services</td>
<td>116</td>
</tr>
</tbody>
</table>
Job Creation.

412. Mr. Crawford asked the Minister for Enterprise, Trade and Employment if he has had recent meetings with his opposite number in Northern Ireland regarding the promotion of the six counties along the border as a special region in need of outside investment; if there is any special effort being made in the US or elsewhere to encourage such investment in the region so that graduates might have a better chance of suitable employment in their home area; and if he will make a statement on the matter. [26392/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): On the 1 June, I met with the Northern Ireland Minister for Enterprise Trade and Investment, Ms Maria Eagle MP to discuss a number of issues concerning North/South economic co-operation. We reviewed progress on the comprehensive study that is currently underway to identify opportunities for further practical North/South co-operation on the development of a more competitive and prosperous all-island economy. The outcomes of this study, due later this year, should also benefit the counties along the border.

Minister Eagle and I also discussed the development of the North-West of the island which is another priority of North/South co-operation. The North-West of the island faces particular challenges which can only be overcome by a concerted effort by both Governments. I am pleased to say there is now a common approach, the North-West Gateway Initiative, which has been endorsed by the British-Irish InterGovernmental Conference to increase co-operation to address the development of the North-West. This initiative will encompass an examination of the potential for joint investment in key infrastructure projects; joint analysis and actions by agencies in areas such as trade and investment promotion, tourism, skills and training.

I am pleased that we have been able to make progress on these areas of North/South co-operation and I look forward to the positive benefits which should accrue to the all-island economy and economic development along the border counties.

In addition IDA Ireland (IDA) and Invest Northern Ireland (INI) continue to identify and pursue collaborative cross-border initiatives. The Boards of both agencies hold an annual joint Board meeting to update each other on issues such as strategy, opportunities for collaboration, EU affairs and other topics of mutual interest.

IDA and INI are actively pursuing the development of a Virtual Cross-Border Technology Park (VCBTP) in the North-West, centred on Derry and Letterkenny, using funding from the EU Interreg III Programme. One key aspect of the initiative is that high specification telecommunications will be offered to overcome the disadvantages of physical remoteness, which businesses and educational/research organisations currently have to deal with. This proposal has now been fully approved by the Interreg Steering Committee following the successful outcome of an economic appraisal. Work is now focused on implementing the proposal, including the tendering process for the telecommunications element of the initiative.

IDA participates in the Armagh-Monaghan Digital Corridor Initiative, which is geared at encouraging enterprises with a requirement for advanced telecoms to locate on both sides of the border where the telecommunications networks of both jurisdictions can be accessed.

IDA closely monitors other issues with a North/South dimension such as energy, transportation, infrastructure development, spatial planning and opportunities for improved collaboration or coordination are highlighted for the appropriate authorities on an on-going basis.

Social Welfare Benefits.

413. Dr. Upton asked the Minister for Social and Family Affairs the uptake in the farm assist programme; the cost to the Exchequer of each participant in the programme; and the financial incentives for participation in the programme. [25540/06]

Minister for Social and Family Affairs (Mr. Brennan): The farm assist scheme, which introduced special arrangements for farmers on low incomes, was provided for in the Social Welfare Act, 1999 and came into operation with effect from 7 April 1999.

There are currently 7,574 farm assist customers while the average weekly payment is €173.79. The cost of the scheme for the years 2004 and 2005 was as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Outturn (€m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004</td>
<td>67.3</td>
</tr>
<tr>
<td>2005</td>
<td>66.343</td>
</tr>
</tbody>
</table>

The level of take-up is less than had been anticipated when the scheme was first introduced in April 1999. This is due to the significant increase in off-farm employment in recent years and the take up of the Rural Social Scheme which is operated by the Department of Community, Rural and Gaeltacht Affairs and which also specifically targets low-income farmers.

The conditions which apply to unemployment payments such as being available for and genuinely seeking work do not apply to the Farm Assist scheme nor are customers required to 'sign on'. Eligibility is based on the actual means assessed being within specified income thresholds dependant on family size. This means test is quite favourable to the customer. 70% of self-employment income (including off-farm self-
employment) is taken into account for means testing purposes. There are also child-related disregards of €253.95 for the first two children and €380.92 for each subsequent qualified child. Capital is favourably assessed, with the first €20,000.00 held by a claimant disregarded.

The farm assist scheme has brought about a worthwhile improvement for low income farmers and particularly for those with children and it makes a valuable contribution to supporting those who are at the lower end of the farm income spectrum.

**Pension Provisions.**

414. **Mr. Bruton** asked the Minister for Social and Family Affairs the proportion of people with pension cover in different sectors of the economy. [25999/06]

**Minister for Social and Family Affairs (Mr. Brennan):** The most recent results from the Central Statistics Office (CSO) Quarterly National Household Survey show a 0.9% point decline in supplementary pensions coverage from 52.4% of the working population aged 20-69 in quarter 1 of 2004 to 51.5% in the same quarter of 2005. The decline is within the margin of error for the survey so the position appears to be that there was little change in the rate of supplementary pensions coverage over the period in question. Workers aged 35 to 44 have the highest rate of coverage at 61.3%. The survey also shows that 43% of those in self-employment aged 20-69 have private pension cover.

Pensions coverage for women increased from 46.8% in 2004 to 47.5% in 2005. Even though the coverage rate for men fell between 2004 and 2005 from 56.3% to 54.2%, men continue to have a higher rate of coverage than women. The coverage rate for women is also below the overall average for the workforce as a whole. The reasons for this may be quite varied and could, for instance, include issues such as the interrupted nature of many women’s working careers, the disparity in male and female earnings, which may make pensions less affordable for women, and the number of women who work reduced or part-time hours.

Workers aged 35 to 44 have the highest rate of coverage at 61.3%. The survey also shows that 43% of those in self-employment aged 20-69 have private pension cover.

Pensions coverage for women increased from 46.8% in 2004 to 47.5% in 2005. Even though the coverage rate for men fell between 2004 and 2005 from 56.3% to 54.2%, men continue to have a higher rate of coverage than women. The coverage rate for women is also below the overall average for the workforce as a whole. The reasons for this may be quite varied and could, for instance, include issues such as the interrupted nature of many women’s working careers, the disparity in male and female earnings, which may make pensions less affordable for women, and the number of women who work reduced or part-time hours.

Data in relation to pensions coverage in different sectors of the economy relate to Quarter 1 2002 and are outlined in the table below. The CSO will publish updated information on pensions coverage for Quarter 4 of 2005 later this year.

**Table 2a Employees aged 20 to 69 years, classified by occupational pension scheme coverage, sex and NACE economic sector, Q1 2002**

| Nace Economic Sector | With an Occupational Pension | With no Occupational Pension | Other | Total | %
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Males</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A-B Agriculture, forestry and fishing</td>
<td>16.9</td>
<td>73.4</td>
<td>9.7</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>C-E Other production industries</td>
<td>58.9</td>
<td>38.5</td>
<td>2.6</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>F Construction</td>
<td>35.2</td>
<td>61.2</td>
<td>3.7</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>G Wholesale and retail trade</td>
<td>34.4</td>
<td>62.6</td>
<td>3.0</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>H Hotels and restaurants</td>
<td>17.8</td>
<td>78.4</td>
<td>3.8</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>I Transport, storage and communications</td>
<td>62.5</td>
<td>34.4</td>
<td>3.2</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>J-K Financial and other business services</td>
<td>58.6</td>
<td>39.4</td>
<td>2.1</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>L Public administration and defence</td>
<td>92.4</td>
<td>7.3</td>
<td>*</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>M-N Education and health</td>
<td>70.5</td>
<td>27.9</td>
<td>1.6</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>O Other services</td>
<td>31.9</td>
<td>63.8</td>
<td>4.3</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td><strong>Total males</strong></td>
<td><strong>52.3</strong></td>
<td><strong>44.9</strong></td>
<td><strong>2.8</strong></td>
<td><strong>100.0</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Females</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A-B Agriculture, forestry and fishing</td>
<td>11.5</td>
<td>85.7</td>
<td>*</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>C-E Other production industries</td>
<td>46.4</td>
<td>51.7</td>
<td>1.9</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>F Construction</td>
<td>33.5</td>
<td>62.9</td>
<td>3.6</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>G Wholesale and retail trade</td>
<td>19.3</td>
<td>79.2</td>
<td>1.5</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>H Hotels and restaurants</td>
<td>9.4</td>
<td>88.2</td>
<td>2.3</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>I Transport, storage and communications</td>
<td>54.6</td>
<td>42.6</td>
<td>2.8</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>J-K Financial and other business services</td>
<td>46.3</td>
<td>51.8</td>
<td>1.9</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>L Public administration and defence</td>
<td>82.5</td>
<td>15.8</td>
<td>1.7</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>M-N Education and health</td>
<td>52.3</td>
<td>45.2</td>
<td>2.6</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>O Other services</td>
<td>16.5</td>
<td>81.5</td>
<td>2.0</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td><strong>Total females</strong></td>
<td><strong>41.9</strong></td>
<td><strong>56.0</strong></td>
<td><strong>2.1</strong></td>
<td><strong>100.0</strong></td>
<td></td>
</tr>
</tbody>
</table>
Social Welfare Benefits.

415. Mr. O’Shea asked the Minister for Social and Family Affairs his views on whether the means test for carers allowance in its present form discriminates against families totally dependent on social welfare payments in regard to overall income; and if he will make a statement on the matter. [25647/06]

416. Mr. O’Shea asked the Minister for Social and Family Affairs his views on whether the means test for carers allowance in its present form discriminates against families totally dependent on social welfare payments in regard to loss of part of existing social welfare payment where the applicant is the adult dependent on the social welfare payment of a spouse or partner; and if he will make a statement on the matter. [25648/06]

429. Mr. English asked the Minister for Social and Family Affairs the plans his Department has to remove the means test for carers allowance; and if he will make a statement on the matter. [26358/06]

436. Mr. Crawford asked the Minister for Social and Family Affairs the number of widows and widowers giving full time care; his views on the fact that if such a person receiving a contributory pension did not have to act as a carer they would be entitled to the pension and full time employment; his further views on the fact that from 1 September 2006 a person receiving a non-contributory pension can earn €100 in a PAYE job and still get their full pension; his further views on the proposal of the all party committee that a 50 per cent carer’s allowance should be paid to such people; and if he will make a statement on the matter. [26663/06]
recommendations involving additional expendi-
within the resources available to me. Those
benefit of recipients and financially sustainable
existing arrangements where these are for the
conditions for payment from 10 to 15 hours per week.
side the home and still satisfy the qualifying con-
ment, self-employment, training or education out-
number of hours a person can engage in employ-
ment who is providing full time care and
attention to a person who requires such care may
be eligible for carer’s allowance which, in some
cases, may be paid at a higher rate than their cur-
rent payment. I would urge any person in this
position to make enquiries with my Department.
It is a feature of the social insurance system
generally that people in receipt of certain con-
tributory payments may engage in employment
without their earnings affecting the level of pay-
ment they receive, and this is the case for recipro-
cents of widow/er’s contributory pension. In an
effort to streamline the non-contributory pay-
ments available to people aged over 66, I
announced a new scheme called state pension
(non-contributory) which will be introduced in
September this year. The means test for this new
payment will include a special earnings disregard
of EUR 100 per week. This measure is intended
to provide an incentive for older people to con-
tinue in employment.
There is a limit to the number of hours a per-
son in receipt of carer’s allowance or carer’s
benefit can engage in employment outside the
home. This is in order to ensure that the person
being cared for is receiving full time care and
attention. From 1 June this year I increased the
number of hours a person can engage in employ-
ment, self-employment, training or education out-
side the home and still satisfy the qualifying con-
ditions for payment from 10 to 15 hours per week.
I am always prepared to consider changes to
existing arrangements where these are for the
benefit of recipients and financially sustainable
within the resources available to me. Those
recommendations involving additional expendi-
ture can only be considered in a budgetary con-
text.

Social Welfare Benefits.

417. Mr. Ring asked the Minister for Social and
Family Affairs the position regarding a carer’s
benefit application of a person (details supplied)
in County Mayo. [25664/06]

Minister for Social and Family Affairs (Mr.
Brennan): The application for carer’s benefit by
the person concerned has recently been approved
and carer’s benefit was awarded with effect from
21 October 2004. All arrears of carer’s benefit
have been paid to the person concerned.

Social Welfare Appeals.

418. Mr. Ring asked the Minister for Social and
Family Affairs when an appeal will be heard on
behalf of a person (details supplied) in County
Mayo. [25702/06]

Minister for Social and Family Affairs (Mr.
Brennan): I understand that a date is not avail-
able for the oral hearing which is to be held in
this case. It will be set as soon as it can be accom-
modated in the list for Mayo.


419. Mr. Gregory asked the Minister for Social
and Family Affairs his views on the issues raised
in correspondence (details supplied); and if he
will make a statement on the matter. [25878/06]

Minister for Social and Family Affairs (Mr.
Brennan): The Regulations, which are the subject
matter of the correspondence in question,
provide that child benefit should be paid to one
parent and give priority to the mother in
determining which of two parents is entitled to
the benefit. This policy was endorsed in a number
of fora, for example the Commission on the
Status of Women (1972 and 1974) and the
Department’s Child Benefit Review Committee
(1995), and given further support in a com-
missioned report published in 1994 by the Com-
bat Poverty Agency (“Income Distribution within
Irish Households”). However, in the context of
significant social changes which have taken place
in recent years, a number of issues have arisen in
relation to the rules which govern the payment of
child benefit. These rules are currently being
reviewed within my Department.
More generally, my Department is engaged in
carrying out a technical review of the entire social
welfare code to examine its compatibility with the
Equal Status Act 2000 (as amended). The review
will examine the schemes and services provided
for both in social welfare legislation and the
administrative schemes operated by the Depart-
ment. It is intended to identify any instances of
direct or indirect discrimination on any of the
nine grounds under the Act, including gender, marital status and family status, that are not justified by a legitimate social policy objective or where the means of achieving that objective are either unnecessary or inappropriate.

The work is being carried out in two phases. Phase 1 involves the undertaking of a scoping exercise to establish the most appropriate approach and methodology to carrying out the main review. This initial work is currently underway and is due to be completed this month. Phase 2 of the work involving the undertaking of the main review, is due to commence in the latter part of 2006.

It is my intention that social welfare system reforms would continue to take account of changes in social attitudes and expectations.

**Departmental Programmes.**

420. Mr. Kenny asked the Minister for Social and Family Affairs the proposed spending envelopes approved and set out by his Department for the foreseeable future; the broad objectives to be achieved by spending of such financial envelopes; the timescale set out for achievement of targets; and if he will make a statement on the matter. [25969/06]

Minister for Social and Family Affairs (Mr. Brennan): I understand that the question relates to the multi-annual capital envelopes which were introduced by the Minister for Finance in Budget 2004. These provide for a 5-year rolling programme of capital investment. A key feature of the initiative is that Departments are able to carry over to the following year any unspent Exchequer capital allocations, up to a maximum of 10% of each annual capital subhead.

My Department does not have a capital spending envelope. This is because the Department’s capital expenditure relates entirely to the development and modernisation of the Information and Communications Technology (ICT) infrastructure which supports the operation of my Department and to the e-government REACH project. This expenditure is governed by the terms of the Administrative Budget Agreement between my Department and the Department of Finance. The Agreement provides for a three year rolling programme of expenditure and has its own carryover arrangements.

**Information Technology.**

421. Mr. Quinn asked the Minister for Social and Family Affairs the information technology purchasing requirements, for both hardware and software, in his Department for the second half of 2006; the requirements for which tender requests have been issued; and if he will make a statement on the matter. [26039/06]

422. Mr. Quinn asked the Minister for Social and Family Affairs his Department’s information technology purchasing policy; and if he will make a statement on the matter. [26054/06]

423. Mr. Quinn asked the Minister for Social and Family Affairs the percentage of information technology spend in his Department that went to Irish SMEs in each year from 2002 to date in 2006; the percentage for European Union and European Economic Area SMEs; if systems are in place in his Department’s procurement procedures to give preference to SMEs, such as the weighting system in place in the Local Government Computer Services Board; and if he will make a statement on the matter. [26069/06]

425. Mr. Quinn asked the Minister for Social and Family Affairs the steps he is taking to support the development of the indigenous software industry through his Department’s public pro-
curement process; and if he will make a statement on the matter. [26099/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 422, 423 and 425 together.

Procurement in my Department, including Information and Communications Technology (ICT) procurement, is carried out in strict accordance with national regulations and guidelines and in accordance with EU directives. These do not allow for discrimination in favour of indigenous suppliers. My Department does not maintain data on the organisational status of its suppliers and is unable to provide the information requested in relation to SMEs.

My Department’s Requests for Tender (RFT) are advertised on the national procurement website (www.etenders.gov.ie) and, where appropriate (i.e. meeting the criteria set out in Directives), via the Official Journal of the European Union. It is open to any firm that meets the specified requirements to submit tenders and these are evaluated as specified in the relevant Request For Tender. My Department offers feedback on all bids.

Officials in my Department regularly correspond and meet with potential suppliers in the ICT industry to understand what offerings are available and to provide an indication of likely future directions and requirements. Suppliers are informed at these meetings that any specific procurement will be in accordance with the guidelines and regulations, that all requirements relating to a procurement will be published in the RFT and that evaluation will be carried out in accordance with the criteria published in that document.

424. Mr. Quinn asked the Minister for Social and Family Affairs the average size of information technology procurement contracts in his Department; the median size of such contracts; and if he will make a statement on the matter. [26084/06]

Minister for Social and Family Affairs (Mr. Brennan): Contracts awarded by my Department with a significant Information and Communications Technology (ICT) content vary considerably depending on the scope of what is required (e.g. numbers of locations or users or complexity of solution). The detailed information requested is currently being compiled and a letter enclosing the information will issue to the Deputy in the near future.

Question No. 425 answered with Question No. 422.

Social Welfare Benefits.

426. Ms Lynch asked the Minister for Social and Family Affairs the number of persons who are eligible for the family income supplement but are not availing of the scheme; the number of persons who have availed of the scheme in each year for the past three years; his views on concerns that many people who are due the payment are not getting it due to a lack of information; and if he will make a statement on the matter. [26205/06]

433. Mr. Stanton asked the Minister for Social and Family Affairs the estimate of the percentage of those entitled to the family income supplement who claim the payment; and if he will make a statement on the matter. [26618/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 426 and 433 together.

The Family Income Supplement is designed to provide cash support for employees on low earnings with families. This preserves the incentive to remain in employment in circumstances where the employee might only be marginally better off than if he or she were claiming other social welfare payments.

Currently in the region of 18,500 families, with more than 35,000 children, benefit directly from FIS weekly payments. Families can get payments of between EUR20 and EUR400 a week, depending on their income and the size of their family. The average weekly payment in June was EUR105. Expenditure on FIS in 2005 was EUR72.2million. The information requested by the deputy with regard to recipients over the last three years is contained in the tabular statement following.

The most recent estimate provided by the ESRI was in relation to the year 2000 and suggests that the take-up rate for Family Income Supplement is less than 30 per cent on a caseload basis. Higher entitlements are more likely to be taken up, so the take-up rate on an expenditure basis is closer to 40 per cent.

Improvements to the family income supplement scheme, including the new increased income limits announced in Budget 2006, mean that it is now easier for families to qualify under the scheme. FIS is a key component of a programme of improvements targeted specifically at child poverty.

The provision of information is an essential element in the effective delivery of social welfare schemes and services. The underlying objective of my Department’s information policy is to ensure that all citizens are made aware of their entitlements and other supports and are kept informed of changes and improvements to schemes and services as they occur.

To ensure that families are made aware of these improvements, my Department undertook a nationwide awareness campaign to promote and encourage a greatly increased take up of the Family Income Supplement (FIS) scheme for working families on low incomes. This extensive
[Mr. Brennan.] week-long campaign included advertising on TV, on national and local radio and in the national and regional press. A nation-wide poster campaign was also undertaken.

During the media campaign, my Department provided a LoCall helpline for the public to answer their enquiries regarding eligibility under the improved scheme. The helpline responded to over 2,800 calls.

In addition, the scheme was promoted through the Department’s network of Local Offices and by Comhairle, the national information support agency, through Citizen Information Centres and their Citizens Information Phone service. Information was also made available through the Department’s website.

My Department has been working closely with the Revenue Commissioners to ensure that families on low incomes are made aware of the availability of FIS. Improvements in the scheme were outlined in an information leaflet distributed by the Revenue Commissioners with the 2006 Tax Credit certificates to all PAYE taxpayers. My Department will continue to work with Revenue on other initiatives to ensure that people are made aware of their entitlements in a timely manner.

Every effort is being made to ensure that families eligible for FIS are encouraged to apply for the scheme, and every opportunity is taken by my Department to promote the benefits of the scheme. I am confident that improvements to the FIS scheme will contribute towards targeting resources to low income households.

Table: Number of Recipients of Family Income Supplement

<table>
<thead>
<tr>
<th>Year end December</th>
<th>Recipients (Families)</th>
<th>Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>17,448</td>
<td>33,956</td>
</tr>
<tr>
<td>2004</td>
<td>14,727</td>
<td>29,991</td>
</tr>
<tr>
<td>2003</td>
<td>12,317</td>
<td>26,409</td>
</tr>
<tr>
<td>2002</td>
<td>12,043</td>
<td>26,531</td>
</tr>
<tr>
<td>2001</td>
<td>11,880</td>
<td>26,426</td>
</tr>
<tr>
<td>2000</td>
<td>13,181</td>
<td>31,274</td>
</tr>
</tbody>
</table>

427. Mr. English asked the Minister for Social and Family Affairs his plans to introduce a scheme whereby social welfare recipients can receive a rebate against the cost of private waste collection services; the potential cost of such a scheme; and if he will make a statement on the matter. [26280/06]

Minister for Social and Family Affairs (Mr. Brennan): The setting of waste management charges and the introduction of waivers or rebates in respect of waste charges is, as stated by my colleague the Minister for Environment, Heritage and Local Government, a matter for each local authority.

The introduction of a national social welfare scheme to address the issue could be complex given the wide range of charging regimes and cost structures that exist in respect of waste management throughout the State. Any system put in place to assist people who rely on private domestic waste collection would have to be sensitive to the different local arrangements.

It is extremely difficult to estimate the cost of a rebate system in respect of waste disposal charges for social welfare recipients. Charges vary across local authorities and some local authorities already operate waiver schemes. However, based on an average charge of EUR 6 per week, it is tentatively estimated that to introduce a rebate scheme for all social welfare recipients would cost of the order of EUR 90 million per annum in respect of people not already covered by a waiver. I have asked my Department to keep this issue under review.

School Meals Programme.

428. Mr. English asked the Minister for Social and Family Affairs the proportion of schools in Meath that provide food to their pupils; the way in which this compares nationally; and if he will make a statement on the matter. [26300/06]

Minister for Social and Family Affairs (Mr. Brennan): The school meals programme operated by my Department gives funding towards provision of food services for disadvantaged school children through two schemes. The first is the statutory urban school meals scheme, currently operated by 36 local authorities, which provides food services to primary schools. The Department jointly funds the food costs with these local authorities, who also manage and fund the administration of the scheme.

Based on annual returns received to date from the Local Authorities, and projections on other intending participating schools, it is estimated that some 386 primary schools are currently benefiting under the urban school meals scheme for the academic year 2005/2006. Six of these schools are located within Meath with an estimated 450 pupils benefiting.

The second scheme is the school meals (local projects) scheme. Under this scheme my Department provides funding to participating schools and voluntary community groups in both urban and rural areas for specific school meals projects, including preschools that are community based and which operate on a not-for-profit basis.

Some 69,903 children in 919 primary and secondary schools nationally have benefited from the scheme during the academic year 2005/2006. Nine schools in Meath are participating with some 660 children benefiting. It is estimated that some €10.4m overall will be spent between the
two schemes in 2006 with some 117, 500 children benefiting.

There is ongoing liaison between my Department and the Department of Education and Science on school meals issues. In 2005 the Department of Education and Science initiated a new action plan “Delivering Equality of Opportunity in Schools” (DEIS) which incorporates many of that Department’s existing schemes which target educational disadvantage. Approximately 48% of DEIS schools are participating in this Department’s school meals programme and my Department will be working to prioritise remaining disadvantaged schools for inclusion in the school meals programme.

Question No. 429 answered with Question No. 415.


430. Mr. Crawford asked the Minister for Social and Family Affairs the reasons for allowing non-contributory pensioners to earn up to €100 in a PAYE job and still receive their full pension in view of the fact that a self-employed person, such as a small shopkeeper or a farmer, earning a similar amount from self-employment will have that deducted through their means test and receive a lesser pension accordingly; and if he will make a statement on the matter. [26484/06]

Minister for Social and Family Affairs (Mr. Brennan): In Budget 2006, I was pleased to announce that I proposed to establish, in September 2006, a standardised State (Non-Contributory) Pension, replacing the old age pension and, for recipients aged 66 and over, blind pension, widow/er’s pension, one parent family payment, deserted wife’s allowance and prisoner’s wife’s allowance.

All the schemes in question feature a common means disregard of EU7.60 per week, which has not increased since the 1970s. The means disregard for the new non-contributory pension will be EUR20 per week, an increase of EUR12.40 per week. Over 30,000 pensioners who are currently in receipt of a reduced rate of payment will gain from this change. The increase in the personal rate of payment will be up to EUR12.50 per week while the qualified adult rate, where applicable, will increase by up to EUR8.30 per week. I should add that these increases are in addition to the increase of EUR16 per week in the rate of the non-contributory pension which took effect from January this year. The increase in the common means disregard will benefit all those self employed, including farmers, who are in receipt of an old age (non-contributory) pension at the moment.

As part of my pension reforms, I also announced a specific additional disregard of EUR100 per week where the pensioner is in employment. This new disregard, relating to earnings from employment, is intended as an initial incentive to facilitate non-contributory pensioners who wish to continue working, or to re-enter the workforce.

The Budget did not provide for the proposed disregard to apply to income from self-employment or to any other forms of income. Apart from providing an incentive to take up employment, this approach recognises that persons in employment incur additional expenses such as travelling expenses, clothing etc. consequent on the employment. In contrast, any expenses necessarily incurred in carrying out any form of self-employment are always disregarded when calculating means from self-employment. This means that such earnings are assessed net of expenses incurred by the person in the course of their work e.g. on petrol/diesel, purchase of equipment and raw materials etc.

By any standards, the levels of increases and revised means test arrangements announced in the Budget are exceptional. The proposed modernisation of the current arrangements is also a further demonstration of our commitment to all those who are elderly, including those who continue self-employment, including farming.

Social Welfare Benefits.

431. Mr. Crawford asked the Minister for Social and Family Affairs the number of people who received the respite grant in June 2006; the number of those who were in receipt of the carers allowance; the number in receipt of the carers benefit; if he has satisfied himself that all others, such as widows, widowers, pensioners and so on, who are providing such care that have received this allowance; if not, the steps he intends to take to encourage or accept late applications; and if he will make a statement on the matter. [26485/06]

Minister for Social and Family Affairs (Mr. Brennan): The Respite Care Grant in respect of 2006 is payable on Thursday 1 June 2006, the date on which the conditions pertaining to the Grant must be satisfied. Payment to eligible people is effected as soon as practicable after that date. To date a total of 27,631 Grants have been paid in respect of the 2006 scheme.

The Grant is payable from my Department, automatically, without the need for applications, to people in receipt of Carers Allowance, Carers Benefit, or Prescribed Relatives Allowance or where a Constant Attendance Allowance is in payment to the person being cared for. The Grant has been paid to date in 2006 to 25,271 people in receipt of Carers Allowance, to 1,086 people in receipt of Carers Benefit, to 75 people in receipt of Constant Attendance Allowance and to 13 people in receipt of Prescribed Relative Allowance.

Budget 2005 extended entitlement to the Respite Care Grant to all full-time carers irrespective of means or contribution record but subject to
certain conditions relating to the provision of full time care and attention.

Applications for the Grant from those not entitled to receive it automatically are being solicited in two phases. Firstly, those who applied for and received the Grant in 2005 have been written to enclosing a brief questionnaire to establish whether they continue to satisfy the conditions for receipt of the Grant in 2006. On foot of this initiative, to date, approximately 6,000 applications have been received, and the Grant has been paid to 1,186 of those. Replies continue to be processed.

The second phase of the campaign to identify those people who may be eligible for the Grant for the first time in 2006 will take the form of a press and publicity campaign. This will take place after the summer.

The closing date for the 2006 scheme is 31 December 2007, allowing the maximum opportunity for applications to be made.

Social Welfare Appeals.

432. Mr. Stanton asked the Minister for Social and Family Affairs the schemes currently not covered by the Social Welfare Appeals Office; his plans to extend the remit of the Social Welfare Appeals Office to all or any of these schemes; the reasons the schemes not covered are not covered; and if he will make a statement on the matter. [26617/06]

Minister for Social and Family Affairs (Mr. Brennan): Decisions on statutory social welfare schemes are made by statutorily appointed Deciding Officers of my Department or, in the case of supplementary welfare allowance, by appointed officers of the Health Service Executive. Where a customer is dissatisfied with a decision made by a Deciding Officer, s/he has a statutory right of appeal to the Social Welfare Appeals Office. Where a customer is dissatisfied with a decision on his/her supplementary welfare allowance, s/he may appeal in the first instance to a designated Appeals Officer of the Health Services Executive and, if dissatisfied with that outcome, may appeal to the Social Welfare Appeals Office.

In addition to statutory schemes a number of non-statutory schemes are operated by my Department and decisions in relation to them are not made by Deciding Officers. Decisions are made by Officers of my Department based on published guidelines (available on my Department's website www.welfare.ie) setting out the conditions of entitlement. In relation to adverse decisions, or such schemes, a person is informed of his/her right to have his/her application reviewed by a higher officer of the Department.

The non-statutory schemes are as follows:

- Household Benefits Package (which includes the electricity/gas allowance, the telephone rental allowance and the free television licence)
- Free Travel
- Back to Work Allowance
- Back to Work Enterprise Allowance Scheme
- Part-time Job Incentive Scheme
- Back to Education Programmes
- Education, Training and Development Option
- National Fuel Scheme (including smokeless fuel allowance)
- Back to School Clothing and Footwear Scheme.

Question No. 433 answered with Question No. 426.


434. Mr. Stanton asked the Minister for Social and Family Affairs if his attention has been drawn to the research or if he has received submissions on the need to introduce a cost of disability allowance; if so, the details of same; his views or plans on same; and if he will make a statement on the matter. [26619/06]

Minister for Social and Family Affairs (Mr. Brennan): A cross-departmental working group established under the Programme for Prosperity and Fairness (PPF) has examined the feasibility of the introduction of a cost of disability payment. The National Disability Authority, on behalf of working group and in line with its own remit, commissioned research into the feasibility of such a payment. The purpose of this research was to advise regarding the additional costs incurred by people with disabilities, owing specifically to the direct or indirect costs of disability and the appropriate mechanisms or instruments by which to address such costs. The resultant report, Disability and the Cost of Living, was subsequently published by the Authority.

The group considers it vital that comprehensive data is available on which to base consideration of the introduction of a cost of disability payment, in addition to a structured process of the assessment of need. The working group recommended that steps be taken to improve the quality of data relating to disability in Ireland, for example, through adjustment of existing data gathering exercises undertaken by the Central Statistics Office or other relevant bodies.

The group also examined the scope for addressing barriers that exist for people with disabilities who wish to undertake or increase their employment and thus move to a position of
greater economic independence. In this regard, as part of the Social Welfare Budget package 2006, I introduced a change to the withdrawal rate of Disability Allowance and Blind Pension for income in excess of the current earnings disregard level which means that a single person can earn up to a maximum of EUR390 per week from rehabilitative employment before their Disability Allowance or Blind Pension is fully withdrawn. The outcome of this change will be monitored to assess its effect on increased employment participation and to identify any further policy changes required.

In terms of ensuring adequate levels of income for people with disabilities, the new ten-year Social Partnership Agreement, Towards 2016, includes a commitment to work for the continued enhancement and integration of supports. This will include a rationalisation of existing allowances for people with disabilities in the context of the Government’s policy of mainstreaming and the transfer from the Health Services Executive to my Department of a number of disability-related schemes, including the Domiciliary Care Allowance, Mobility Allowance and Blind Welfare Allowance. Other issues around the cost of disability will be considered following the development of a needs assessment system provided for under Part 2 of the Disability Act, 2005.

My Department’s Disability Sectoral Plan under the Disability Act, 2005, contains actions in relation to the rationalisation of existing allowances for people with disabilities. The Plan also provides for agreed protocols with the Department of Health and Children and the Department of Enterprise, Trade and Employment on actions required to ensure that income supports and associated benefits do not create financial barriers to people with disabilities participating in the labour force or availing of training, educational or other developmental opportunities. I look forward to the implementation of the sectoral plan over the next three years and to continuing the commitment to expand and deliver services that best support, recognise and encourage people with disabilities as well as those who provide a caring role.

**Departmental Staff.**

435. Mr. Stanton asked the Minister for Social and Family Affairs the number of community welfare officers and superintendent community welfare officers who will be transferred to his Department as part of the proposals to transfer functions of the CWO service from the Health Service Executive to his Department; the way in which the administration of the medical card scheme will be effected; when he intends to have the transfer of functions complete; and if he will make a statement on the matter. [26620/06]

**Minister for Social and Family Affairs (Mr. Brennan):** As the Deputy is aware, the Government has decided to transfer certain functions from the Health Service Executive (HSE) to my Department as part of the reform of the health sector.

The functions being transferred to my Department include income support and maintenance schemes, together with associated resources. Over 700 Community Welfare Officers (CWOs) and some 60 Superintendent Community Welfare Officers (SCWOs) are engaged in the delivery of these services. A steering group and a number of working groups have been established to work out the detailed arrangements for the transfer and to consider the implications for the services not being transferred and which will remain within the Health Sector. The steering group is due to report in September with an outline plan of implementation. No date has been set for completion of the transfer process but I expect to bring forward the necessary legislative proposals early in 2007.

I recognise that the programme will involve major organisational, human resource and service delivery challenges. However, the initiative provides an opportunity to bring about positive change for customers and staff and is, I believe, a logical approach to the delivery of services provided by the community welfare service. During the implementation programme, I will be giving a high priority to supporting the continued delivery of the high standard of service currently provided by staff in the community welfare service.

**Question No. 436 answered with Question No. 415.**

**Driving Licences.**

437. Dr. Cowley asked the Minister for Transport the number of people over the age of 65 driving on a long term provisional licence; and if he will make a statement on the matter. [25596/06]

**Minister for Transport (Mr. Cullen):** The period of a provisional licence is generally two years and in certain instances 1 year.

As indicated in my reply to Question 20263/06 Ref. No. 191 of 25 May, 2006 the number of provisional licence holders at 31 December, 2005 aged 65 years and over is 4,388.

**Road Traffic Offences.**

438. Ms O. Mitchell asked the Minister for Transport if the National Drivers File automatically transmits information to the Gardaí PULSE system in relation to the penalty point system; if it is not automatic, the way in which information is transferred; and if he will make a statement on the matter. [25787/06]

457. Ms O. Mitchell asked the Minister for Transport if his attention has been drawn to
whether the number of penalty points awarded to a motorist is available to members of the Gardaí from the National Drivers File; the way in which this information is available to the latter; the manner in which Gardaí can access data from the National Drivers File; and if he will make a statement on the matter. [25785/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 438 and 457 together.

Penalty points are recorded on the relevant driving licence records contained in the National Driver File, which is held and administered by the Department of the Environment, Heritage and Local Government. This flags the record of a driver who has been disqualified due to 12 or more penalty points and whether the disqualified driver has surrendered their driving licence. The file also contains the driver number, full name and address, driver status, driver sex, driver date of birth, personal and public service number and driving licence stock numbers.

I am advised by the Department of Environment Heritage and Local Government that each week a copy of the Driver File is electronically transferred to the Garda IT Unit. Arrangements have been made within the Garda Síochána for access to this information. In addition, under the provisions of the Road Traffic (Licensing of Drivers) Regulations, 1999 Gardaí can seek information directly from the relevant licensing authority.

There is not an automatic exchange of information directly between the National Driver File and the Pulse system but once details of disqualifications are notified to them they are transferred by the Gardaí to the Pulse system.

There are ongoing discussions between this Department, the Department of Environment, Heritage and Local Government and the Garda Síochána in relation to development and improvement of the penalty point system.

Water Sports Vehicles.

439. Mr. English asked the Minister for Transport if he will provide a progress report on the use of jet skis at Lough Lene and Lough Derravaragh in County Westmeath; and if he will make a statement on the matter. [26353/06]

Minister of State at the Department of Transport (Mr. Gallagher): Under the Maritime Safety Act 2005 local authorities have been given the necessary powers to control the operation of jet skis and other fast powered craft in their functional areas.

The framework for regulating such craft came from the 2000 Report of the Action Group on Small Powered Recreational Craft (including personal watercraft) which concluded that the primary public policy response should be the use of local bye-laws. Conditions and issues vary in different parts of the country and it makes sense that those closest and with local knowledge regulate for the particular circumstances.

Section 6 of the Maritime Safety Act 2005, provides that bye-laws may be made regulating or controlling the operation of craft or specified craft, including jet skis, by local authorities in waters in their functional areas, harbour authorities and Waterways Ireland in waters under their control or management. The bye-laws can be used to prohibit or restrict in specified waters or at specified times/periods the use of such craft, for the purposes of, amongst other things, preventing nuisance to persons.

The Maritime Safety Directorate of my Department has issued guidelines to the relevant authorities, including Westmeath County Council, on the powers available to them to regulate craft under the 2005 Act.

Road Safety.

440. Mr. Carey asked the Minister for Transport if there are arrangements in place with National Car Test centres to check the road-worthiness of taxis formerly carried out by the Garda Carriage Office; and if he will make a statement on the matter. [25559/06]


Cycle Facilities.

441. Mr. Eamon Ryan asked the Minister for Transport the minimum permitted width for a combined bus and cycle lane; and the regulations regarding a bus having to overtake a cyclist in such a bus lane. [25586/06]

442. Mr. Eamon Ryan asked the Minister for Transport when a new cycling facilities design manual is due to be published; and the role envisaged for such a manual. [25587/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 441 and 442 together.

There are no statutory specifications prescribed for the dimensions of traffic lanes, including bus lanes. The “Provision of Cycle Facilities — National Manual for Urban Areas”, published in 1998, a copy of which is available in the Oireachtas library, comprises of a set of guidelines for the design and provision of cycle facilities by local authorities.

That Manual, in addressing the issue of Buses and Cycling and the shared use of bus lanes, indicates that the preferable width for a bus lane, used by buses and cyclists, is 4.0 metres and that the minimum width should be 3.5 metres.

Article 10 of the Road Traffic (Traffic and Parking) Regulations 1997 (SI No. 182 of 1997)
regulates overtaking and the provisions laid down here apply to all situations where overtaking arises on a public road. The overtaking of cyclists by buses in a shared use of bus lane situation is not the subject of a specific road traffic regulation. The present Cycle Manual is under review by the Dublin Transportation Office and it is expected that when the review is completed in 2007 the new Cycle Manual will contain guidelines and advice on best practices in the provision of cycle facilities.

**Traffic Management.**

443. Mr. Eamon Ryan asked the Minister for Transport the arrangements which will be put in place for staff in the Dublin Transport Office following the establishment of the Greater Dublin Transport Authority; if all staff will be transferred to the new office; and if existing contracts and employment agreements will be maintained in the transfer to the new authority. [25588/06]

444. Mr. Eamon Ryan asked the Minister for Transport when he expects to open the Dublin Transport Authority; the location of the Authority; the budget which has been allocated for it’s operation; if the Authority will be in operation prior to the establishment of legislation setting out it’s powers; and if so, the Authority such an office will have to direct other local authorities or transport companies in transport matters. [25589/06]

**Minister for Transport (Mr. Cullen):** I propose to take Questions Nos. 443 and 444 together.

I received the report of the Dublin Transportation Authority Establishment Team on the 28th of March. I had asked the Team to: make recommendations on the establishment of a transport authority for the Greater Dublin Area, addressing the remit of the authority, its powers, structure, organisation and human and other resource requirements and such other matters as the Team considered appropriate; give advice on the content of legislation required to establish the proposed authority on a statutory basis; and make recommendations on what interim arrangements should be put in place pending the enactment of the legislation.

Significant work has been undertaken by my Department in the interim in relation to the legislative measures required to establish such an Authority on a statutory basis. It remains my intention to submit the matter to Government for decision in the near future and I expect to be in a position to publish legislation as soon as is practicable following that decision. It would clearly not be appropriate to outline details of my proposals for the new Authority, including possible implications for the Dublin Transportation Office, pending consideration of the matter by the Government. Consideration will also be given by Government to the establishment of an interim Authority to put in place the organisational structure of a new Authority, such as the recruitment of senior management, sourcing of accommodation etc. pending the passage of legislation.

**Rail Network.**

445. Mr. P. Breen asked the Minister for Transport when he expects to report to Government on the Iarnród Éireann business plans relating to phase 1 and phase 2 of the western rail corridor project; and if he will make a statement on the matter. [25590/06]

471. Mr. Sargent asked the Minister for Transport the progress on commencing works on the Ennis to Athenry rail-link: when he expects work to commence on the project; and the costs involved. [26224/06]

483. Mr. M. Higgins asked the Minister for Transport if he favours the bringing forward of proposals for phase one and phase two of the west-on-track proposals for the line from Claremorris to Ennis with regard to the rail proposals within Transport 21; and if he will release funds to Iarnród Éireann to enable them to commence the necessary works for the provision of a new railway station at Oranmore, County Galway. [26487/06]

**Minister for Transport (Mr. Cullen):** I propose to take Questions Nos. 445, 471 and 483 together.

Transport 21 provides for the re-opening of the Western Rail Corridor in 3 phases, Ennis to Athenry (2008), Athenry to Tuam (2011) and Tuam to Claremorris (2014). These projects are to be implemented in conjunction with rail commuter services from Athenry and Tuam serving a new station in Oranmore en route to Galway.

The current position regarding the Western Rail Corridor is that Iarnród Éireann has submitted detailed business proposals 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 proposals have been assessed in my Department and I will be reporting on them to Government shortly.

In addition, Iarnród Éireann is working with the Department of Community, Rural and Gaeltacht Affairs, to agree arrangements and funding under the CLÁR Programme for the preservation of the alignment from Claremorris to Collooney.

**Airport Development Projects.**

446. Mr. Kenny asked the Minister for Transport the plans for Weston Airport; his views on plans to expand activities there; the outcome of his meeting with a group (details supplied); and
if he will make a statement on the matter. [25606/06]

**Minister for Transport (Mr. Cullen):** The plans for Weston Aerodrome are a matter for the Aerodrome itself as it is a privately owned, non-State aerodrome, which has been operating since 1938.

Weston Aerodrome is licensed by the Irish Aviation Authority (IAA) in accordance with the Aerodrome and Visual Ground Aids Order (SI No. 334 of 2000) and in issuing the licence the Authority’s remit extends to aviation safety standards. The Local Authorities are responsible for land use planning at and in the vicinity of Weston aerodrome in accordance with the Planning and Development Act (Number 30 of 2000), including the nature and extent of operations at the aerodrome.

In addition, the IAA is a notice party under the Planning and Development regulations (SI No. 600 of 2001) so that details of any development with the potential to endanger or interfere with the safety, or safe and efficient navigation of aircraft are sent to the IAA. The issues of flight paths, minimum flying heights and safety regulation are also the responsibility of the IAA. I understand that the IAA is satisfied with safety standards at Weston. If there are any plans to expand Weston this is a matter for the Aerodrome, as long as it complies with planning requirements, which are a matter for the local authorities, and safety requirements, which are a matter for the IAA.

My Department has no statutory role in these areas. However it is the duty of Weston to ensure that it acquaints itself with all requirements affecting its activities and to ensure that it complies with those requirements.

In recent years the development of areas surrounding Weston has resulted in large residential areas being built up quite close to the Aerodrome. I met with the Weston Residents Group on 5 April 2006. I appreciate and understand that many residents have concerns about the development of Weston and these were expressed to me at the meeting. It is my desire that any development at Weston should take account of the concerns of local residents, with appropriate consultation and discussion of all relevant matters.

**Traffic Management.**

447. **Mr. Costello** asked the Minister for Transport if his attention has been drawn to the proposals for the management of traffic, drawn up by an association (details supplied), for match days and concerts in Croke Park; his views regarding the proposals; if the proposals require legislation; and if he will make a statement on the matter. [25677/06]

**Minister for Transport (Mr. Cullen):** I am aware of complaints by a local residents’ associ-
Initiative (RTI) is a pilot scheme, under which funding is made available to thirty-four community-based organisations across the country to address the transport needs of their rural areas through the provision of local transport services.

Pobal administers the initiative on behalf of the Department of Transport and makes specific allocations to individual project groups from funding provided by the Department. I have asked Pobal to forward the latest information requested to the Deputy.

Road Safety.

451. Ms O. Mitchell asked the Minister for Transport his views on whether, following a lapse of 14 years since the last publication of the rules of the road, it is appropriate to give 28 days for public submissions; if he will extend the deadline to facilitate organisations wishing to make comprehensive submissions; and if he will make a statement on the matter. [25705/06]

Minister for Transport (Mr. Cullen): The current Rules of the Road Booklet was first published in June 1995. My Department has been working on the revision of that publication. There has been a very considerable amount of work involved in that many significant changes in the overall area of road traffic law have to be reflected in the revised booklet. The draft document was placed on the Department’s website for consultation on 2 June with a closing date of 30th June for receipt of submissions.

It was always my intention that a short opportunity for comments on the revised draft Rules of the Road for the public would be provided and that the new booklet will be finalised and published by the end of the Summer. Submissions received will be considered in finalising the draft document.

In my view, 28 days is a reasonable length of time to provide for a short consultation period. My priority is to ensure that the new version is finalised and published as soon as possible.

The new booklet will be made available for sale. The fact that the new booklet will also be made available on-line by the new Road Safety Authority will ensure that, in the future, the booklet will provide up-to-date information on changes in traffic law and other requirements on an ongoing basis.

452. Ms O. Mitchell asked the Minister for Transport if he will instruct the 34 county councils and city councils to carry out a review of speed limits in their area. [25721/06]

453. Ms O. Mitchell asked the Minister for Transport if, as indicated by him at the time of the change over to the metric system, it is Government policy that all local authorities should undertake a review of existing speed limits; and if he will make a statement on the matter. [25722/06]

454. Aengus Ó Snodaigh asked the Minister for Transport the reason the LUAS bridge on Davitt Road, Dublin is not wheelchair accessible; if there are plans to make it wheelchair accessible; and if he will make a statement on the matter. [25724/06]

456. Ms O. Mitchell asked the Minister for Transport the local authorities which have conducted speed reviews since the introduction of metrification; and if he will make a statement on the matter. [25784/06]

Light Rail Project.

455. Ms O. Mitchell asked the Minister for Transport if he will instruct the 34 county councils and city councils to carry out a review of speed limits in their area. The decision whether or not to carry out a review, the timing of such review and the making of any new special speed limit bye-laws subsequent to a review are matters for each individual council. I have written, however, to all the road authorities reminding them of their important functions in this area and I will do this again if necessary.
bridge over the canal at the nearby Goldenbridge stop is wheelchair accessible.

I am informed by the RPA that prior to approval being sought to construct the Luas line in question and the associated pedestrian bridge at Drimnagh stop, consideration was given to the construction of a ramp to provide wheelchair access to the bridge. Due to the difference in levels between the canal bank and the bridge deck it was determined that a ramp of approximately 180 metres in length would have been required.

The benefit to mobility impaired persons of the provision of a ramp of such length would have been marginal given that the nearby bridge at the Goldenbridge stop is wheelchair accessible. Lengthy ramps are not necessary at the latter bridge due to the lesser difference between the level of the bridge deck and the bank in the vicinity of the lock.

I am informed by the RPA that there are no plans to make the bridge at Drimnagh wheelchair accessible.

**Rail Services.**

455. Mr. O'Dowd asked the Minister for Transport if he will make a statement on the proposals for a new Irish Rail translink high speed rail service from Belfast to Dublin with departures every hour and a 90 minute non-stop journey time; and the way in which this proposal will affect the 800 commuters from Dundalk and Drogheda who currently use the Enterprise rail service. [25756/06]

Minister for Transport (Mr. Cullen): The frequency of rail services on any particular route is an operational matter for Iarnród Éireann. I understand the company is looking at the case for increasing the frequency on the Enterprise services between Dublin and Belfast to an hourly service in the future. The introduction of a 90 minute high speed train service from Dublin to Belfast would require track upgrading and fleet replacement and there are no plans for this under the current investment programme.

Iarnród Éireann proposes to continue to develop and expand, where possible, both Commuter and Enterprise services for Drogheda and Dundalk commuters to meet the needs of the growing population and the resultant demand.

**Regional Airports.**

459. Mr. Kenny asked the Minister for Transport the level of funding provided by his Department under all headings to Knock Airport in the past five years; the allocation proposed for 2006 and 2007; and if he will make a statement on the matter. [25959/06]

Minister for Transport (Mr. Cullen): As indicated in the table below, my Department has provided assistance to Ireland West Airport Knock of almost €4.7 million since 2001 in respect of capital and operational expenditure.

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<th>2001</th>
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As regards 2006 and beyond, it has been necessary for my Department to draw up two new schemes in respect of capital and operational expenditure to ensure compliance with the requirements of EU guidelines on the provision of public finance to airports which were published
by the EU Commission in December 2005. These new schemes have been notified to the EU Commission for the sake of legal certainty.

Meanwhile, the schemes have now been forwarded to the regional airports, inviting them to submit applications for assistance by 1 September in the case of operational expenditure and by 15 September in the case of capital projects. The capital applications will be assessed and prioritised by my Department later this year by reference to a planning and implementation framework extending to 2010. As regards applications for operational assistance, it will be necessary for my Department to agree a Memorandum of Understanding with each airport for the provision of core airport services. The amount of assistance for each individual airport will be decided annually on the basis of an examination of the projected shortfall between, on the one hand, the costs of providing those services in the year in question and on the other, total revenues likely to be available to the airport during the year.

The funding to be provided for Ireland West Airport Knock and any other regional airport in respect of 2006 and 2007 will therefore depend on the outcome of the two assessment processes mentioned above.

460. Mr. Kenny asked the Minister for Transport the resources available to him for disposal among regional airports; the way in which it is proposed to allocate these resources; the objectives and spending targets by his Department in this area for the next three to five years; and if he will make a statement on the matter. [25961/06]

Minister for Transport (Mr. Cullen): A total of €100 million will be available for investment in capital projects in all regional airports under the Transport 21 framework between 2006 and 2015. The projected allocation of funds to the Department for this purpose over the next 5 years is as follows:

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</tbody>
</table>

As well as the continuation of grant assistance for essential safety and security capital expenditure under the NDP, all regional airports will be eligible for capital expenditure grants where demand for additional air services can be demonstrated and where an economic case can be made to justify increased investment. My Department has now launched a scheme to give effect to the Transport 21 provision and has invited the regional airports to submit their applications by 15th September 2006.

The airports have also been invited to submit by 1st September 2006 their applications for assistance under a separate scheme which provides for the payment of a subvention in respect of the provision of core airport services, to the extent that these cannot otherwise be financed from airport revenues. The resources available for this purpose from year to year will be decided as part of the annual estimates exercise.

For the sake of legal certainty, the two new schemes have been formally notified to the EU Commission for clearance under the relevant EU guidelines which were published in December 2005.

Allocations to regional airports will be made strictly in accordance with the terms of these schemes.

**Departmental Programmes.**

461. Mr. Kenny asked the Minister for Transport the proposed spending envelopes approved and set out by his Department for the foreseeable future; the broad objectives to be achieved by spending of such financial envelopes; the time-scale set out for achievement of targets; and if he will make a statement on the matter. [25970/06]

Minister for Transport (Mr. Cullen): Transport 21 is the Government’s €34 billion, 10-year capital investment framework for transport, through which the transport system in Ireland will be developed for the period 2006-2015. This framework addresses the twin challenges of past investment backlogs and continuing growth in transport demand. The projects and programmes that make up Transport 21 aim to increase accessibility, ensure sustainability, expand capacity, increase use, and enhance quality. Transport 21 covers investment in national roads, public transport and regional airports.

The basis for Transport 21 is a ten-year capital envelope agreed with the Minister for Finance. This envelope comprises an agreed annual provision for Exchequer and PPP expenditure over each of the ten years based on a combination of project — specific allocations for major infrastructure works and global allocations for certain areas of expenditure like traffic management. Each year annual allocations are made from the provision for that year, either in the form of global allocations to bodies like the National Roads Authority (for national road improvements) or project — specific allocations.

**Information Technology.**

462. Mr. Quinn asked the Minister for Transport the information technology purchasing requirements, for both hardware and software, in his Department for the second half of 2006; the requirements for which tender requests have been issued; and if he will make a statement on the matter. [26040/06]

Minister for Transport (Mr. Cullen): The projected hardware and software requirements of my Department in the second half of 2006 are summarised as follows:
463. **Mr. Quinn** asked the Minister for Transport his Department’s information technology purchasing policy; and if he will make a statement on the matter. [26055/06]

464. **Mr. Quinn** asked the Minister for Transport the percentage of information technology spend in his Department that went to Irish SMEs in each year from 2002 to date in 2006; the percentage for European Union and European Economic Area SMEs; if systems are in place in his Department’s procurement procedures to give preference to SMEs, such as the weighting system in place in the Local Government Computer Services Board; and if he will make a statement on the matter. [26070/06]

466. **Mr. Quinn** asked the Minister for Transport the steps he is taking to support the development of the indigenous software industry through his Department’s public procurement process; and if he will make a statement on the matter. [26100/06]

**Minister for Transport (Mr. Cullen):** I propose to take Questions Nos. 463, 464 and 466 together.

IT Procurement in my Department is conducted in accordance with “Public Procurement Guidelines 2004” issued by the National Public Procurement Policy Unit of the Department of Finance which is available on that Department’s website or at [www.etenders.gov.ie](http://www.etenders.gov.ie).

The guidelines require procurement processes to be open, objective, transparent, and cost effective. The giving of preference to any class of provider would quite possibly be open to challenge. Consequently, my Department does not, unless it is directly relevant to the ability to provide a specific service or equipment, track the nationality or size of enterprise to whom contracts are awarded.

465. **Mr. Quinn** asked the Minister for Transport the average size of information technology procurement contracts in his Department; the median size of such contracts; and if he will make a statement on the matter. [26085/06]

**Minister for Transport (Mr. Cullen):** For the 2006 calendar year the estimated average IT procurement contract cost is just under €30,000. The estimated median procurement contract cost is about €13,000. These figures relate to 37 actual or planned procurements, 6 of which are expected to exceed €75,000 in value. The maximum procurement contract awarded in 2006 is expected to be under €125,000.

**Question No. 466 answered with Question No. 463.**

**Road Network.**

467. **Mr. Sargent** asked the Minister for Transport the Department that has responsibility for bridges over the river Shannon in view of the Foynes Port Company’s plans in this regard. [26211/06]

**Minister of State at the Department of Transport (Mr. Gallagher):** I am not aware that the Minister for Communications, Marine and Natural Resources has any responsibilities with regard to bridges over the river Shannon. Similarly I am not aware of any plans that Shannon Foynes Port Company has in regard to bridges over the river Shannon.

Overall responsibility for the planning, design and implementation of any national road projects that cross the river Shannon is a matter for the National Roads Authority and the relevant local authority. Non-national roads fall under the remit of the Minister for Environment, Heritage and Local Government and the relevant local authority.

Section 15A of the Roads Act 1993, as inserted by Section 245 of the Local Government Act 2001, states that ‘a road authority shall not construct or reconstruct a bridge or viaduct over, or a tunnel under..., any inland waterway within the meaning of the Minister for Arts, Heritage, Gaeltacht and Islands (Powers and Functions) Act, 1998 or any navigable water, save with the consent of the Minister for Arts, Heritage, Gaeltacht and the Islands.’ This consent function now resides with the Minister for Community, Rural and Gaeltacht Affairs.
Public Transport.

468. Ms O. Mitchell asked the Minister for Transport the average subvention per journey for each DART passenger in the year 2004 and to date in 2006; and if he will make a statement on the matter. [26217/06]

Minister for Transport (Mr. Cullen): The total Exchequer payment for public service obligations to Iarnród Éireann in 2004 was €171.421 million, of which €1.06 million was in respect of DART interest payments. The total number of passenger journeys on Iarnród Éireann services was 34.6 million, of which 23.3 million were carried on the DART and Suburban lines. The Exchequer payment for each passenger carrying was, therefore, €4.92. It should be noted that passenger carryings were reduced in 2004, arising from line closures at weekends during the DART upgrade works.

Exchequer payments for public service obligations to Iarnród Éireann from January 2006 to July 2006 amounts to €104.853 million. Passenger carryings for the corresponding period are not yet available.

State Airports.

469. Mr. Sargent asked the Minister for Transport if he will commit to funding the €53 million economic plan drawn up by the Mid West Regional Authority in consultation with others in response to the ending of the Shannon stop-over and the beginning of open skies; when he will commence funding the plan; and the amount his Department will commit to the plan over the next five years. [26219/06]

Minister for Transport (Mr. Cullen): In announcing the agreement reached with the US authorities last December in relation to a transitional arrangement for Shannon Airport in the context of the proposed EU/US ‘open skies’ I indicated that I would prepare, in consultation with my colleagues, the Minister for Arts, Sport & Tourism and the Minister for Enterprise, Trade & Employment, a tourism and economic development plan for Shannon and the West of Ireland.

Preparation of this plan is at an advanced stage and I have received a number of inputs to the process. The Deputy refers to one of these inputs from a local liaison group under the chairmanship of the Clare County Manager. The Deputy will appreciate that at this stage of the process it would not be appropriate for me to comment on any specific aspects of the plan.

470. Mr. Sargent asked the Minister for Transport further to comments (details supplied) by the chairman of the Dublin Airport Authority that Shannon Airport is losing money, the way in which he, with the DAA and the SAA, will overcome the problems outlined by the person in a presentation to the Joint Committee on Trans-

Regional Airports.

472. Mr. Deasy asked the Minister for Transport if he has received a proposal from the board
of Waterford Regional Airport to extend the runway at that airport; when that proposal was submitted to him; if he will provide funding for the proposed extension; and if he will make a statement on the matter. [26266/06]

Minister for Transport (Mr. Cullen): A total of €100 million will be available for investment in capital projects in all regional airports under the Transport 21 framework between 2006 and 2015.

Following my announcement of the Transport 21 plan, I received a development plan proposal from Waterford Regional Airport in December 2005. A key element of that proposal was the extension of the runway and associated works. My Department advised the airport at the time that it was formulating a new scheme to implement the Transport 21 provisions and that formal submission of proposals under the new scheme would be sought in due course.

My Department has now launched the new scheme and has invited the regional airports to submit their applications by 15th September 2006. These will be assessed and prioritised by my Department later this year by reference to a planning and implementation framework extending to 2010. Meanwhile, for the sake of legal certainty, the new scheme has been formally notified to the EU Commission for clearance in relation to the guidelines on the funding of regional airports which were published in December last.

It is open to Waterford Regional Airport to submit the runway development proposal for consideration under the new scheme.

Public Transport.

473. Ms O. Mitchell asked the Minister for Transport the powers enjoyed by him under Section 25(1) and (2) of the Transport Act 1958; the number of times this provision has been exercised by him for each of the past five years and to date in 2006; the names and routes of operators to which it was applied and which were awarded licences under the provision; the criteria and procedures applied by him in respect of a decision by him to utilise Section 25(1) and (2) of the 1958 Act in respect of the licensing of bus services; and if he will make a statement on the matter. [26267/06]

Minister for Transport (Mr. Cullen): Section 25 (1) of the Transport Act 1958 provides that the consent of the Minister for Transport is required where either Bus Éireann or Dublin Bus wish to introduce or alter a passenger road service where such service would compete with a licensed passenger road service provided by a private bus operator. In accordance with this legislation, private bus operators apply to my Department for Passenger Licences to operate coach and bus services within the State.

The application referred to by the Deputy was received in my Department on 30th January 2006 and is queued for processing based on the established practice that licence applications are dealt with on first come, first served basis.

My Department has been in contact with the Company’s representative regarding this application and has requested additional information to be submitted in support of the application which when received will assist in making a decision on the matter.

475. Mr. English asked the Minister for Transport if he will allocate extra funding to advance the Navan to Dublin rail link in order to deliver this infrastructural project prior to 2015; and if he will make a statement on the matter. [26285/06]

476. Mr. English asked the Minister for Transport if his Department has investigated the possibility of extending the Navan to Dublin rail link on to Kells and Oldcastle; and if he will make a statement on the matter. [26286/06]
478. Mr. English asked the Minister for Transport if a detailed plan for the implementation of the Navan to Dublin Rail Link under Transport 21 has been drawn up; the details of such plans; and if he will make a statement on the matter. [26302/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 475, 476 and 478 together.

Under Transport 21, it is proposed that the Navan Railway Line will be developed in two phases. The first phase will involve the construction of a spur off the Maynooth line at Clonsilla to Pace, beyond Dunboyne, due to be completed in 2009. Subject to further studies it is proposed to extend the line to Kilcock, Enfield and Maynooth. Any new station on the line between Mullingar and Maynooth would need to be justified on the basis of substantial proposed development in the locality and supported by developers accordingly.

Question No. 478 answered with Question No. 475.

Public Transport.

479. Mr. English asked the Minister for Transport if Bus Éireann has applied to his Department for licences to extend their services in County Meath; and if he will make a statement on the matter. [26303/06]

Minister for Transport (Mr. Cullen): Under section 24 of the Transport Act, 1958, Dublin Bus and Bus Éireann are not required to hold a licence under the Road Transport Act, 1932. However, the State bus companies are required by Ministerial direction to make notifications to my Department of proposed new services or changes to existing services, at least four weeks prior to their introduction.

In accordance with long standing practice, details of applications and notifications remain confidential until a decision is made. However, I can advise the Deputy that my Department has received 5 notifications from Bus Éireann relating to proposed alterations to services in County Meath. Decisions in relation to these notifications will be made shortly.

Road Network.

480. Mr. English asked the Minister for Transport his views on upgrading the R395 from Delvin to Edgeworthstown to a national route as a continuation of the N51; and if he will make a statement on the matter. [26351/06]

Minister for Transport (Mr. Cullen): The national and regional road classification system was set out in Statutory Instrument (S.I.) 209 of 1994: Roads Act, 1993 (Declaration of National Roads) Order, 1994 and S.I. 400 of 1994: Roads Act, 1993 (Declaration of Regional Roads) Order, 1994. This system was established in consultation with local authorities and took account of representations received from a wide range of local interests. A major review of these Statutory Instruments — designed to take account of road improvements and route changes since 1994 — was completed earlier this year and amending Statutory Instruments (S.I. 187 of 2006 and S.I. 188 of 2006) were signed by the Minister in April this year.

While there are no immediate proposals to reclassify the R395 from Delvin to Edgeworthstown as a continuation of the N51, the matter will be examined in the course of any further revision of the classification system.
Rail Services.

481. **Mr. English** asked the Minister for Transport if he will provide a more regular train service from Enfield to Dublin; if he will investigate the possibility of extending the Arrow service from Dublin to Enfield; and if he will make a statement on the matter. [26354/06]

**Minister for Transport (Mr. Cullen):** The provision of more regular train services between Enfield and Dublin is an operational matter for Iarnród Éireann. However, the company has informed me that they propose to provide some additional services to Enfield in the new schedules to be introduced in December, 2006 and to further develop the service as more new rolling stock becomes available from 2008.

Light Rail Project.

482. **Mr. M. Higgins** asked the Minister for Transport his views on funding a feasibility study for light rail in Galway, its regions and other such regions as appropriate. [26486/06]

**Minister for Transport (Mr. Cullen):** Transport 21 sets out the Government's transport capital investment priorities for the ten-year period 2006 to 2015. In developing Transport 21, my Department took account of the National Spatial Strategy, Regional Planning Guidelines and a range of other sectoral and regional policy and planning documents, including the Galway Transportation and Planning Study.

Transport 21 includes a commitment to the provision of a commuter rail service to Galway via Oranmore and an improved bus service, including bus priority measures for Galway City. These improved transportation services for Galway city are to be supported by the settlement strategy including the development of the Ardaun corridor to the east of Galway city, as set out in the Galway Transportation Planning Study agreed by Galway City and Galway County Councils. That study did not propose light rail in the city.

I recently received a copy of the submission by Galway City Council on the next National Development Plan to the Department of Finance. This submission lists a feasibility study into light rail as among its specific investment priorities. However, it provides no real supporting evidence for this proposal, nor does it suggest any reasons for departing from the recommendations of the Galway Transportation Planning Study.

I therefore have no proposals to fund a feasibility study on light rail in Galway.

Question No. 483 answered with Question No. 445.

Rural Development.

484. **Dr. Upton** asked the Minister for Community, Rural and Gaeltacht Affairs the membership of the National Rural Development Forum; their qualifications; and if he will make a statement on the matter. [25539/06]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** As set down in the White Paper on Rural Development, the National Rural Development Forum has a wide membership including Government Departments, State Agencies, the Regional Assemblies and Authorities, Local Authorities, the social partners, local development bodies, and the wider voluntary and community sector. My Department does not hold details of the qualifications of those who attend the Forum.

Departmental Schemes.

485. **Dr. Upton** asked the Minister for Community, Rural and Gaeltacht Affairs the uptake in the rural social scheme programme; the cost to the Exchequer of each participant in the programme; and the financial incentives for participation in the programme. [25540/06]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** There are currently 2,362 participants on the Rural Social Scheme (RSS). The rate of payment an RSS participant is entitled to is determined by their personal/family circumstances and is based on their qualifying payment from the Department of Social & Family Affairs. The current weekly rates payable under the RSS are as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>€</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participant without adult or child dependants:</td>
<td>190.20</td>
</tr>
<tr>
<td>Participant with adult dependant:</td>
<td>300.20</td>
</tr>
<tr>
<td>Each child dependant (full rate):</td>
<td>16.80</td>
</tr>
<tr>
<td>Each child dependant (half rate):</td>
<td>8.40</td>
</tr>
</tbody>
</table>

An amount of €43.322m has been provided in my Department’s Estimates for the RSS in 2006.

Departmental Expenditure.

486. **Mr. Kenny** asked the Minister for Community, Rural and Gaeltacht Affairs the proposed spending envelopes approved and set out by his Department for the foreseeable future; the broad objectives to be achieved by spending of such financial envelopes; the timescale set out for
achieve the achievement of targets; and if he will make a statement on the matter. [25971/06]

Minister for Community, Rural and Gaeltacht Affairs (Eamon Ó Cuív): As the Deputy will be aware, the Capital Envelope Framework provides for the allocation of capital funding across Departments under the Public Capital Programme on a 5-year basis, subject to annual review. At present, my Department’s envelope for the period 2006-2010 is as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>€m</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>142,650</td>
</tr>
<tr>
<td>2007</td>
<td>129</td>
</tr>
<tr>
<td>2008</td>
<td>129</td>
</tr>
<tr>
<td>2009</td>
<td>130</td>
</tr>
<tr>
<td>2010</td>
<td>130</td>
</tr>
<tr>
<td>Total:</td>
<td>661,650</td>
</tr>
</tbody>
</table>

The allocations for 2007 onwards will be reviewed further in the context of the development of the Public Capital Programme 2007-2011 and the National Development Plan 2007-2013.

The strategic priorities of my Department are set out in its Strategy Statement 2005-07, which is available on my Department’s website at www.pobail.ie. The Strategy Statement also includes a range of performance indicators for the key strategic objectives, including timescales where appropriate. For the convenience of the Deputy, I have provided in Appendix I a summary of the broad objectives of the principal capital expenditure programmes administered by my Department.

The allocation of funds across these programmes for 2006 is set out in the Revised Estimates Volume 2006, while the individual allocations for 2007 and future years will decided in the context of the relevant Estimates process, taking into account the evolution of policy objectives and the impact on programmes of factors such as emerging demands, planning issues, etc. My officials will be happy to provide any further information required by the Deputy in relation to any of the individual programmes described in the appendix.

Appendix I: Department of Community, Rural and Gaeltacht Affairs — summary of objectives of principal capital programmes

Tithe Gaeltachta
Funding is provided under this programme to provide grants to Irish-speaking residents to assist in the expansion and improvement of the housing stock in Gaeltacht areas.

Scéimeanna Feabhsúcháin sa Ghaeltacht
Capital grants are made available for the provision, improvement or repair of roads, marine works and other facilities such as community centres, playing pitches and group water schemes in the Gaeltacht.

Oileáin
Assistance is provided to support the provision of a developed infrastructure in order to ensure the sustainability of island communities, through a combination of direct capital investment and supporting capital investment by other Departments and agencies.

Údarás na Gaeltachta
Capital funding is provided to enable Údarás na Gaeltachta to develop the Gaeltacht economy so as to facilitate the preservation and extension of the use of the Irish language within the Gaeltacht.

Programme for Peace and Reconciliation and INTERREG
To meet relevant commitments under the Programme for Peace and Reconciliation and the INTERREG Initiative.

Drugs/Young Peoples Facilities & Services Fund
Under the National Drugs Strategy, capital funding is provided through the Young Peoples Facilities and Services Fund and the Premises Initiative for the development of recreational facilities to attract “at risk” young people away from the potential dangers of substance misuse; and the provision in Drugs Task Force areas of community-based facilities for counselling, treatment and rehabilitation of drugs users.

RAPID
Funding is made available to support small-scale localised actions through co-funding arrangements with Departments/local agencies, in the context of the RAPID Programme for disadvantaged urban areas.

Western Investment Fund (WIF)
Operated by the Western Development Commission the WIF provides seed and venture capital or loans to projects.

LEADER and National Rural Development Programme
LEADER+ seeks to encourage the emergence and testing of new approaches to integrated and sustainable development in rural communities, using a bottom-up approach. The Area Based Rural Development Initiative ensures the availability of funding in those areas that are not covered by the LEADER+ Programme.

Rural Social Scheme
The capital allocation to the Rural Social Scheme is intended to enhance the effectiveness of the scheme by facilitating investment in equipment and materials.

CLÁR
Funding and/or co-funding is provided to Departments, local authorities and other agencies to support the provision and improvement of
facilities to address rural disadvantage across a range of measures.

Waterways Ireland
Expenditure under this programme supports investment in the inland navigable waterways system.

Information Technology.

487. Mr. Quinn asked the Minister for Community, Rural and Gaeltacht Affairs the information technology purchasing requirements, for both hardware and software, in his Department for the second half of 2006; the requirements for which tender requests have been issued; and if he will make a statement on the matter. [26041/06]

488. Mr. Quinn asked the Minister for Community, Rural and Gaeltacht Affairs his Department’s public procurement process; and if he will make a statement on the matter. [26056/06]

489. Mr. Quinn asked the Minister for Community, Rural and Gaeltacht Affairs the percentage of information technology spend in his Department that went to Irish SMEs in each year from 2002 to date in 2006; the percentage for European Union and European Economic Area SMEs; if systems are in place in his Department’s procurement procedures to give preference to SMEs, such as the weighting system in place in the Local Government Computer Services Board; and if he will make a statement on the matter. [26071/06]

490. Mr. Quinn asked the Minister for Community, Rural and Gaeltacht Affairs the average size of information technology procurement contracts in his Department; the median size of such contracts; and if he will make a statement on the matter. [26086/06]

491. Mr. Quinn asked the Minister for Community, Rural and Gaeltacht Affairs the steps he is taking to support the development of the indigenous software industry through his Department’s public procurement process; and if he will make a statement on the matter. [26101/06]

Mr. Quinn proposed to take Questions Nos. 487 to 491, inclusive, together.

All Information Technology purchases, including software, in my Department are made on the basis of appropriate competitive processes under national and EU rules. These rules preclude the giving of preference to any potential supplier on the basis of nationality or enterprise size.

Contracts are awarded following a competitive process and the relevant evaluation criteria are notified in the tender etc. documentation drawn up in respect of each such competition.

My Department does not keep records of supplier data based on nationality or enterprise size.

My Department’s Information Technology procurement contracts can vary from year to year in respect of number, type, duration and value of contracts awarded. The estimated Information Technology spend of €1m. for 2006 covers a total of 44 contracts, some 35 of which were awarded before 2006.

Of the 9 new contracts included in the figure, the average size is €25,685; the median size is €11,011.

The Information Technology purchasing requirements for hardware and software for my Department for the second half of 2006 will mainly be for a limited number of PC’s, servers, printers and software licences for my Department’s new decentralised offices in Tubbercurry. Tender requests been issued in respect of all of these requirements.

Departmental Correspondence.

492. Ms Enright asked the Minister for Community, Rural and Gaeltacht Affairs the action he will take regarding correspondence of 13 June, 2006 from a group (details supplied) in County Offaly; if he will assist the cohesion process to move forward there; and if he will make a statement on the matter. [26115/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Officials of my Department have made contact with Offaly County Development Board in order to advance the cohesion process in Offaly and to address the obstacles to progress, including those issues mentioned in the letter referred to by the Deputy.

493. Ms Enright asked the Minister for Community, Rural and Gaeltacht Affairs the number of counties which have to complete the cohesion process; and if he will make a statement on the matter. [26116/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): To date, I have approved funding for a total of 22 County/City Developments Boards and Udaráis na Gaeltachta. In the case of two of these CDBs further proposals are awaited in order to complete county coverage. I am considering the position in relation to the 12 other counties at present.

So far this year, I have approved a total of €3,049,696 for cohesion actions and €76,600 for volunteering measures.

Departmental Programmes.

494. Mr. Ardagh asked the Minister for Community, Rural and Gaeltacht Affairs the way in which a centre (details supplied) in Dublin 12 can
best fund the position of co-ordinator of services. [26117/06]

**Minister for Community, Rural and Gaeltacht Affairs (Eamon Ó Cúiv):** Having examined the matter in relation to the type of funding required by the Loreto Centre, the position is that the funding proposal does not come directly within the remit of the programmes directly administered through my Department.

For the project to have been eligible for funding under the RAPID strand, it would have to have been identified as a priority by the RAPID Area Implementation Team.

The Project might potentially be suitable for funding under the Local Development Social Inclusion Programme which is implemented at local level by area based partnerships. It is a matter in the first instance for the relevant partnership company — the KWCD Partnership — to assess whether the project would fall within its strategic plan for the area. The Kimmage, Walkinstown, Crumlin, Drimnagh Partnership (KWCD) contact details are as follows:

- **Kimmage, Walkinstown, Crumlin, Drimnagh Partnership (KWCD)**
  - Unit 9, Ashleaf Centre, Crumlin Cross, Dublin 12.
  - Manager: Mr. Brian Nugent
  - Tel: 01-4059300
  - Fax: 01-4059359
  - E-Mail: info@kwcd.ie
  - Web: www.kwcd.ie

The Project may also examine the funding available through the Family Services Agency’s Community and Family Resource Centre funding stream, administered by the Department of Social and Family Affairs.

**Community Services.**

495. **Mr. Connaughton** asked the Minister for Community, Rural and Gaeltacht Affairs if he will provide more staff to a company (details supplied) in County Galway; the reason this company had three employees and a project manager in May 2002 under the social economy project administered through FAS but now that responsibility has been transferred to his Department the project has one manager and one employee; if his attention has been drawn to the fact that this level of staff will make it impossible to carry out the programme of work in Mountbellew and the wider community; and if he will make a statement on the matter. [26263/06]

**Minister for Community, Rural and Gaeltacht Affairs (Eamon Ó Cúiv):** When the funding for the Social Economy Programme (now renamed the Community Services Programme) transferred to my Department on 1st January 2006, the amount of funding which transferred matched the existing staffing and liabilities within the Programme.

My Department has made no reduction in the number of positions, nor in the budgets of projects funded since taking responsibility for the Programme.

My Department has become aware of a number of projects, which, for varying reasons, carried over vacancies from 2005 into 2006. My Department are in discussions with FAS to clarify the situation in regard to these vacancies, with a view to ensuring that projects agreed staffing numbers for 2005 are honoured.

In the case of Galway Tele-working Cooperative Ltd. (GTCO), my Department is satisfied that the agreed staffing of the Project for 2005 was for 1 Manager and 2 full-time equivalent staff. My Department is ensuring that the Project is funded on that basis.

**Ulster Canal.**

496. **Mr. Crawford** asked the Minister for Community, Rural and Gaeltacht Affairs the situation regarding the Ulster Canal; the meetings he or his senior personnel have had with their opposite numbers in Northern Ireland from May to June 2006; if he agrees that the two independent reviews carried out recently are very positive and fully justify the necessary expenditure; if he will insist that this project commence as a matter of urgency; and if he will make a statement on the matter. [26371/06]

**Minister for Community, Rural and Gaeltacht Affairs (Eamon Ó Cúiv):** In my reply to Question No. 17496/06 dated 10 Bealtaine 2006 I informed the Deputy that I met Mr. David Hanson MP, the then Minister for Culture, Arts and Leisure, on the 6 March 2006, and that we discussed amongst other issues the possible restoration of the Ulster Canal. We also welcomed the publication of a “Socio Economic Summary Report for the North East and South West Sections of the Ulster Canal” and a feasibility study into the “Reopening of the Ulster Canal” which Waterways Ireland had commissioned at our request.

I since met the new Minister for Culture, Arts and Leisure, Ms. Maria Eagle MP, on the 19 June 2006, and I took the opportunity, inter alia, to discuss the Ulster Canal with her. Arrangements for a further bilateral meeting with Minister Eagle are being discussed, and I anticipate that such a meeting will afford a further opportunity to advance our consideration of this issue.

**Rural Development.**

497. **Mr. Crawford** asked the Minister for Community, Rural and Gaeltacht Affairs his proposals to bring together the different organisations such as LEADER, Partnership and so on under one
administration; if the necessary funds will be made available to provide the necessary rural employment to replace the job losses in agriculture where so many are being forced out on a daily basis; and if he will make a statement on the matter. [26372/06]

Minister for Community, Rural and Gaeltacht Affairs (Eamon Ó Cuiv): I wish to refer the Deputy to the reply to Question No 65 of 16th May and Nos 98 and 100 of 21st March 2006 in relation to the background to the review of local and community structures.

The key principles governing the review are:

— improving on the ground services, supports and impacts on local communities, from within existing levels of resources,
— streamlining and rationalising structures so as to avoid overlaps, duplication and undue administrative overheads,
— bringing transparency, co-ordination and improved control to the funding and operation of local/community development measures,
— strengthening the democratic accountability of agencies and service providers in this area.

The primary aim is to secure improved co-ordination of service provision on the ground and thereby achieve maximum impact for expenditure in a given area.

In relation to the cohesion programme funding of €3,248,600 was allocated during 2004 to support specific measures developed by local agencies. A total of €4,836,927 was awarded in respect of cohesion initiatives during 2005, including €1,463,400 for the promotion of volunteering. The provision for 2006 is €4,273,000 from which I have approved €3,049,696 for cohesion actions as well as €76,600 for volunteering measures. To date, I have approved proposals from 22 County/City Development Boards and Údarás na Gaeltachta. Discussions are on-going in relation to the remaining 12 CDBs.

I am well aware of the changing nature of agriculture in Ireland in recent years, particularly, the increase in part-time farming, and it was with this in mind that I introduced the Rural Social Scheme in 2004. The Scheme aims to provide income support for low-income farmers and fishermen and also to provide certain services of benefit to rural communities. The Scheme allows low-income farmers to earn a supplementary income while at the same time, rural communities benefit from their skills and talents in maintaining and improving local amenities and facilities. The Scheme has proved to be very popular and currently there are over 2,350 participants. Funding of €42.322m has been provided for the Scheme this year.

Departmental Funding.

498. Dr. Upton asked the Minister for Community, Rural and Gaeltacht Affairs the sources of funding his Department have to provide support to an organisation (details supplied) in Dublin 10; and if he will make a statement on the matter. [26665/06]

Minister for Community, Rural and Gaeltacht Affairs (Eamon Ó Cuiv): The Local Development Social Inclusion Programme (LDSIP) and RAPID may be of relevance.

LDSIP

This Programme provides a series of Measures, funded under the National Development Plan 2000-2006, that are designed to tackle social exclusion, deliver a more sustainable economy, improve employment prospects and balance regional development. In this case the Ballyfermot Partnership is the appropriate partnership company through which relevant requests for funding should be channelled. Their contact details are as follows:

Ballyfermot Partnership, Ballyfermot Community Civic Centre, Ballyfermot Road, Dublin 10

Manager: Mr. Mark Magee
Tel: 01-6207165
Fax: 01-6207177
E-Mail: info@ballyfermotpartnership.ie

RAPID

In June 2006 approval of the Government was granted for Departments to prioritise Ballyfermot for funding for NDP investment, facilities and services, on the same basis and in addition to the 45 existing areas designated under the RAPID Programme in 2006. Prioritisation of funding in RAPID areas has a particular impact for applications under Dormant Accounts, Sports Capital Programme, Equal Opportunities Childcare Programme, and community based CCTV funding. In relation to Dormant Accounts, the position is that an indicative amount of €300,000 under the 2006 Programme has been ringfenced to support priority projects identified in the Ballyfermot area. To this end, it is intended to invite proposals in respect of the Ballyfermot area when the RAPID implementation group has been established. In addition, the Department of Justice, Equality and Law Reform has ringfenced a significant amount of funding under the Equality for Women measure, solely for applications from RAPID areas.

Rural Environment Protection Scheme.

499. Mr. Naughten asked the Minister for Agriculture and Food if, in the event of her Department withholding payments from a farmer due to
a disputed claim over area aid or REP scheme dating back to 2002, the farmer should establish their rights subject to complying with all terms and conditions under the aforementioned schemes; if her Department will issue back dated payments; and if she will make a statement on the matter. [25533/06]

Minister for Agriculture and Food (Mary Coughlan): A REPS plan must cover all the land which is in the applicant's control. However, payments can be made only on the area recognised as meeting the eligibility criteria at the time the initial application is made. If, at some later stage, land that was deemed ineligible for payment at the outset is found to have met the eligibility criteria all along, then my Department will make backdated payments on it.

**EU Regulations.**

500. Mr. Kenny asked the Minister for Agriculture and Food the number of applications she has received from a society (details supplied) to have its licence renewed since 1998; her response to these applications; if the society's licence has been renewed; if not, the reason thereof; the body or organisation which currently holds the society's stud book; and if she will make a statement on the matter. [25534/06]

Minister for Agriculture and Food (Mary Coughlan): Under the provisions of the European Communities (Equine Stud-Book and Competition) Regulations 2004 (S.I. No. 399 of 2004) I am empowered to grant approval to organisations seeking to maintain a stud-book subject to the applicant satisfying the criteria for approval. Prior to the introduction of SI No. 399 of 2004, such approvals were granted under the European Communities (Equine Stud-Book and Competition) Regulations 1993 (S.I. No. 305 of 1993).

Since 1998 I have received two applications for approval from the organisation named by the Deputy. With regard to the first application (dated 23rd April 2004), after having considered all the material relevant to this application, my Department wrote to the applicant Society on 22nd June 2005, in accordance with the provisions of SI No. 399 of 2004, informing the Society of my intention to refuse the application. The reasons for the intended refusal were set out in this letter as is required under SI No. 399 of 2004 and the applicant was afforded 14 days to make representations or have representations made on its behalf. On 29th August 2005 my Department wrote again to the applicant Society informing it that having had regard to a representation received from the Society in the interim, I decided in accordance with the provisions of the European Communities (Equine Stud-Book and Competition) Regulations 2004 (S I No. 399 of 2004), to refuse to grant the approval sought by the Society. The reasons for the refusal were set out in the letter dated 29th August 2005. In summary the application did not satisfy the criteria for approval. The Society was also informed in this letter that it could re-apply for approval as a stud-book keeping organisation and advised that it should address the issues leading to the refusal prior to re-applying.

The Society submitted a second fresh application for approval to maintain a stud-book dated 13th April 2006. Officials from my Department have written to the Society seeking additional information in support of the application and a reply is awaited from the Society. The application cannot be progressed until this information is provided.

The Society named by the Deputy continues to operate its own studbook although it is no longer approved by me as a stud-book keeping organisation. When the application for approval submitted by the Society (in 2004) was refused resulted in there being no organisation approved to maintain the studbook of origin for this breed. It is not a requirement for the studbook of origin to be held in the country to which the breed originated. For example, the studbook of origin for the Anglo Arab breed is held in France, yet this breed is not native to France. It is against this background that the relevant Competent Authority in Germany approved the European Coloured Horse Association as the Studbook of Origin (for the horse in respect of which the Society named by the Deputy has sought approval) until 31st December 2007 on condition that the status as Studbook of Origin would be handed back to Ireland, subject to an Irish organisation being approved for this purpose.

As I have already outlined approvals are granted to organisations to maintain studbooks in accordance with the provisions of the European Communities (Equine Stud-Book and Competition) Regulations 2004 (S I No. 399 of 2004). I support and encourage the establishment of studbooks. They can play a key role in breed preservation and breed improvement. Approved studbooks also discharge the very important function of issuing identification documents for equines registered in their studbook. Given the foregoing I trust you will understand that it is only those applicants who satisfy the criteria for approval can be granted approval to maintain a studbook.

Sugar Beet Sector.

501. Mr. Wall asked the Minister for Agriculture and Food the position of the discussions on the compensation payments for the sugar beet growers; when the final decision will be made in regard to this matter; if there is an appeal system available to applicants for reaching the final agreement; and if she will make a statement on the matter. [25535/06]
502. **Mr. Wall** asked the Minister for Agriculture and Food her views in relation to the beet growers concerns in regard to the share of the EU compensation that will be allocated to the growers; her further views on correspondence (details supplied); and if she will make a statement on the matter. [25536/06]

504. **Mr. Wall** asked the Minister for Agriculture and Food if the continued participation of Greencore in the sugar industry impedes or affects their application for a share of the reconstruction fund as agreed by EU Ministers; and if she will make a statement on the matter. [25889/06]

505. **Mr. Wall** asked the Minister for Agriculture and Food the position of the Mallow and Carlow sugar factories and the refining machinery of both processing units in relation to the reconstruction fund; will the plants be dismantled before the fund is available to all applicants; and if she will make a statement on the matter. [25890/06]

506. **Mr. Wall** asked the Minister for Agriculture and Food if she has been notified of environmental problems or difficulties that have arisen due to the closure of the Mallow and Carlow sugar factories; and if she will make a statement on the matter. [25891/06]

**Minister for Agriculture and Food (Mary Coughlan):** I propose to take Questions Nos. 501, 502 and 524 to 526, inclusive, together.

The compensation package negotiated as part of the agreement on reform of the EU sugar regime contains three elements. 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 to be prepared and submitted to the Commission by the end of the year.

Regarding the second element, the restructuring aid provided for in Council Regulation (EC) No 320/2006 is subject to the submission by the processor of a detailed restructuring plan for the industry following consultations with the beet growers. The Regulation also provides that at least 10% of the restructuring aid shall be reserved for sugar beet growers and machinery contractors in order to compensate for losses resulting from factory closure under the restructuring scheme. That percentage may be increased by Member States after consultation of interested parties provided that an economically sound balance between the elements of the restructuring plan is ensured. In that context, my Department in May issued an open call for submissions which will be subject to scrutiny by Indecon International Economic Consultants, who have been appointed by the Government to provide me with independent expert advice on matters relating to the implementation of the restructuring aid. Those who made submissions were subsequently invited to a series of consultation meetings to afford them the opportunity to make any supplementary points regarding their submissions. This consultation process is separate from any consultations engaged in by the processor. A final decision on the percentage will be made shortly having regard to the independent expert advice and following the recent publication of the Commission Regulation laying down detailed rules for the implementation of the restructuring aid.

The timescale for implementing the restructuring aid is very tight where, as in Ireland’s case, restructuring takes place in the first year of the new regime. The Council Regulation requires that the application for restructuring aid must be made by the processor by 31 July 2006. The application must include a detailed restructuring plan for the industry, including an environmental plan detailing the actions planned. The application will be considered when received and a decision on the application must then be made by the Member State by 30 September 2006 at the latest.

It is my intention that the restructuring aid will be implemented in a fair and equitable manner and strictly in accordance with the relevant EU regulations. The Regulations do not provide for an appeal system. Sugar factories that had closed before 1 July 2005, such as the Carlow factory, do not come within the scope of the restructuring aid. I have not been notified of any environmental problems or difficulties that have arisen due to the closure of the Mallow and Carlow sugar factories but, in any event, any such issues would be a matter for the environmental authorities.

**Grant Payments.**

503. **Mr. Ring** asked the Minister for Agriculture and Food if payment will issue to a person (details supplied) in County Mayo. [25578/06]

**Minister for Agriculture and Food (Mary Coughlan):** As indicated in my reply to the earlier Parliamentary Question regarding this case, given that the slaughter detail initially notified to the Cattle Movement Monitoring System was incorrect, payment of the Slaughter Premium in respect of this animal could not be processed. The person named was advised in writing and
requested to have the necessary amendment made. As the required amendment has been made and is in order, arrangements have been made to issue the payment of €78.40 to the person named within the coming days.

**Poultry Industry.**

504. **Mr. Noonan** asked the Minister for Agriculture and Food if compensation will be paid to poultry farmers who destroyed stock on the advice of her Department; and if she will make a statement on the matter. [25582/06]

**Minister for Agriculture and Food (Mary Coughlan):** I am assuming the Deputy is referring to an outbreak of microplasma gallisepticum in a poultry flock in Co. Limerick in November 2005. Following notification to my Department’s office in Limerick that some of the poultry in the flock were exhibiting symptoms which might have been associated with avian influenza, inspectors from my Department attended at the premises in question and a clinical examination of the flock was undertaken. The flockowner was advised that the flock might be infected with a condition known as microplasma gallisepticum.

Following a subsequent examination, the flockowner indicated that she wished to have the flock slaughtered rather than treated and when she enquired about compensation was clearly told that the Department did not have a policy of slaughtering poultry flocks infected with microplasma gallisepticum and, consequently, would not be paying compensation in these circumstances.

The Department’s position in this regard was again explained to the flockowner in advance of the flock being slaughtered. At the flockowner’s request and in her full knowledge that compensation would not be paid, the Department subsequently slaughtered the flock.

The issue of compensation has since been raised in correspondence with my Department and my Department has consistently advised the flockowner that compensation will not be paid in respect of the slaughter of this flock, which was undertaken at the flockowner’s request and not at my Department’s insistence.

**Grant Payments.**

505. **Mr. Kehoe** asked the Minister for Agriculture and Food the guidelines surrounding the free advisory service to farmers who are in receipt of €15,000 plus on their single farm payment; the level of advisory service the farmers who are in receipt of less than €15,000 will receive; the persons who will be given such advisory services (details supplied); and if she will make a statement on the matter. [25622/06]

**Minister for Agriculture and Food (Mary Coughlan):** Under the new EU Rural Development Policy Framework an advisory service providing advice to farmers on meeting cross-compliance requirements, which are compulsory for those receiving direct payments, must be introduced in Member States by 1 January 2007. The service will provide advice on meeting statutory European requirements in relation to the environment, food safety, animal and plant health and animal welfare. Participation by farmers is voluntary but priority must be given to those receiving more than €15,000 annually under the Single Farm Payment.

The body/bodies selected to provide the service must have the appropriate resources in the form of qualified staff, administrative and technical facilities and advisory experience. Detailed arrangements for the provision of the service will be considered in the context of the new rural development programme which is being drawn up for the period 2007-2013.

506. **Mr. N. O’Keeffe** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Cork received a reduced rate of installation aid payment. [25624/06]

**Minister for Agriculture and Food (Mary Coughlan):** Under the Installation Aid Scheme, deadlines are set down by which the preliminary application (IAS 1) and the payment application (IAS 2) must be received by my Department. As both these applications were submitted outside these deadlines by the person concerned, a penalty of €2,285.52 was applicable.

507. **Ms Enright** asked the Minister for Agriculture and Food the reason a REP scheme payment has not been made to a person (details supplied) in County Offaly, despite the fact that it has been applied for; and if she will make a statement on the matter. [25679/06]

**Minister for Agriculture and Food (Mary Coughlan):** The person named was paid in February 2006.

508. **Ms Enright** asked the Minister for Agriculture and Food the reason a single farm payment has not been made to a person (details supplied) in County Offaly, despite the fact that it has been applied for; and if she will make a statement on the matter. [25680/06]

**Minister for Agriculture and Food (Mary Coughlan):** The Single farm payment has been paid in this case.

In January 2005 this herd number was transferred to the second person named. However, in May 2005, the Single Payment Scheme application was submitted in the name of the first per-
son resulting in the need to transfer the Single Payment entitlements from that person to the second person named.

The application to transfer the entitlements was received in my Department on 19 January 2006. It was processed and payment in respect of 11.20 entitlements amounting to €5,622.23 issued to the second person named on 31 January 2006.

509. Mr. Kehoe asked the Minister for Agriculture and Food when a person (details supplied) in County Wexford will receive their full dairy premium payment; the reason for the delay on payment; and if she will make a statement on the matter. [25706/06]

Minister for Agriculture and Food (Mary Coughlan): As indicated in my reply to an earlier Parliamentary Question regarding this case, an application under the 2005 Single Payment Scheme was received from the person named on 10 May 2005. Under EU legislation, in order to draw down his or her full Single Payment, an applicant must declare an eligible hectare to accompany each entitlement. This requirement was set out clearly in the documentation supplied to farmers on a number of occasions. However, as the person named declared no land on his application form, payment of the SPS has not been made. Officials of my Department were in direct contact with the person named with a view to finding a satisfactory conclusion to this case. However, as the person named declared no land on the application form, payment of the 2005 Dairy Premium cannot be made.

Farm Retirement Scheme.

510. Mr. Lowry asked the Minister for Agriculture and Food her views on a recent article (details supplied); and if she will make a statement on the matter. [25822/06]

511. Mr. Lowry asked the Minister for Agriculture and Food when restitution will be made to farmers in the early retirement scheme as per the decisions by the EU Parliament Petitions Committee regarding Ireland’s implementation of the scheme; and if she will make a statement on the matter. [25823/06]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 510 and 511 together.

The article referred to is inaccurate. In May 2003, the Retired Farmers’ Group for Justice lodged a petition with the European Parliament Committee on Petitions, alleging that Ireland had not implemented correctly the Council Regulations governing the 1994 and 2000 Schemes of Early Retirement from Farming. The Committee requested information from the European Com-

mission. In reply, the Commission noted that the Group had raised the same issues with it previously in a direct complaint. The Commission informed the Petitions Committee that it had concluded that Ireland’s arrangements implementing the Council Regulations did not infringe EU law, and that there were no grounds for intervening further.

Grant Payments.

512. Mr. Lowry asked the Minister for Agriculture and Food if an application for entitlements has been received by her Department for a person (details supplied) in County Tipperary; if an allocation will be made; when the person can expect confirmation of same from her Department; and if she will make a statement on the matter. [25824/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for an allocation of entitlements from the Single Payments Scheme National Reserve under category 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 he has been notified that if he is dissatisfied with my Department’s decision in relation to the National Reserve he now has the opportunity to appeal this decision to the Independent Payment Appeals Committee. An appeals application form is available from any of my Department’s offices or on the Department website at www.agriculture.gov.ie.

513. Mr. Lowry asked the Minister for Agriculture and Food her views on correspondence (details supplied); the reason a person was told their applications for payment was successful and is waiting more than six months to receive payment; if payment will issue; and if she will make a statement on the matter. [25825/06]

Minister for Agriculture and Food (Mary Coughlan): The above named first applied for the transfer of entitlements by way of Inheritance. He was informed in December 2005 that his application was successful and the entitlements were transferred into his name. He later applied to transfer out those entitlements by Private Contract Clause on a lease basis. The lease agreement that was required before the application could be processed was received on 30th May 2006. He was informed recently that his application was
successful, and the entitlements were transferred out. The outstanding payment will issue to the lessee shortly.

**Departmental Correspondence.**

514. **Mr. Lowry** asked the Minister for Agriculture and Food her views on correspondence from a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [25826/06]

Minister for Agriculture and Food (Mary Coughlan): I am aware that the premium paid to forest owners has not been increased since 2000. These premium levels are under review at present.

515. **Mr. Naughten** asked the Minister for Agriculture and Food the number of recommendations of the advisory group on the role of women in agriculture which have been implemented; the outstanding recommendations; the timeframe for their implementation; and if she will make a statement on the matter. [25857/06]

Minister for Agriculture and Food (Mary Coughlan): The Report of the Advisory Committee on the Role of Women in Agriculture was published in September 2000 and contained 36 recommendations in total, covering a very broad range of policy and operational areas relating to women in rural communities generally.

Notwithstanding that many of the Advisory Committee’s recommendations were outside the remit of my Department all of the recommendations were pursued by it and a comprehensive progress report on all of the recommendations relevant to government departments and agencies was finalised. This indicates that the recommendations have been fully taken into account by all the relevant Government Departments and agencies and provides evidence of the substantial progress achieved, in as far as was possible, across the broad range of issues raised by the Advisory Committee.

A copy of the report on actions taken in response to the recommendations will be provided to the Deputy.

**Women in Agriculture.**

516. **Mr. Naughten** asked the Minister for Agriculture and Food the number of third country markets opened in the past four years for Irish food products; the products and tonnage involved; and if she will make a statement on the matter. [25859/06]

Minister for Agriculture and Food (Mary Coughlan): While our primary objective is to consolidate market penetration within the EU for high quality and value-added products, it is also important to expand industry access to commercially attractive third country markets. In relation to beef, and in line with that policy, there has been a very considerable shift in our trade towards the EU market which now takes 92 % of our overall exports, compared with 51 % 5 years ago. The main access difficulties on third country markets related to beef. In recent years the Russian, Algerian and Egyptian markets for Irish beef have been re-opened. A total of 260,000 tonnes of Irish beef was exported to third countries during the period 2002 to 2005. Russia was the most significant third country export market for Irish beef accounting for just over 230,000 tonnes. While market access to Algeria and Egypt was improved during this time, only a relatively small amount of trade to these destinations has been taking place.

Some other markets remain closed since cases of BSE in Europe were confirmed in 2000. In line with the commitment in the Agri Vision 2015 Action Plan, the Department will continue its efforts in conjunction with the State Agencies and Department of Foreign Affairs to ensure that as many as possible of these third countries are open to our exports. Prospects for reopening the United Arab Emirates market are good and I am also hopeful of positive developments on potential export opportunities in countries such as Saudi Arabia, Singapore, Philippines, Indonesia, Kuwait, Israel, Japan, China and South Africa.

On pigmeat, in addition to our established worldwide export markets such as Japan, USA, Hong Kong and Russia, there were three new markets opened in the last four years. The tonnage involved would average in or around 200 tonnes per annum. Pigmeat exports consist mainly of shoulder, middle, leg and fifth quarter cuts. My Department and Bord Bia maintain an ongoing relationship with pigmeat markets in order to promote trade and maintain a profile for Irish product and in this connection a most promising and potential market at present is China. Last year I signed a protocol with my Chinese counterpart to facilitate the commencement of direct trade in Irish pigmeat to that country. We have since had a veterinary delegation here from China to inspect our meat plants and we are now in the final stages of completing the process. I expect pigmeat exports to that destination to start in the near future.

Dairy and drinks exports are also significant with dairy products being exported to over 100 countries worldwide. The main products are butter, cheese, skimmed milk powder (SMP), whole milk powder (WMP) and casein and products containing dairy ingredients such as baby food, liqueurs, dairy spreads are also exported. I have worked hard to assist in the development of new and existing markets for Irish dairy products
through ensuring that all the market aid mechanisms available are deployed in an effective manner so as to enable the dairy sector consolidate and grow its share of international markets. I acknowledge and welcome the investment by Irish dairy processors in R&D which will continue the drive towards greater levels of innovation and diversity in product mix and will help maintain our competitiveness in the face of challenges ahead.

On-Farm Investment Schemes.

517. Mr. Naughten asked the Minister for Agriculture and Food the tax incentives which are in place to assist on-farm investment; and if she will make a statement on the matter. [25860/06]

Minister for Agriculture and Food (Mary Coughlan): The Government has a series of tax measures in place to encourage all forms of on-farm investment.

(1) Young trained farmers are eligible for 100% stamp duty relief on transfers of agricultural land and buildings to them;

(2) No stamp duty relief is payable where there is no difference in the marketable value of land being exchanged between two farmers for the purpose of consolidating their farm holdings. This stamp duty relief scheme will operate for a two year period from 1 July 2005 to 30 June 2007.

(3) 100% stock relief is available for young trained farmers for up to four years with the general rate of 25% applicable to farmers over 35 years of age.

(4) The write off period for capital expenditure on necessary pollution control facilities has been reduced from 7 years to 3 years in an effort to assist farmers comply with the Nitrates Directive. The capital allowance will be provided at a rate of 33.3% per annum over a three-year period with the option to avail of a more flexible writing off arrangement in respect of the lesser of €31,750 or 50% of qualifying expenditure in any one year. Budget 2006 increased the maximum floating allowance to €50,000 for qualifying expenditure.

(5) Budget 2006 introduced favourable adjustments to the income tax exemption for land leased out on a long-term basis by farmers over 40 years of age. For leases of between 5-7 years the income tax exemption has been increased from €7,500 to €12,000 while for leases of longer than 7 years the income tax exemption has been increased from €10,000 to €15,000.

The agricultural community also enjoys favourable treatment with regard to capital acquisitions tax and capital gains tax.

Food Labelling.

518. Mr. Naughten asked the Minister for Agriculture and Food when she intends to introduce a distinct green label for Irish food; and if she will make a statement on the matter. [25861/06]

Minister for Agriculture and Food (Mary Coughlan): I firmly believe that the customer is entitled to full information on the food they purchase. I am glad to say that only yesterday, new extended beef labelling rules came into operation in Ireland that require hotels, restaurants, pubs providing food and effectively all catering establishments and food service outlets to give information on the country of origin of the beef they serve. This new labelling provision will benefit everyone in the supply chain, from the farmer right through to the end customer. The new Regulations now applying in the catering sector are in addition to the already very comprehensive provisions which apply at retail level.

In general I am supportive of any initiative and I take every opportunity to promote Irish food. While a distinctive public funded or part funded national label would contravene State aid rules, I am examining whether any possibility for a distinctive label an all-island basis might be possible under EU rules.

I should point out, however, that the development of an all-island animal health policy is a necessary prerequisite to the establishment of an all-island food label. The development of the animal health policy is being actively pursued in the context of North/South co-operation. In addition an all-island food label would require negotiation between the relevant authorities regarding its status and conditions for use and general acceptance from consumers and buy-in by producers and processors island-wide.

Organic Farming.

519. Mr. Naughten asked the Minister for Agriculture and Food the growth in the level of production in organic produce in the past four years; the corresponding figure for the consumption of organic produce here; her plans to develop a single national label for organic produce; and if she will make a statement on the matter. [25862/06]

Minister for Agriculture and Food (Mary Coughlan): The organic sector in Ireland remains small by European standards but 2005 saw increases both in the production base and in the numbers of organic operators registered with the Department. The total area in conversion or with full organic status rose by nearly 5,000 hectares to 35,266 hectares in 2005, which was an increase
of some 15%, and the number of organic operators went from 1,004 to 1,090. My Department carried out a census of organic production in 2002, and consideration is being given to a further census in 2006 so that effective comparisons can be made at sectoral level.

The Irish organic market has witnessed strong growth levels over recent years to reach an estimated €66 million at retail level in 2005, compared to €38 million at the end of 2003. The indications are that this trend will continue in the medium term.

The Report of the Organic Development Committee in 2002 recommended a national label for Irish organic food. The National Steering Group took up this recommendation for the Development of the Organic Sector. After some consideration, they concluded that the idea of a single national label for organic produce should be put on hold for now. There is not yet a consensus among stakeholders about what such a label should signify. The Steering Group also noted that the European Action Plan for Organic Food and Farming includes proposals for a EU information campaign, which will no doubt be aimed at raising consumers’ awareness of organic food. The Steering Group concluded that it was not practical at present to go ahead with an Irish national label for organic produce, and advised me accordingly. I accepted the Group’s advice.

EU Proposals.

520. Mr. Naughten asked the Minister for Agriculture and Food her proposals to deal with red tape; when she presented these proposals to the EU Commission; and if she will make a statement on the matter. [25863/06]

Minister for Agriculture and Food (Mary Coughlan): I am fully committed to reducing unnecessary bureaucracy and to simplification of procedures. The adoption by Ireland of full decoupling, replacing six EU subsidy schemes in the context of the implementation of the single payment scheme, demonstrates in a very tangible manner the extent of this commitment. I have also, on a continuous basis, applied the benefits of IT, wherever possible, in the interests of quality customer service.

I fully support the Commission’s ongoing efforts to reduce the regulatory burden of administration on producers, food processors and national administrations. As part of this process, in March of this year my Department submitted detailed proposals to simplify the bovine animal identification system. I also supported an initiative which was submitted by France to streamline procedures for submission of proof of arrival in respect of dairy products exported to third countries.

Disadvantaged Areas Scheme.

521. Mr. Naughten asked the Minister for Agriculture and Food her plans to extend disadvantaged area classification to the whole of the Border Midland Western region; when this proposal was put to the EU Commission; the response from the Commission; and if she will make a statement on the matter. [25864/06]

Minister for Agriculture and Food (Mary Coughlan): The position is that the possible extension of Ireland’s Disadvantaged Areas was raised with the European Commission in 2003 and in early 2004. The Commission cautioned however, that a formal request for an extension of the Disadvantaged Areas’ could lead to Ireland being asked for justification as to whether or not all if its existing areas classified as Disadvantaged continue to meet the criteria.

In mid 2004 the Commission published a draft Regulation on Rural Development which included a new Disadvantaged Areas definition concentrating on significant natural handicaps, notably a low soil productivity or poor climate conditions and where maintaining an extensive farming activity is important for the management of the land. The proposals did not mention the current criteria such as low productivity (as measured by farm incomes) and percentage of the working population in farming.

Following negotiations at the Council of Minister the Council agreed on 20 June 2005 a new framework for rural development for the period 2007-2013 which provided for the maintenance of the existing arrangements for Disadvantaged Areas until 2010. Before then, the Commission will present a report and proposals to the Council concerning the future payments system and designation of these areas. The question of extension of the Disadvantaged Areas in Ireland can be considered in the context of that review.

Farm Retirement Scheme.

522. Mr. Naughten asked the Minister for Agriculture and Food if she has sought and received the approval of the EU Commission to increase the rate of pension awarded to ERS participants under both schemes; and if she will make a statement on the matter. [25865/06]

Minister for Agriculture and Food (Mary Coughlan): The rate of pension payable under the 1994 Scheme of Early Retirement from Farming is the maximum provided for by EU Council Regulation (EEC) 2079/92 under which the Scheme was introduced. There is no provision in the Regulation for increases in the rate of pension by indexation or otherwise. The maximum rate of pension payable under the Scheme, currently €12,075 per annum, is the maximum amount which the EU will approve for co-funding.
When the current (2000-2006) Early Retirement Scheme was being negotiated, my Department proposed that the rate of payment should increase annually up to the maximum provided for in the Regulation, which is €15,000. However, the European Commission rejected this for legal reasons and a fixed rate of €13,515 per annum was then approved. Any change to this rate would require an amendment to the CAP Rural Development Plan 2000-2006, and would be eligible for co-funding only for future entrants to the Scheme.

I have explored informally with the Commission the permissibility, under EU Regulations, of increasing the pension rates as a state aid, but I have made no formal proposal to that effect.

Wildlife Conservation.

523. **Mr. Deenihan** asked the Minister for Agriculture and Food if she has accepted proposals from the Irish Farmers Association hen harrier working group suggesting an alternative to the NPWS proposals regarding the planting of trees in the proposed SPA’s designated to protect the hen harrier in Counties Kerry, Limerick and Cork; and if she will make a statement on the matter. [25888/06]

**Minister for Agriculture and Food (Mary Coughlan):** The hen harrier is a protected species and the Department of Environment, Heritage and Local Government has identified a number of areas around the country, which are important for its survival. The European Commission have expressed the gravest concern at any further planting within these areas until it is possible to fully access the impact of forestry on the species.

In order to do that it is necessary to put in place a management regime to accommodate both forestry and the hen harrier in the areas being proposed as Special Protected Areas. To this end, the Department of the Environment, Heritage and Local Government has established a working group, on which the IFA are represented, to help with the development of such a management regime. In this regard the IFA proposals will be fully considered in the context of the recommendations of the working group.

Questions Nos. 524 to 526, inclusive, answered with Question No. 501.

Departmental Expenditure.

527. **Mr. Kenny** asked the Minister for Agriculture and Food the proposed spending envelopes approved and set out by her Department for the foreseeable future; the broad objectives to be achieved by spending of such financial envelopes; the timescale set out for achievement of targets; and if she will make a statement on the matter. [25972/06]

**Minister for Agriculture and Food (Mary Coughlan):** Under the Department of Finance’s Capital Envelope Agreement, the total provision for my Department’s capital spending for the period 2006 to 2010 is €1,301.8 million, details as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>€ million</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>231.8</td>
</tr>
<tr>
<td>2007</td>
<td>240</td>
</tr>
<tr>
<td>2008</td>
<td>255</td>
</tr>
<tr>
<td>2009</td>
<td>295</td>
</tr>
<tr>
<td>2010</td>
<td>280</td>
</tr>
</tbody>
</table>

Approximately 95% of these capital allocations will fund the various demand led grant schemes which are available to farmers and the wider agri-food sector under the National Development Plan and the CAP Rural Development Plan for 2000-2006, and those under the new programming period post 2006. These measures are an essential element in our efforts to develop a competitive consumer-focussed agri-food sector, to promote the development of environmentally friendly and sustainable systems of agriculture, forestry and food production, to assist structural change and to contribute to a vibrant rural economy and society.

The remaining 5% of the capital allocations relate to capital expenditure on administrative and IT related systems which are essential for the operation of and delivery of Department services to the agricultural services.

Meat Imports.

528. **Dr. Upton** asked the Minister for Agriculture and Food the amount of cattle meat, lamb meat and poultry imported from outside the EU directly into Ireland during each of the past five years; the amount of non EU origin cattle meat, sheep meat and poultry which was exported from Ireland during each of the past five years; and if she will make a statement on the matter. [26001/06]

**Minister for Agriculture and Food (Mary Coughlan):** The Central Statistics Office (CSO) is responsible for collection of statistics in relation to import and export of meat. The following tables compiled from data supplied by that office sets out the amounts of non-EU meat imported directly into Ireland as well as total meat exports to all countries for the periods in question. Data relating to quantities of meat of non-EU origin included in the total export figures is not collected by the CSO.

In relation to the tables the following should be noted:
1. In certain cases the record of import may include the re-import of Irish products that were originally the subject of an export from this country.

2. While every effort is made to ensure accuracy, these tables may stand to be adjusted marginally as data is rechecked by the CSO.

<table>
<thead>
<tr>
<th>Beef</th>
<th>Year</th>
<th>Imports from 3rd Countries</th>
<th>Total Exports</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2001</td>
<td>8,385</td>
<td>265,329</td>
</tr>
<tr>
<td></td>
<td>2002</td>
<td>4,998</td>
<td>358,115</td>
</tr>
<tr>
<td></td>
<td>2003</td>
<td>5,522</td>
<td>396,607</td>
</tr>
<tr>
<td></td>
<td>2004</td>
<td>6,672</td>
<td>410,810</td>
</tr>
<tr>
<td></td>
<td>2005</td>
<td>7,142</td>
<td>399,196</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mutton</th>
<th>Year</th>
<th>Imports from 3rd Countries</th>
<th>Total Exports</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2001</td>
<td>624</td>
<td>63,047</td>
</tr>
<tr>
<td></td>
<td>2002</td>
<td>778</td>
<td>50,281</td>
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<tr>
<td></td>
<td>2003</td>
<td>712</td>
<td>47,132</td>
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<tr>
<td></td>
<td>2004</td>
<td>772</td>
<td>53,590</td>
</tr>
<tr>
<td></td>
<td>2005</td>
<td>286</td>
<td>57,684</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Poultry meat</th>
<th>Year</th>
<th>Imports from 3rd countries</th>
<th>Total Exports</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2001</td>
<td>3,568</td>
<td>77,443</td>
</tr>
<tr>
<td></td>
<td>2002</td>
<td>2,809</td>
<td>82,100</td>
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<td></td>
<td>2003</td>
<td>3,243</td>
<td>87,014</td>
</tr>
<tr>
<td></td>
<td>2004</td>
<td>4,820</td>
<td>94,222</td>
</tr>
<tr>
<td></td>
<td>2005</td>
<td>7,843</td>
<td>95,601</td>
</tr>
</tbody>
</table>

Information Technology.

529. **Mr. Quinn** asked the Minister for Agriculture and Food the information technology purchasing requirements, for both hardware and software, in her Department for the second half of 2006; the requirements for which tender requests have been issued; and if she will make a statement on the matter. [26042/06]

530. **Mr. Quinn** asked the Minister for Agriculture and Food her Department’s information technology purchasing policy; and if she will make a statement on the matter. [26057/06]

531. **Mr. Quinn** asked the Minister for Agriculture and Food the percentage of information technology spend in her Department that went to Irish SMEs in each year from 2002 to date in 2006; the percentage for European Union and European Economic Area SMEs; if systems are in place in her Department’s procurement procedures to give preference to SMEs, such as the weighting system in place in the Local Government Computer Services Board; and if she will make a statement on the matter. [26072/06]

532. **Mr. Quinn** asked the Minister for Agriculture and Food the average size of information technology procurement contracts in her Department; the median size of such contracts; and if she will make a statement on the matter. [26087/06]

533. **Mr. Quinn** asked the Minister for Agriculture and Food the steps she is taking to support the development of the indigenous software industry through her Department’s public procurement process; and if she will make a statement on the matter. [26102/06]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 529 to 533, inclusive, together. My Department’s procurement of IT is carried out in accordance with EU procurement legislation and national guidelines. These promote open and fair competition in the area of public procurement, and this is in the best interest of both suppliers of IT products and services, including our indigenous suppliers, and consumers of these products, such as my Department.

My Department’s objectives in relation to Information Technology (IT) procurement are that the necessary systems are implemented effectively and meet the core business needs of the Department, and that best value for money is achieved.

My Department is keen that the maximum number of potential suppliers tender for that business, so as to ensure that bids are competitive. It is the Department’s policy where practical to divide its requirements into smaller contracts. This is efficient and mitigates risks for the Department, and it also makes these contracts attractive for contractors of all sizes and thereby promotes competition.

My Department does not distinguish between SMEs and any other enterprises when evaluating tenders and awarding contracts, and does not therefore record whether an individual supplier is categorised as an SME. Neither does the Department distinguish between Irish and non-Irish suppliers. I can say, however, that the IT suppliers to the Department range from large multi-nationals to Irish micro-enterprises. Furthermore, where large suppliers have been contracted to deliver projects, they usually deliver these in partnership with smaller suppliers or subcontractors. My
Department uses some key software products that were designed and developed by Irish software companies. In such cases, these companies would have won this business on merit in the face of competition from similar products from elsewhere in the world.

Figures relating to the average and median IT procurement contract sizes are being compiled and will be forwarded directly to the deputy within the next few weeks.

My Department estimates that it will spend approximately €6.77 million on IT software and hardware products between now and the end of 2006, which will include items that have already been the subject of an invitation to tender. It also estimates that it will spend in the order of €6.27 million on contracted expertise to augment the Departments own IT teams in the development of in-house software and support of our ICT systems. Similarly, this figure will also include payments for services that have already been the subject of an invitation to tender.

Grant Payments.

534. Mr. Aylward asked the Minister for Agriculture and Food if she will review the application for single payment national reserve 2005 for a person (details supplied) in County Kilkenny in view of the additional information submitted to her Department. [26107/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for an allocation of entitlements from the Single Payments Scheme National Reserve under Category B and Category C.

Category B caters for farmers who, between 1 January 2000 and 19 October 2003, made an investment in production capacity in a farming sector for which a direct payment under Livestock Premia and/or Arable Aid schemes would have been payable during the reference period 2000-2002. Investments can include purchase or long term lease of land, purchase of suckler and/or ewe quota or other investments.

Category C caters for farmers who sold their milk quota into a re-structuring scheme between 1 January 2000 and 19 October 2003 and who converted to a farming sector for which a direct payment under the Livestock and/or Arable Aid Schemes would have been payable in respect of the years 2000 to 2002.

It should be noted that the rules governing the Single Payment Scheme stipulate that an applicant who is found to be eligible under more than one category in the Reserve may only receive an allocation of entitlements under whichever category is most beneficial.

My Department requested additional information from the applicant, but there is no record of this information having been received in my Department. On receipt of the additional information requested this case will be examined and a formal letter setting out my Department’s decision will issue to the person named.

If he is dissatisfied with my Department’s decision in relation to the National Reserve, he then has the opportunity to appeal this decision to the Independent Payment Appeals Committee. An appeals application form is available from any of my Department’s offices or on the Department website at www.agriculture.gov.ie.

Milk Quota.

535. Mr. Noonan asked the Minister for Agriculture and Food if permission will be granted to a person (details supplied) to allocate milk quota to a portion of their farm which they intend selling; and if she will make a statement on the matter. [26109/06]

Minister for Agriculture and Food (Mary Coughlan): The requisite certificate of entitlement to transfer milk quota was issued by my Department to the person concerned on the 13th of June, 2006, the same day on which his application was received.
of a person (details supplied); and if she will make a statement on the matter. [26264/06]

Minister for Agriculture and Food (Mary Coughlan): An official of my Department has been in direct contact with the person named, following which the necessary arrangements for the administrative transfer of the entitlements, established by the parents of the person named, have been completed. Full payment under the 2005 Single Payment Scheme will issue to the person named in the coming days.

In reply to an earlier Parliamentary Question, I indicated that the person named also submitted an application under the Force Majeure/Exceptional Circumstances measure of the Single Payment Scheme. Having processed this application, the person named was advised by my Department on 4 July 2005 that the application was unsuccessful. However, I indicated that this case is being included with those cases currently being reviewed in the context of the effect of participation in agri-environmental measures on the reduction on stocking levels. The person named will be notified of the outcome of this review in due course.

While I appreciate that some participants in the Single Payment Scheme may be frustrated from time to time with the array of measures, forms and supporting documentation required under the Scheme, my hope is that this frustration will be short-lived for those concerned. An immense effort, on the part of my officials and I, has gone into ensuring that this Scheme has become the success it has. Ireland was the first Member State to opt for full decoupling and did so from the earliest possible date, 1 January 2005. The first date on which payments under the 2005 Scheme could be made was 1 December 2005 and during the first ten days of that month alone payments in excess of €1 billion issued to Scheme applicants. This was a tremendous achievement, particularly given that substantial staff resources continued to be involved in the finalisation of the coupled Livestock Schemes, which the Single Payment Scheme replaced. Similarly, substantial staff resources were assigned to dealing with the many thousands of applications received under the various associated measures including Force Majeure, New Entrant, Inheritance, and National Reserve. While my sympathy goes to anyone who has experienced delays or frustration with the processing of their applications under any of these measures, I would point to the very large success of the Scheme to date and assure those individuals that every effort is being made to finalise any outstanding cases without any further undue delay.

538. Mr. Connaughton asked the Minister for Agriculture and Food the reason a person (details supplied) in County Galway has had a 10 per cent penalty imposed on the 2005 REP scheme pay-

ment; and if she will make a statement on the matter. [26265/06]

Minister for Agriculture and Food (Mary Coughlan): Following an inspection it was discovered that lime had not been spread as required, and a penalty of 10% was applied. Following an unsuccessful local appeal, the person named was advised in June 2006 of his right to make a further appeal to the Agriculture Appeals Office.

539. Mr. Naughten asked the Minister for Agriculture and Food the grants which are available to marts to ensure that they keep facilities to an acceptable standard; if marts are eligible for grants under the farm waste management scheme; and if she will make a statement on the matter. [26361/06]

Minister for Agriculture and Food (Mary Coughlan): Although livestock marts provide a valuable service to farmers around the country, it is the responsibility of individual marts to comply with the conditions of the licences issued under the Livestock Marts Act 1967 and other statutory requirements in relation to provision and maintenance of mart structures and facilities.

The capital investment measure under the National Development Plan 2000-2006 provided for funding on a competitive basis to improve marketing and processing of agricultural products in the horticulture, potatoes, eggs, grain and livestock marketing and processing sectors. A number of marts received funding under this heading during that period. Funding under the measure has been committed and no further general call is planned this year.

Marts are not eligible for grants under the farm waste management scheme.

Farm Retirement Scheme.

540. Dr. Upton asked the Minister for Agriculture and Food the number of farmers who have benefited from the early retirement scheme in 2005; the number of young trained farmers who benefited from the installation grant in 2005; the number of farmers who benefitted from the installation grant in 2005; the number of young trained farmers who have benefited from the installation grant in 2005. [26362/06]

Minister for Agriculture and Food (Mary Coughlan): The exemption from income tax of certain farm land leasing income is confined to individuals who are aged 40 years or more (or regardless of age if permanently incapacitated by mental or physical infirmity from carrying on a trade of farming).

I am informed by the Revenue Commissioners that the number of farmers availing of the leased land relief scheme is tentatively estimated at approximately 5,700 in 2003, which is the last full year where data relating to all types of rental income is available, with a cost to the Exchequer in the order of €5 million. It is not possible to
on cheese.

The number of transactions which benefited from the Young Trained Farmer Stamp Duty Relief in 2005 was 1150, at an estimated cost of €31 million to the Exchequer. In respect of the stamp duty relief for farm consolidation I am also informed by the Revenue Commissioners that, as the scheme was only recently introduced, the numbers of claims, as well as the cost to the Exchequer, in respect of the relief received in 2005 by them have been small.

**School Milk Scheme.**

541. Dr. Upton asked the Minister for Agriculture and Food the number of children who benefited from the school milk scheme in 2005; and if she will provide the Deputy with a detailed break-down of what the cost of the scheme in 2005 was spent on. [26363/06]

Minister for Agriculture and Food (Mary Coughlan): My Department estimates that around 78,000 children benefited under the School Milk Scheme during the school year 2004/05. Total expenditure under the Scheme during this period amounted to €985,587.29; of which €978,051.19 related to milk with the balance spent on cheese.

**Afforestation Programme.**

542. Dr. Upton asked the Minister for Agriculture and Food her views on continuing tax breaks for commercially managed woodlands; and if she will make a statement on the matter. [26364/06]

Minister for Agriculture and Food (Mary Coughlan): The Minister for Finance announced in his Budget 2005 statement that the Department of Finance and the Revenue Commissioners would undertake a detailed review of certain tax incentive schemes and tax exemptions in 2005, including tax relief for gains arising from the occupation of woodlands on a commercial basis.

The Review of Tax Schemes was published by the Department of Finance in February 2006. It concluded that the afforestation relief in its present form should be maintained as it will result in the generation of overall positive economic benefits in the future. I welcome this conclusion.

**Rural Environment Protection Scheme.**

543. Dr. Upton asked the Minister for Agriculture and Food if participants in REP schemes can take advantage of more than one supplementary measure simultaneously; and if she will make a statement on the matter. [26365/06]

Minister for Agriculture and Food (Mary Coughlan): Currently farmers in REPS may draw down payment on two supplementary measures if one is either Traditional Orchards, LINNET Habitats or Riparian Zones and the other is either Conservation of Animal Genetic Resources (Rare Breeds), Organic Farming or Corncrake Habitats. The scheme seeks to achieve a balance between agricultural, environmental, budgetary and socio-economic priorities and I believe it has successfully achieved this. While I have not yet decided finally on the proposals for REPS 4 that will go to the European Commission later in the year, I believe the existing model should be retained as far as possible.

**Grant Payments.**

544. Mr. Naughten asked the Minister for Agriculture and Food further to Parliamentary Question No. 248 of 24 May 2006, if she will ensure that her Department complies with the prompt payment legislation, and issue interest payments to farmers in view of the fact that a significant number of farmers eligible for the single farm payment, especially those deemed eligible under the national reserve had to wait up to six months for the issue of payments; and if she will make a statement on the matter. [26491/06]

Minister for Agriculture and Food (Mary Coughlan): It is the policy of my Department to fully comply with the terms of the Prompt Payment of Accounts Act 1997 and with the Regulations on combating late payment in commercial transactions. However, this legislation only refers to payments for the provision of goods or services to the Department and its terms, including the payment of interest, and is not applicable to applications made under the Single Payment Scheme.

Insofar as payments to eligible applicants under the 2005 Single Payment Scheme National Reserve is concerned my Department gave priority to the processing and payment of the 2005 Single Payment Scheme which is worth some €1.26 billion to Irish farmers. Payments under the scheme commenced on schedule on 1 December 2005 with over €1 billion paid by the end of that month. Processing of applications from over 17,000 farmers under the 2005 Single Payment Scheme proved to be time consuming mainly because of the anti-accumulation measures contained in the EU legislation and the fact that over 6,000 farmers applied under more than one category resulting in over 23,000 applications having to be processed. Payment to eligible applicants under the 2005 National Reserve commenced during week commencing 10 April 2006.
Afforestation Programme.

545. Mr. Naughten asked the Minister for Agriculture and Food the reason for the delay in issuing approvals for forestry planting applications; the waiting time to process applications; if she will allow applicants to submit an amended single farm payment application form where lands are not planted due to delays in processing forestry applications; and if she will make a statement on the matter. [26493/06]

Minister for Agriculture and Food (Mary Coughlan): All afforestation approvals in respect of the current planting season have issued. Some delays in processing afforestation grant applications were encountered in the early part of the season, while a new computer system was being rolled-out, but steps were taken to minimise the impact of this. Applications took an average of twelve weeks to process.

In accordance with the provisions of Commission Regulation (EC) No 796/2004, the deadline for the submission of Single Payment Scheme applications is 15 May in any Scheme-Year or an earlier date if fixed by a Member State. The deadline for the submission of applications under the 2006 Single Payment Scheme in Ireland was 15 May 2006.

Farmers, who submitted their application by the deadline, were entitled to make amendments, including adding parcels or changing parcel usage, up to 31 May 2006 without incurring a penalty. Furthermore, such farmers could also have made amendments between 1 June and 9 June 2006 and be subject to a 1% per day penalty on the monies due on the parcel added. Under the provisions of the relevant Regulation, it is not possible to submit amendments involving the declaring of additional eligible hectares of changing the use of ineligible hectares to eligible (from forestry to forage, for example) after that date.

Grant Payments.

546. Mr. Naughten asked the Minister for Agriculture and Food when a person (details supplied) in County Donegal will receive the 2004 special beef premium; the reason for the delay; the steps which are being taken to resolve the problem; and if she will make a statement on the matter. [26494/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted three applications under the 2004 Special Beef Premium Scheme, in respect of a total of thirty-three animals. Based on the Area Aid application submitted, the person named had an entitlement to payment in respect of 48.63 livestock units under the 2004 Livestock Schemes. However, as the milk quota held by the person named accounted for 43.73 livestock units (quota of 174,134 litres @ 3,982 litres/cow, as per Paragraph 7 of the 2004 Scheme Terms & Conditions), payment of Special Beef Premium was restricted to 8.16 animals i.e. 48.63 livestock units minus 43.73 livestock units = 4.9 livestock units, which is equivalent to 8.16 animals, where each animal is deemed to represent 0.6 livestock unit. Therefore, the advance and balancing payments of €734.40 and €489.60, which issued to the person named on 27 January 2004 and 4 April 2004 respectively, represented the full amount due to the person named under the 2004 Special Beef Premium Scheme. However, an official of my Department will contact the person named directly in order to clarify the position regarding his stocking density for the 2004 Scheme year; any adjustments required following this clarification will be implemented immediately.

Forensic Examinations.

547. Mr. F. McGrath asked the Minister for Justice, Equality and Law Reform if he will fund the costs of undertaking DNA testing on five unidentified bodies following the Stardust fire tragedy; and if he will support the Stardust Victims Committee on this issue. [25532/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): My understanding is that before the tests in question could proceed, a license to carry out the necessary exhumation is required from the local authority, which would be conditional on the consent of the next of kin of all of the victims in question. The Stardust Victims Committee has been informed that, in the event that such a license is issued, my Department will seek expert advice as to the feasibility of these tests and how best they might be carried out.

Road Traffic Offences.

548. Ms O. Mitchell asked the Minister for Justice, Equality and Law Reform the number of penalty point offences committed in the first three months of 2006; and if he will make a statement on the matter. [25695/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that there were 51,896 penalty point offence incidents recorded for the first three months of 2006. This figure is provisional/operational and liable to change.

Internet Gambling.

549. Mr. Kenny asked the Minister for Justice, Equality and Law Reform his views on the extent of internet gambling here; his assessment of the impact of the extent of this increasing trend; and if he will comment on the estimated number of persons who gamble by internet and the estimated extent of such gambling on an annual basis. [26168/06]
Minister for Justice, Equality and Law Reform (Mr. McDowell): The Internet is an international and world-wide phenomenon. It has no borders and no single organisation controls it. Measures to combat illegal materials and activities on the Internet are therefore hampered by a multiplicity of jurisdictions, differing legal systems, and differing societal norms. Furthermore, new developments in communications technologies allowing for Internet access by new means are a regular occurrence. These are largely positive developments but also bring particular challenges for those charged with protecting against its downsides.

Combating illegal use of the Internet requires responses at national, EU and international levels. In terms of enforcement, as the Deputy will be aware, in Ireland, as well as in most jurisdictions, what is illegal off-line is considered illegal on-line. In Ireland the Gaming and Lotteries Acts, 1956-86, cover gaming and lotteries other than the National Lottery, which is covered by the National Lotteries Act 1986, with the Betting Act 1931 governing all matters relating to betting. These Acts govern activities whether online or offline. In general, all forms of gaming are illegal in this jurisdiction except where specifically permitted.

An Interdepartmental Review Group, tasked to examine the Gaming and Lotteries Acts 1956-1986 noted that “liability issues in the internet gambling area are likely to be as complex as in other areas of Internet activity. For example, in an internet environment, special consideration would have to be given to both the liability and protection of the player. With Internet operations, the provider may not be within the jurisdiction and may be providing a service which may be legal where the service is being hosted, but illegal where the service is being accessed. This is not an unusual phenomenon in Internet services. The logistical (not to speak of legal) difficulties of dealing with this situation and of enforcing the law at player level are enormous. Attempts to fix liability at Internet Service Provider Level are also fraught with difficulties.” At the time of the Review in early 2000, industry sources estimated the number of on-line (internet) casinos at around 1,200 and growing.

The Review Group at the time felt unable to make specific recommendations with regard to the regulatory environment which should apply to any future Internet gaming and lottery activities, other than to point out that any such activity should be in conformity with national legislation.

Under a Code of Practice and Ethics agreed by the Irish Internet Service Provider Industry in 2002, material or services that are illegal under Irish law will not be carried on Irish servers, and if such is found they will be removed immediately under agreed protocols. Unlike child pornography, however, where there is almost universal agreement, online gaming/gambling is not illegal in many jurisdictions, and these services can be accessed via the internet from this jurisdiction.

I can further inform the Deputy that, the range of illegal uses of the Internet and the enforcement difficulties associated with such use was also examined in the first report of the Working Group on the Illegal & harmful Use of the Internet published in 1998. While that report did not examine the specific problems associated with gambling on the internet, many of the conclusions reached in the report are valid for the gambling area.

No evaluation of the number of persons who gamble on the internet or of the estimated extent of such gambling on an annual basis has been attempted to date.

Garda Deployment.

550. Mr. J. O’Keeffe asked the Minister for Justice, Equality and Law Reform if there are Garda motorcyclists attached to the Garda district of Bandon, County Cork; and if not, if arrangements will be made for same. [25542/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda Commissioner that the personnel strength of An Garda Síochána increased to a record 12,641 (all ranks) on Thursday 8 June with the attestation of 273 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June 1997 and represents an increase of 1,939 (or 18.1%) in the personnel strength of the Force during that period.

I have also been informed by the Garda authorities that there is currently one official motorcycle allocated to Bandon Garda District and the members available for motorcycle duties in the Bandon Garda District are trained Garda motorcyclists.

It is the responsibility of Garda management to allocate personnel to and within Divisions on a priority basis in accordance with the requirements of different areas. These personnel allocations are determined by a number of factors including demographics, crime trends, administrative functions and other operational policing needs. Such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made of Garda resources, and that the best possible service is provided to the public.

I should add 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. The first group of newly attested Gardaí under this accelerated recruitment programme came on stream in March and the second such group did so on the
8th of June. Further tranches of approximately 275 newly attested Gardaí will follow every 90 days thereafter until the programme is complete. 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 Bandon Garda District will be given the fullest consideration.

Residency Permits.

551. Ms C. Murphy asked the Minister for Justice, Equality and Law Reform the status of a family reunification application for a person (details supplied); if it has not reached a conclusion, the reason for the delay; and if he will make a statement on the matter. [25575/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question made a family reunification application on behalf of his wife, four children, mother and five siblings in January 2005. The application was forwarded to the Refugee Applications Commissioner for investigation as required under Section 18 of the Refugee Act 1996. This investigation is completed and the Commissioner has forwarded a report to my Department.

Applications of this type are generally dealt with in chronological order. This application will be considered by my Department and a decision will issue in due course.

552. Ms O'Sullivan asked the Minister for Justice, Equality and Law Reform when a decision will be made on an application by a person (details supplied) for family reunification which was submitted in December 2004; and if he will make a statement on the matter. [25585/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question made a family reunification application on behalf of his two adult children and two adult nieces in June 2005. The application was forwarded to the Refugee Applications Commissioner for investigation as required under Section 18 of the Refugee Act 1996. This investigation is completed and the Commissioner has forwarded a report to my Department.

Applications of this type are generally dealt with in chronological order. This application will be considered by my Department and a decision will issue in due course.

553. Mr. Kenny asked the Minister for Justice, Equality and Law Reform the breakdown of figures in his recently published figures for non-national parents given the right to remain in each of Dún Laoghaire, Lucan, Saggart and Swords; and if he will make a statement on the matter. [25603/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The figures the Deputy refers to are the geographical locations of the applications for leave to remain in the State granted under the revised arrangements for non EU national parents of Irish children born before 1 January 2005, commonly referred to as the IBC/05 scheme.

The locations indicated in the report published on 1 May 2006 refer only to the stated addresses at the time of application. The following table provides the breakdown in the report for Dublin County including Swords, Lucan, Saggart and Dún Laoghaire.

<table>
<thead>
<tr>
<th>Area</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lucan</td>
<td>692</td>
</tr>
<tr>
<td>Swords</td>
<td>340</td>
</tr>
<tr>
<td>Balbriggan</td>
<td>149</td>
</tr>
<tr>
<td>Skerries</td>
<td>63</td>
</tr>
<tr>
<td>Rush</td>
<td>55</td>
</tr>
<tr>
<td>Dún Laoghaire</td>
<td>48</td>
</tr>
<tr>
<td>Lusk</td>
<td>48</td>
</tr>
<tr>
<td>Blackrock</td>
<td>45</td>
</tr>
<tr>
<td>Malahide</td>
<td>42</td>
</tr>
<tr>
<td>Saggart</td>
<td>39</td>
</tr>
<tr>
<td>Donabate</td>
<td>33</td>
</tr>
<tr>
<td>Stillorgan</td>
<td>31</td>
</tr>
<tr>
<td>Killiney</td>
<td>27</td>
</tr>
<tr>
<td>Monkstown</td>
<td>14</td>
</tr>
<tr>
<td>Other</td>
<td>255</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,881</strong></td>
</tr>
</tbody>
</table>

Crime Levels.

554. Mr. Kenny asked the Minister for Justice, Equality and Law Reform the number of unprovoked attacks reported and detected in each of the Garda stations in the Dublin metropolitan area for each of the years 2002 to date in 2006; and if he will make a statement on the matter. [25604/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Statistics for the headline offence of assault causing harm are available on a Garda Divisional basis in the Annual Reports of An Garda Síochána for 2002-2005, copies of which are available in the Oireachtas Library. Statistics for 2006 to date are not yet available on a Divisional basis.

I am informed by the Garda authorities that it is not recording procedure to identify if an assault causing harm offence was deemed to be provoked or not.

555. Mr. Kenny asked the Minister for Justice, Equality and Law Reform the number of racial attacks reported to Gardaí in the Lucan and
Mr. Kenny.

Clondalkin areas in each of the years 2002 to date in 2006; and if he will make a statement on the matter. [25605/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I have been informed by the Garda authorities that the figures requested by the Deputy are not readily available and are currently being researched. I will contact the Deputy again when the information is to hand.

**Garda Strength.**

556. Mr. Gregory asked the Minister for Justice, Equality and Law Reform if additional resources will be allocated to the Community Garda Section in response to the increased levels of vandalism, malicious damage and anti-social activities in the environs of an area (details supplied) in Dublin 7. [25639/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I have been informed by the Garda Commissioner that the personnel strength of An Garda Síochána increased to a record 12,641 (all ranks) on Thursday 8 June with the attestation of 273 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June 1997 and represents an increase of 1,939 (or 18.1%) in the personnel strength of the Force during that period.

I have been further informed by the Garda authorities that the personnel strength of Mountjoy Garda Station as at 30 June, 2006 was 86 (all ranks) and that nine Gardaí and one Sergeant are currently allocated to Community Policing duties there. One Community Garda has been specifically assigned to the area to which the Deputy refers.

In the year to date in respect of this location there have been six recorded complaints of anti-social behaviour (youths loitering, stone and egg throwing, and youths riding scrambler bikes). In the same period, in the general area of this location, there have been fifteen incidents of criminal damage, four of which have been detected and persons made amenable.

Local Garda Management intends to initiate a number of once-off operations to tackle the issues highlighted at this location and in the general surrounding area. Similar operations were successfully undertaken in 2004 and 2005. A number of meetings have been held with Irish Rail and Dublin City Council with a view to raising the height of the railings at the area referred to and efforts are also being made to reactivate the Neighbourhood Watch Scheme in the locality.

Local Garda Management are satisfied that resources currently allocated to Community Policing in Mountjoy Garda Station are adequate. The location will continue to receive attention from regular mobile and foot patrols. The situation will be kept under review and when additional personnel next become available the needs of the Dublin Metropolitan Region North Central Division will be fully considered within the overall context of the needs of Garda Divisions throughout the country.

I should add 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. The first group of newly attested Gardaí under this accelerated recruitment programme came on stream in March and the second such group did so on the 8th of June. Further tranches of approximately 275 newly attested Gardaí will follow every 90 days thereafter until the programme is complete.

The Garda Commissioner will now be drawing up plans on how best to distribute and manage these additional resources.

**Garda Equipment.**

557. Mr. J. O’Keeffe asked the Minister for Justice, Equality and Law Reform the reason members of An Garda Síochána have not been issued with stab proof vests; and when it is intended that same will be made available. [25640/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** The provision of equipment to members of An Garda Síochána is a matter for the Commissioner. I have made funding available for necessary equipment as requested from the Commissioner and I will continue to do so.

I have been informed by the Garda authorities that a tender competition for the supply of anti-stab vests closed on 21 June, 2006. I have also been informed by the Garda authorities that the evaluation of the tenders is currently taking place. It is anticipated that the order for supply will be placed in August, 2006, with delivery of the vests to all uniform members expected to commence in November, 2006.

I refer the Deputy to my reply to Deputy Kenny in Question No. 202 on 28 June 2006 in which I provided more detailed information on this procurement.

558. Mr. J. O’Keeffe asked the Minister for Justice, Equality and Law Reform the reason pepper spray, which has been available for some time to many police forces in Europe and throughout the world is not available to members of An Garda Síochána confronting violent situations. [25641/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** The provision of equipment to members of An Garda Síochána is a matter for the Commissioner. I have provided the funding...
for equipment as requested by the Commissioner and I will continue to do so.

I have been informed by the Garda authorities that while there are currently no units using any type of repellent or incapacitant sprays within the Garda Síochána, they are considering providing personal incapacitant spray devices to members of the Force. A new type of synthetic spray, which the manufacturer claims will eliminate any risks to humans, is under consideration by the Garda Uniform Committee. This product is currently being evaluated by the Chief Medical Officer.

I appreciate that any risks associated with pepper spray must be fully evaluated. While I do not want to anticipate the outcome of this consideration I am anxious to ensure that all necessary measures are put in place, up to best international practice, to ensure as far as possible the safety of members of the Force. Clearly an advantage the Commissioner has in assessing the case for personal pepper spray is the record of the availability and use of such devices in other countries such as the UK. I have asked the Commissioner to let me know of the outcome of his consideration of this issue as soon as possible, with a view to issuing members of the Force with the safest brand of spray which is found most suitable for use.

Residency Permits.

559. Mr. Ferris asked the Minister for Justice, Equality and Law Reform the residency status of a person (details supplied) in County Kerry. [25642/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand that the person concerned is an EU Citizen and therefore is not required to obtain permission to remain in the State from the Irish Immigration authorities.

Visa Applications.

560. Mr. M. Higgins asked the Minister for Justice, Equality and Law Reform the position of an application for a three month visa for a person (details supplied) in County Galway; if the visa will be granted; when it will be granted; and if he will make a statement on the matter. [25644/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The application referred to by the Deputy was received in the Visa Office, Dublin on 7th June, 2006 and is awaiting examination by a Visa Officer. A decision in respect of this application will be made in the coming weeks.

Crime Prevention.

561. Cecilia Keaveney asked the Minister for Justice, Equality and Law Reform his plans to develop youth diversion programmes in the near future in view of the good work carried out to date and the need for such interventions in towns (details supplied) in County Donegal; if he will make a statement on the way applications are made and the way they are formally included in any such expansion of the scheme. [25645/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Garda Youth Diversion Projects are community based, multi-agency crime prevention initiatives which seek to divert young people from becoming involved (or further involved) in anti-social and/or criminal behaviour by providing suitable activities to facilitate personal development and promote civic responsibility. The Garda Youth Diversion Projects are funded by my Department and administered through Garda Community Relations Section of An Garda Síochána.

Garda Youth Diversion Project Guidelines have been developed to deal with the establishment, operation, administration and monitoring of projects. In accordance with the Guidelines, proposals to establish new Garda Youth Diversion Projects are forwarded to the Garda Commissioner for consideration and recommendation to my Department. Projects are established when resources permit and in locations where it is considered this method of intervention is most needed.

There are currently 64 Garda Youth Diversion Projects and 7 Local Drugs Task Force Projects in operation. Funding for the projects was increased by €1.2 million to a total of €6.6 million for 2006. It is my intention to expand the scheme to 100 projects by the end of 2007. To this end, I have received recommendations from the Garda Commissioner regarding the establishment of ten new projects and I am hoping to announce the establishment of these in the near future.

No expression of interest in having a project established has been received to date from any group in the localities referred to by the Deputy. However, any application received will be carefully considered.

Departmental Expenditure.

562. Mr. Bruton asked the Minister for Justice, Equality and Law Reform his Department's budget specifically allocated to high support units, special care units and detention schools respectively from 1998 to date in 2006; and the capital expenditure allocated for same. [25688/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): My Department has no responsibility with regard to high support units, special care units and detention schools. I would however refer the Deputy to Question Nos. 184 (ref: 25687/06) and 663 (ref: 25686/06) of today's date answered by my colleagues the Tánaiste and Minister's for Health and Children and Education and Science.
Human Trafficking.

563. Caoimhghín Ó Caoláin asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 174 of 22 June 2006, if he will clarify whether the offences for which the ten convictions were obtained related to trafficking in persons for the purpose of forced labour or sexual exploitation. [25699/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the ten convictions referred to in the reply to Parliamentary Question No. 174 tabled for answer on 22 June last relate to breaches of section 2 of the Illegal Immigrants Trafficking Act 2000. The prosecutions in question arose from detections at ports of entry into the State.

Under the above mentioned provision, 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 or a person who intends to seek asylum. The legislation does not distinguish between smuggling and trafficking but legislation, which I expect to publish later this year, will create a new offence of trafficking persons into, through or out of Ireland for the specific purposes of sexual or labour exploitation.

Drug Seizures.

564. Mr. P. Breen asked the Minister for Justice, Equality and Law Reform the number of drug seizures in each Garda division in County Clare for each of the past five years; and if he will make a statement on the matter. [25747/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): It has not been possible, within the timeframe available, to collate the information required by the Deputy. I will contact the Deputy directly when the information is to hand.

Road Traffic Offences.

565. Mr. P. Breen asked the Minister for Justice, Equality and Law Reform the number of prosecutions that have been issued to motorists in County Clare for uninsured and untaxed vehicles for each of the years 2001 to 2005 and for January to April 2006; and if he will make a statement on the matter. [25748/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I regret that it has not been possible in the time available to obtain the information requested by the Deputy. I will be in touch with the Deputy in relation to this matter when it becomes available.

World Refugee Day.

566. Mr. M. Higgins asked the Minister for Justice, Equality and Law Reform the measures the Government has taken to celebrate world refugee day; and if he will make a statement on the matter. [25779/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): My Department, through the Reception and Integration Agency, (RIA) has had a long association with the celebration of world refugee day. The agency has, over the years, worked in close association with many groups to mark this significant day in the calendar of refugee events. In cooperation with the UNHCR, RIA has organised many imaginative events around the various themes of world refugee day including short story and poetry competitions.

Each year RIA provides funding through its small grants scheme to voluntary organisations and NGOs to help them organise events country-wide. For example, funding was provided this year for a project by the Irish Refugee Council, Ennis showcasing cross-cultural talents, and an intercultural music festival organised by the Donegal Fáilte project. As has been the tradition, RIA was also one of the sponsors of the World Refugee Day Awards event organised by the Africa Centre.

Refugee Status.

567. Mr. M. Higgins asked the Minister for Justice, Equality and Law Reform the reason Ireland voted for inclusion on the European Union’s list of safe countries of origin countries (details supplied) despite the fact that some of these countries have significant human rights abuses; and if he will make a statement on the matter. [25780/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): There is no common list of safe countries of origin in existence at present under EU law although discussions have taken place on such a list in the past.

The present position is that under Article 29 of Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status, the Commission can bring forward a proposal for a minimum common EU list of safe countries of origin in accordance with criteria set out in that Directive for consideration by the Council.

I am advised that a proposal is expected from the Commission this year which will be considered by the Council in due course.

Garda Deployment.

568. Ms Burton asked the Minister for Justice, Equality and Law Reform the number of Gardaí allocated to the Dublin west district; the breakdown by rank and area of activity; the number of community Gardaí and the areas to which they
Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda Commissioner that the personnel strength of An Garda Síochána increased to a record 12,641 (all ranks) on Thursday 8 June with the attestation of 273 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June 1997 and represents an increase of 1,939 (or 18.1%) in the personnel strength of the Force during that period.

I have been further informed that the personnel strength of each Garda Station in the Dublin Metropolitan Region West Division by rank as at the 30th of June 2006 and the 31st May 2005 was as set out in the following table.

<table>
<thead>
<tr>
<th>Rank</th>
<th>30/06/2006</th>
<th>31/05/2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blanchardstown</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chief Superintendent</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Superintendent</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Inspector</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Sergeant</td>
<td>24</td>
<td>23</td>
</tr>
<tr>
<td>Garda</td>
<td>135</td>
<td>136</td>
</tr>
<tr>
<td>Cabra</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inspector</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Sergeant</td>
<td>9</td>
<td>11</td>
</tr>
<tr>
<td>Garda</td>
<td>60</td>
<td>50</td>
</tr>
<tr>
<td>Finglas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inspector</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Sergeant</td>
<td>8</td>
<td>9</td>
</tr>
<tr>
<td>Garda</td>
<td>72</td>
<td>72</td>
</tr>
<tr>
<td>Lucan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Superintendent</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Inspector</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Sergeant</td>
<td>8</td>
<td>9</td>
</tr>
<tr>
<td>Garda</td>
<td>57</td>
<td>56</td>
</tr>
<tr>
<td>Leixlip</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sergeant</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Garda</td>
<td>22</td>
<td>23</td>
</tr>
<tr>
<td>Ballyfermot</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inspector</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Sergeant</td>
<td>12</td>
<td>11</td>
</tr>
<tr>
<td>Garda</td>
<td>68</td>
<td>64</td>
</tr>
<tr>
<td>Clondalkin</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Superintendent</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Inspector</td>
<td>4</td>
<td>2</td>
</tr>
</tbody>
</table>

The number of personnel allocated to Community Policing duties in each Garda Station in the Dublin Metropolitan Region West Division as at the 31st of December 2004 and as at the 30th June 2006 was as set out in the following table. The specific figures requested in respect of May 2005 are unavailable at this time.

<table>
<thead>
<tr>
<th>D.M.R. West</th>
<th>31/12/2004</th>
<th>30/06/2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blanchardstown</td>
<td>17</td>
<td>17</td>
</tr>
<tr>
<td>Cabra</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>Finglas</td>
<td>13</td>
<td>10</td>
</tr>
<tr>
<td>Lucan</td>
<td>5</td>
<td>7</td>
</tr>
<tr>
<td>Leixlip</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Ballyfermot</td>
<td>9</td>
<td>8</td>
</tr>
<tr>
<td>Clondalkin</td>
<td>12</td>
<td>9</td>
</tr>
<tr>
<td>Ronanstown</td>
<td>16</td>
<td>12</td>
</tr>
<tr>
<td>Rathcoole</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>79</td>
<td>74</td>
</tr>
</tbody>
</table>

It is the responsibility of Garda management to allocate personnel to and within Divisions on a priority basis in accordance with the requirements of different areas. These personnel allocations are determined by a number of factors including demographics, crime trends, administrative functions and other operational policing needs. Such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made of Garda resources, and that the best possible service is provided to the public.

I should add 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. The first group of newly attested Gardaí under this accelerated recruitment programme came on stream in March and the second such group did so on the 8th of June. Further tranches of approximately
275 newly attested Gardaí will follow every 90 days thereafter until the programme is complete. 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 Dublin West District will be given the fullest consideration.

Crime Levels.

569. Ms Burton asked the Minister for Justice, Equality and Law Reform his proposals to deal with the number of unsolved murders, gangland killings and other serious crimes committed in recent years in the Dublin 15 area which remain unsolved; his views on whether confidence in the criminal justice system is eroded by failure to apprehend people who commit serious criminal acts; and if he will make a statement on the matter. [25782/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to assure the Deputy that I consider murder to be the most heinous of crimes and that the significant resources available to the Garda authorities will be brought to bear in a focused and methodical way in order to bring the persons involved in these crimes to account.

I am informed by the Garda authorities that a number of individuals have been arrested and questioned in relation to murders which have taken place in the Dublin 15 area. I am further informed that where a prima facie case has been established a file is forwarded to the Director of Public Prosecutions (DPP) for his directions as to what charges if any should be preferred. In cases where insufficient evidence is available at this time to forward a file to the DPP, all avenues of investigation are actively pursued.

All killings, regardless of the circumstances involved, are the subject of rigorous investigation by An Garda Síochána. While the term “gangland murders” tends to be widely used in the media in referring to the nature of certain unlawful killings and speculation in this respect is understandable, this does not correspond to the manner in which An Garda Síochána classifies crime or particular offences. Caution is necessary in ascribing particular motives to any particular incident as, potentially, this might jeopardise the procedures which need to be followed for the proper investigation and prosecution of offences.

The Government’s top policing priority for 2006 continues to be to target organised crime, including drug trafficking, and the gun culture associated with it. This is being implemented through deployment by the Garda authorities of specialist units and the use of targeted operations to tackle specific criminal activities. I am in regular contact with the Garda Commissioner in order to keep the measures and resources for tackling serious crime under continuing review.

Operation Anvil has proven to be very successful in disrupting the criminal activities of a number of key criminal gangs. It has resulted in a number of high-profile arrests and the acquisition of intelligence on the movements of criminals. The Operation has been extended nationwide. A budget of approximately €11 million was allocated for Operation Anvil during 2006, and the Garda Commissioner has been advised that an additional €10 million has been made available for further operations to tackle gang related crime.

Also, in November last year, the Garda Commissioner augmented the Organised Crime Unit at the National Bureau of Criminal Investigation by an additional 55 Garda members to address the problem of gangland activity. Enforcement by the Unit has resulted in a number of arrests, seizure of firearms and the disruption of criminal activities.

The Criminal Justice Bill, 2004 contains a range of measures to strengthen the law governing the control of firearms. These new measures include increases in fines and penalties generally for offences under the Firearms Acts and the creation of mandatory minimum sentences, of between five and ten years, for certain firearms offences, including possession of a firearm in suspicious circumstances, possession of firearm with criminal intent, possession of a firearm with intent to endanger life or cause serious injury to property, possession of a firearm while hijacking a vehicle, and use or production of a firearm to resist arrest. The Bill also makes provision for criminal offences in relation to participation in a criminal organisation and provisions relating to the 10 year mandatory minimum sentence for drug trafficking.

570. Ms Burton asked the Minister for Justice, Equality and Law Reform the figures for serious crimes such as homicide, fraud, burglary and sexual offences broken down by category for the Dublin west district; the same figures for the Dublin 15 area; the percentage of cases for all of the above categories in both the Dublin west district and specifically in the Dublin 15 area for which proceedings were initiated and convictions were recorded; and if he will make a statement on the matter. [25783/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Headline crime statistics for the Garda Division of Dublin West are contained in the relevant Garda Annual Reports, copies of which are available in the Oireachtas Library. I am informed by the Garda authorities that crime statistics are compiled on the basis of Garda operational areas and do not correspond to postal districts.

Road Traffic Offences.

571. Ms O. Mitchell asked the Minister for
Justice, Equality and Law Reform if there is a two way exchange of information between the National Driver File and the Gardaí’s PULSE system; if so, the way in which this transfer of information operates; if it is an automatic exchange; the information which is available to the Gardaí from the National Driver File; the way in which Gardaí gain access to such information; if such access operates on a 24 hour seven day basis; and if he will make a statement on the matter. [25786/06]

572. Ms O. Mitchell asked the Minister for Justice, Equality and Law Reform if the Gardaí are aware of the number of penalty points held by each motorist; if so, the means by which the Gardaí are aware of this information; the way in which this system operates; and if he will make a statement on the matter. [25788/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I propose to take Questions Nos. 571 and 572 together.

The National Driver File, which includes penalty point data, is held and administered by the Department of Environment, Heritage and Local Government. An Garda Síochána are supplied with an electronic extract from the National Driver File by the Department of Environment, Heritage and Local Government on a weekly basis. The extract from the National Driver File provides details in relation to each driving licence record such as the driving licence number and the driver name and address. This information is used for the processing of payments in respect of fixed charge notices and is available to An Garda Síochána via the PULSE system which is available on a 24 x 7 basis.

Details of payments received by An Garda Síochána in respect of fixed charge penalty point offences are forwarded on a daily basis in printout form to SWS, a third party engaged by the Department of Transport. SWS in turn forward the data in electronic form to the Department of Environment, Heritage and Local Government for the purpose of applying penalty points to the driver licence record. This is a transition arrangement agreed with both parties until such time as all payments are made via An Post and the remaining transactions from the manual system are processed. After the transition period, the information will be transmitted in electronic form direct to the Department of Environment, Heritage and Local Government and the Gardaí authorities inform me that this is planned to take place within a number of weeks.

There is no requirement in current Road Traffic Legislation for a Gardaí to be aware of previous penalty point records when detecting an offence. However, I am informed by the Gardaí Authorities that discussions are taking place between An Garda Síochána and the Department of Environment, Heritage and Local Government with a view to providing data in electronic form on persons who have been disqualified.

**Garda Operations.**

573. Mr. M. Higgins asked the Minister for Justice, Equality and Law Reform the legislation or Ministerial Order, or section thereof, which conferred authority on Gardaí to prohibit the release of balloons at a public, peaceful gathering in Galway (details supplied); and the source of authority for such Gardaí leaning into a private car and puncturing said balloons. [25817/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I am informed by the Gardaí authorities that an anti-war demonstration was advertised to coincide with the Salthill Air Show on Sunday 25 June 2006. The advertisement stated that 99 helium filled balloons would be released as part of this protest. As a result of this local Gardaí management consulted with the Irish Aviation Authority and were advised that the Authority had placed a six-mile air exclusion zone around the Salthill area from 9 am on 25 June 2006. The Authority also advised that the releasing of the balloons would put aircraft attending the show and using Galway Airport in serious danger.

I am further informed that the protestors were advised by Gardaí in advance of the proposed demonstration of the danger posed by the release of the balloons.

On 25 June 2006 protestors gathered to hold their demonstration. Gardaí were detailed for duty at this demonstration. At approximately 1pm the protestors began taking helium filled balloons from a van. The Gardaí authorities, fearing for public safety and in light of the advice from the Irish Aviation Authority, took preventative action. Section 7(1) (b) of the Gardaí Síochána Act 2005, confers on members of An Garda Síochána the duty to protect life and property.

**Citizenship Applications.**

574. Mr. Gregory asked the Minister for Justice, Equality and Law Reform the position of the application for naturalisation for a person (details supplied) in Dublin 7; and if, in view of the length of time they have been resident here, they will be granted permission to do work other than that of a self employed artist in view of the high cost of living here. [25876/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** The person referred to in the Deputy’s question submitted an application for certificate of naturalisation in February 2003. She did not have five years reckonable residence in the State at the date of her application and she was deemed to be ineligible for naturalisation. She was informed of this determination by letter in February 2005.
[Mr. McDowell.]

The person concerned lodged a further application for naturalisation in April 2005. Applications received in the first half of 2004 are currently being processed and there are over 3,000 applications awaiting processing before that of the person in question. It is likely that processing of her application will commence in the second half of 2007.

Documentary evidence supplied by the applicant herself indicates that she first arrived into the State in 1994 and that she first received permission to remain in the State in 1999. Since November 2002, she has been granted permission to remain in the State on the basis that she does not enter employment or engage in any business or profession. However, it appears that the person concerned has been working part time for the last number of years despite her permission to remain in the State not allowing her to do so. She has, therefore, been in breach of the State immigration laws for that period of time. She should immediately contact the Garda National Immigration Bureau at 13/14 Burgh Quay, Dublin 2 to seek advice as to how to remedy her situation.

Irish Prisoners Abroad.

575. Mr. Carey asked the Minister for Justice, Equality and Law Reform the progress which has been made in securing the repatriation of a person (details supplied) who is in prison in Ecuador; and if he will make a statement on the matter. [25877/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to advise the Deputy that my Department has not as yet received the formal application and supporting documentation for a transfer to this country in respect of this person from the Ecuadorian authorities.

The Council of Europe Convention on the Transfer of Sentenced Persons requires extensive documentation to be exchanged between both jurisdictions in order to allow an application to be fully considered. A three way consent is also required to enable any transfer to take place, i.e., from the authorities of both jurisdictions and from the person concerned. On receipt of those consents (assuming they will be forthcoming), an application must then be made to the High Court for a warrant authorising the transfer of the person concerned and his continued detention here.

These procedures are required under the Convention and the Transfer of Sentenced Persons Act, 1995, and must be adhered to in processing each application.

Drug Seizures.

576. Mr. Gregory asked the Minister for Justice, Equality and Law Reform if he will request the Gardaí to investigate complaints that a licensed premises (details supplied) in Dublin 1 is a location for illegal drug use and drug dealing; and if appropriate action will be taken in relation to same. [25885/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that local Garda management is currently not aware of problems relating to illegal drug use or drug dealing in the licensed premises referred to by the Deputy.

However, the Garda authorities have assured me that as part of ‘Operation Fossil’, which involves Gardaí from Divisional and District Drug Units liaising with personnel from the Garda National Drug Unit in targeting the misuse of drugs in public houses, this alleged activity will be thoroughly investigated and appropriate action taken.

Closed Circuit Television Systems.

577. Mr. O’Shea asked the Minister for Justice, Equality and Law Reform the position regarding closed circuit television for Dungarvan, County Waterford; and if he will make a statement on the matter. [25895/06]

578. Mr. O’Shea asked the Minister for Justice, Equality and Law Reform the position regarding closed circuit television for Waterford City; and if he will make a statement on the matter. [25896/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 577 and 578 together.

As the Deputy is aware, both Dungarvan and Waterford City are two of the 17 remaining locations nationwide which form part of the Garda CCTV programme. As part of this programme 17 Garda Town Centre CCTV Systems will be implemented in the following locations: Athlone, Ballyfermot, Carlow, Castlebar, Clondalkin, Clonmel, Drogheda, Dungarvan, Ennis, Kilkenny, Kinsale, Mullingar, Portlaoise, Sligo, Tallaght, Tullamore and Waterford City. The above locations are listed in alphabetical order.

As I indicated previously I am anxious to accelerate the implementation of this CCTV programme and reduce as far as possible the workload of the Garda Síochána in this regard. I believe that the answer is to outsource the installation of Garda CCTV systems to the greatest extent possible, making use not only of the technical but also of the project management expertise in the private sector.

I am informed that the Garda authorities are currently finalising a comprehensive and detailed Request for Tender (RFT) for the outsourced service provision of these 17 Garda CCTV systems, including both Dungarvan and Waterford City. Once finalised, this RFT will be subject to a peer review process by the Department of Finance. My Department and the Garda auth-
orities have consulted with the Department of Finance with a view to preparing for the required peer review process in respect of this procurement. Following the successful conclusion of this review it is intended to issue the Request for Tender.

My ambition is to have a Garda CCTV system operating in Dungarvan, Waterford and in the other 15 locations at the earliest opportunity, subject to compliance with relevant procurement legislation and procedures.

**Departmental Expenditure.**

579. Mr. Kenny asked the Minister for Justice, Equality and Law Reform the proposed spending envelopes approved and set out by his Department for the foreseeable future; the broad objectives to be achieved by spending of such financial envelopes; the timescale set out for achievement of targets; and if he will make a statement on the matter. [25973/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** The overall approved capital spending envelope available to the Department of Justice, Equality and Law Reform and associated agencies over the period 2006 to 2010 comprises of: €592m by way of direct Exchequer capital and €400m by way of PPP/N DFA investment — giving an approved total of €992m over the period.

The broad objective to be achieved over the period will be to enhance the capital infrastructure within the Justice Vote Group and will include amongst other major projects:

- Development of a new prison at Thornton, County Dublin.
- Provision of a new Criminal Courts Complex.
- Redevelopment of the Prison on Spike Island.

**Criminal Prosecutions.**

580. Mr. Durkan asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 202 of 21 June 2006, the reason for the dearth of reference to an allegation or summons to the effect that the person concerned was involved in a hit and run; if the victim of the alleged hit and run has come forward or is in any way involved in the case; if persons (details supplied) were assaulted in the aftermath of the road traffic collision on 23 November 2005, involving one of the persons referred to, was submitted to the Director of Public Prosecutions. The injured party in this incident is a member of An Garda Síochána who is a witness for the prosecution in another incident involving that person.

A direction to prosecute was received from the Director of Public Prosecutions and ten summonses relating to offences under the Road Traffic Acts 1961-2005 were issued. The charges were due to be heard before Dublin District Court on 31 May 2006. However, the person was jailed for contempt by the judge on that date and the charges were adjourned until 28 November 2006.

All incidents involving the person were investigated by different Gardaí. The member of An Garda Síochána injured in the road traffic collision on 23 November 2005 is not involved in each incident. There are currently sixteen summonses against the person.

Gardaí have not received any complaint regarding allegations of assault in the aftermath of the court case on 31 May 2006.

As I have no role in relation to the investigation or prosecution of offences, it would not be appropriate for me to comment further at this time.

**Visa Applications.**

581. Mr. Howlin asked the Minister for Justice, Equality and Law Reform if he will confirm that a visa application has been received in his office from a person (details supplied) under the family reunification scheme; and if so, when will a decision be made. [26008/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** My Department has no record of a current application in respect of the person in question.

582. Mr. F. McGrath asked the Minister for Justice, Equality and Law Reform the position regarding the case of persons (details supplied) in County Galway who are seeking a work permit and permission to stay; and if he will support them on this issue. [26009/06]

599. Mr. F. McGrath asked the Minister for Justice, Equality and Law Reform the position of a person (details supplied) in County Galway regarding a voluntary deportation order and the
Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 582 and 599 together.

I would refer the Deputy to the replies I gave to Parliamentary Questions Nos. 325 of Tuesday, 9 May, 2006; 193 of Thursday, 18 May, 2006; and 200 of Thursday, 29 June, 2006.

The person in question consented, in writing, to the making of deportation orders in respect of her and her children. A decision in this case will issue in the near future.

The person referred to by the Deputy is a citizen of Brazil and is not visa required to enter this State. As a non-visa required national seeking to work in Ireland, the applicant is advised to refer to the Department of Enterprise, Trade and Employment’s website (www.entemp.ie) for details of the Work Authorisation and Work Permit Schemes, under which the applicant may be eligible for consideration.

Registration of Title.

583. Mr. Penrose asked the Minister for Justice, Equality and Law Reform the steps he will take to have an application for mapping by a person (details supplied) in County Westmeath expedited, as the person involved wishes to dispose of same; and if he will make a statement on the matter. [26020/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand that the Land Registry has forwarded the information requested directly to the Deputy.

I would like to refer the Deputy to my letter of 26 May, 2006 to members of the Oireachtas regarding a new service for T.D.s and Senators concerning the current status of Land Registry/Registry of Deeds applications. As outlined in my letter, the service was introduced, *inter alia*, to provide a speedier and more cost effective alternative to submitting Parliamentary Questions.

Citizenship Applications.

585. Mr. Quinn asked the Minister for Justice, Equality and Law Reform the situation with regard to applications by a person (details supplied) for naturalisation that have been with his Department for thirty months; if, having regard to the deterioration in the domestic situation in the country that these persons are originally from, he will expedite a decision in order to enable them to make plans in relation to careers and freedom of movement; and if he will make a statement on the matter. [26023/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Applications for certificates of naturalisation were received from the first-named person referred to in the Deputy’s question on 11 March 2004 and from the second-named person on 13 April 2004. I understand that processing of both applications has commenced and that the case files will be submitted to me for a decision in the near future.

I will advise the Deputy and the persons in question once I have reached a decision on the applications.

586. Mr. Quinn asked the Minister for Justice, Equality and Law Reform the reason it is taking approximately two and a half years to process naturalisation applications; the additional resources he intends to supply to the unit within his Department responsible for these decisions in order to reduce this waiting time; the steps that are taken within his Department from the first receipt of a naturalisation application to the issuing of a decision to the applicant; the appeal processes that are in place; and if he will make a statement on the matter. [26024/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The lengthy processing time for applications is primarily due to the significant increase in the volume of applications that were received in the last number of years. The following table shows the number of applications received in the years 2000 to date.

<table>
<thead>
<tr>
<th>Year</th>
<th>Applications for naturalisation received</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>1,004</td>
</tr>
<tr>
<td>2001</td>
<td>1,431</td>
</tr>
<tr>
<td>2002</td>
<td>3,574</td>
</tr>
<tr>
<td>2003</td>
<td>3,580</td>
</tr>
<tr>
<td>2004</td>
<td>4,074</td>
</tr>
<tr>
<td>2005</td>
<td>4,523</td>
</tr>
<tr>
<td>2006 (to 28/6/06)</td>
<td>3,026</td>
</tr>
</tbody>
</table>
The above figures illustrate a significant upward trend in the number of applications received during that 7 year period. With over 3,000 applications received to date in 2006, the upward trend looks set to continue and it appears likely that over 6,000 applications will be received this year — a potential increase of 33% on 2005.

At the start of 2001, the average processing time for an application for naturalisation was two and a half years. Additional staff were assigned to the Citizenship Section of the Department and by the beginning of 2002, the average processing time had been reduced to 15 months. However, the processing time started to rise again as my officials began to process the 3,574 applications received in 2002. During 2004 and into early 2005, I doubled the number of staff dealing exclusively with citizenship matters to the current level of 41. This significant increase in staffing levels was achieved in the context of the necessary expansion of other sections of the broad immigration area, such as those dealing with increased workloads in the areas of visas and residency applications. Any further increase in staffing levels in the citizenship area will have to be considered in the context of demands generally in the broader asylum and immigration areas.

The granting of Irish citizenship through naturalisation is an honour and applications must be processed in a way which preserves the necessary checks and balances to ensure that it is not undervalued and is given only to persons who are suitably qualified. I have set out below a synopsis of the procedures employed to assess an applicant for naturalisation.

Upon receipt, each application is examined to determine if the statutory application is completed fully. It should be noted that approximately one third of all applications for naturalisation received are not completed correctly, necessitating in the forms and accompanying documentation being returned to the applicant with an explanation of the problem involved. Valid applications are examined to determine if the applicant meets the statutory residency criteria set out in the Irish Nationality and Citizenship Act, 1956, as amended. Passports and other documentation are examined in detail and enquiries with the Garda National Immigration Bureau may also be necessary. Since this procedure was introduced on 1 April 2005, over 1,500 applicants who applied since that date have been found to have insufficient residency in the State for the purposes of naturalisation. All such applicants are informed of any shortfall in their residency and will be able to reapply when they have the required residency.

The next stage of the process involves assessing an applicant’s financial status in respect of their ability to support themselves in the State. Enquiries with the Revenue Commissioners and the Department of Social and Family Affairs may be necessary in this regard. At the same time enquiries with the Garda National Immigration Bureau may also be necessary. At the same time enquiries with the Revenue Commissioners and the Department of Social and Family Affairs may be necessary in this regard. At the same time enquiries with the Garda National Immigration Bureau may also be necessary. Since this process was introduced on 1 April 2005, over 1,500 applicants who applied since that date have been found to have insufficient residency in the State for the purposes of naturalisation. All such applicants are informed of any shortfall in their residency and will be able to reapply when they have the required residency.

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quarters for Dunlavin, Donard and Ballytore Garda Stations.

The personnel strength of each Garda Station in the Baltinglass administrative area as at 3 of July, 2006 was as set out in the following table:

<table>
<thead>
<tr>
<th>Station</th>
<th>as at 3/7/2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baltinglass</td>
<td>24</td>
</tr>
<tr>
<td>Ballytore</td>
<td>1</td>
</tr>
<tr>
<td>Donard</td>
<td>1</td>
</tr>
<tr>
<td>Dunlavin</td>
<td>1</td>
</tr>
</tbody>
</table>

Dunlavin Garda Station is open to the public from 3 p.m. to 5 p.m. daily. When not open P.A.C.B. (Public Access Call Box) and call diversions systems are in operation to the District headquarters at Baltinglass Garda Station which is open to the public on a 24-hour basis.

Resources are augmented within the Division/District as required. The area is also patrolled by the Divisional Traffic Unit and the District Detective Unit.

Local Garda Management are satisfied that the resources currently allocated to the Baltinglass administrative area are adequate to meet the present policing needs of the area.

It is the responsibility of Garda management to allocate personnel to and within Divisions on a priority basis in accordance with the requirements of different areas. These personnel allocations are determined by a number of factors including demographics, crime trends, administrative functions and other operational policing needs. Such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made of Garda resources, and that the best possible service is provided to the public.

I should add 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. The first group of newly attested Gardaí under this accelerated recruitment programme came on stream in March and the second such group did so on the 8th of June. Further tranches of approximately 275 newly attested Gardaí will follow every 90 days thereafter until the programme is complete. 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 Dunlavin Garda Station will be given the fullest consideration.

Information Technology.

588. Mr. Quinn asked the Minister for Justice, Equality and Law Reform the information technology purchasing requirements, for both hardware and software, in his Department for the second half of 2006; the requirements for which tender requests have been issued; and if he will make a statement on the matter. [26043/06]

589. Mr. Quinn asked the Minister for Justice, Equality and Law Reform his Department’s information technology purchasing policy; and if he will make a statement on the matter. [26058/06]

590. Mr. Quinn asked the Minister for Justice, Equality and Law Reform the percentage of information technology spend in his Department that went to Irish SMEs in each year from 2002 to date in 2006; the percentage for European Union and European Economic Area SMEs; if systems are in place in his Department’s procurement procedures to give preference to SMEs, such as the weighting system in place in the Local Government Computer Services Board; and if he will make a statement on the matter. [26073/06]

591. Mr. Quinn asked the Minister for Justice, Equality and Law Reform the average size of information technology procurement contracts in his Department; the median size of such contracts; and if he will make a statement on the matter. [26086/06]

592. Mr. Quinn asked the Minister for Justice, Equality and Law Reform the steps he is taking to support the development of the indigenous software industry through his Department’s public procurement process; and if he will make a statement on the matter. [26103/06]

Minister for Justice, Equality and Law Reform

(Mr. McDowell): I propose to take Questions Nos. 588 to 592, inclusive, together.

The effective operation of my Department is dependent upon the provision of a secure, stable and flexible IT network. The IT procurement policy is designed to support this requirement, while also securing best value for money. This is in part done by, where possible, drawing off Civil Service-wide procurement contracts for equipment and services thereby securing savings due to economies of scale. Where there are no Civil Service-wide contracts in place the agencies operating within the Justice Group of Votes — the Department, An Garda Síochána, the Irish Prison Service, the Irish Naturalisation and Immigration Service (to name but a few) — increasingly design IT drawdown contracts that can be drawn upon by other agencies within the Group, thereby leveraging the procurement power of the Group to incur savings — not only through economies of scale, but also significant administrative savings in not having to repeatedly run the same, or similar, tender competitions.
The Department itself has in recent years adopted operating systems which have enabled old equipment, such as personal computers otherwise at the end of their working lives, to be reused.

The Department is bound by European and Irish public procurement rules which are designed to maximise competition and to ensure that the market is tested to obtain best value for money. This limits the scope of the Department to target its spending at any one particular sector or sectors. The Department selects its suppliers on the basis of best value for money and business will be awarded to the tenderer offering best value, regardless of size or location.

The Official Journal of the European Commission in 2003 (L 124/36, 20th May 2003) provided a detailed definition of what a small to medium enterprise is. The Department does not hold sufficiently detailed information on its suppliers to be able to determine whether or not they fall into this category. It should also be borne in mind that many of the Department’s major suppliers sub-contract work to other businesses which could fall within the category of small to medium sized.

My Department is unaware of the Local Government Computer Services Board weighting system, but will examine it and see if it can be applied.

Much of the Department’s procurement is on a drawdown basis and was awarded on, basically, a per unit cost with quantities being drawn down as and when needed. This makes it very difficult to give an average size to the contracts. During 2005 the Department’s overall IT expenditure was €3.35 million. Expenditure for 2006 is expected to exceed this figure.

### Garda Stations.

593. **Mr. Kenny** asked the Minister for Justice, Equality and Law Reform the name and location of each Garda station in County Mayo currently providing a green man service to the public; the stations involved where this system no longer works; the stations where it is proposed to replace this system in 2006 and 2007; and if he will make a statement on the matter. [26127/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I am informed by the Garda Authorities that having reviewed the Public Access Callbox units commonly referred to as the ‘Green Man’ units, which are installed in Sub-District stations, they have concluded that such units are becoming increasingly obsolete as spare parts have become difficult to obtain. I am further advised that plans for replacement of faulty units with latest technology have commenced and replacement will be carried out on a priority basis and to meet local demands. The following table sets out the list of stations in County Mayo fitted with these “Green Man” units including stations where this system no longer works due to no availability of spares.

<table>
<thead>
<tr>
<th>Station</th>
<th>District</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ballycastle</td>
<td>Ballina</td>
<td>Not repairable</td>
</tr>
<tr>
<td>Bonniconlon</td>
<td>Ballina</td>
<td>Not repairable</td>
</tr>
<tr>
<td>Lahardaun</td>
<td>Ballina</td>
<td>Not repairable</td>
</tr>
<tr>
<td>Ballycroy</td>
<td>Belmullet</td>
<td>Not repairable</td>
</tr>
<tr>
<td>Bellacorrick Doo</td>
<td>Belmullet</td>
<td>Not repairable</td>
</tr>
<tr>
<td>Ballyglass</td>
<td>Castlebar</td>
<td>Not repairable</td>
</tr>
<tr>
<td>Glenisland</td>
<td>Castlebar</td>
<td>Not repairable</td>
</tr>
<tr>
<td>Tourmakeady</td>
<td>Castlebar</td>
<td>Not repairable</td>
</tr>
<tr>
<td>Ballinrobe</td>
<td>Claremorris</td>
<td>Not repairable</td>
</tr>
<tr>
<td>Hollymount</td>
<td>Claremorris</td>
<td>Not repairable</td>
</tr>
<tr>
<td>Keel Achill Island</td>
<td>Claremorris</td>
<td>Not repairable</td>
</tr>
<tr>
<td>Crossmolina</td>
<td>Ballina</td>
<td>Working order</td>
</tr>
<tr>
<td>Easkey</td>
<td>Ballina</td>
<td>Working order</td>
</tr>
<tr>
<td>Enniscrone</td>
<td>Ballina</td>
<td>Working order</td>
</tr>
<tr>
<td>Killala</td>
<td>Ballina</td>
<td>Working order</td>
</tr>
<tr>
<td>Bangor Erris</td>
<td>Belmullet</td>
<td>Working order</td>
</tr>
<tr>
<td>Blacksdod</td>
<td>Belmullet</td>
<td>Working order</td>
</tr>
<tr>
<td>Glenamoy</td>
<td>Belmullet</td>
<td>Working order</td>
</tr>
<tr>
<td>Ball</td>
<td>Castlebar</td>
<td>Working order</td>
</tr>
<tr>
<td>Ballyvary</td>
<td>Castlebar</td>
<td>Working order</td>
</tr>
<tr>
<td>Partry</td>
<td>Claremorris</td>
<td>Working order</td>
</tr>
<tr>
<td>Ballindine</td>
<td>Claremorris</td>
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</tr>
<tr>
<td>Cong</td>
<td>Claremorris</td>
<td>Working order</td>
</tr>
<tr>
<td>Kilmaine</td>
<td>Claremorris</td>
<td>Working order</td>
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<tr>
<td>Station</td>
<td>District</td>
<td>Status</td>
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<tr>
<td>Knock</td>
<td>Claremorris</td>
<td>Working order</td>
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<tr>
<td>Shrule</td>
<td>Claremorris</td>
<td>Working order</td>
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<tr>
<td>Ballyhaunis</td>
<td>Swinford</td>
<td>Working order</td>
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<tr>
<td>Charlestown</td>
<td>Swinford</td>
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<td>Foxford</td>
<td>Swinford</td>
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<tr>
<td>Kilkee</td>
<td>Swinford</td>
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<td>Kiltimagh</td>
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<td>Working order</td>
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<tr>
<td>Achill Sound</td>
<td>Westport</td>
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</tr>
<tr>
<td>Louisburgh</td>
<td>Westport</td>
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</tr>
<tr>
<td>Mulranny</td>
<td>Westport</td>
<td>Working order</td>
</tr>
<tr>
<td>Newport</td>
<td>Westport</td>
<td>Working order</td>
</tr>
</tbody>
</table>

**Asylum Applications.**

594. **Mr. P. Breen** asked the Minister for Justice, Equality and Law Reform the status of an application for permission to remain in the State for a person (details supplied) in County Clare; and if he will make a statement on the matter. [26128/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The persons in question applied for permission to remain in the State under the revised arrangements for parents of Irish children, born before 1 January 2005. Their applications were received on 30 March 2005 and were acknowledged on 14 April 2005. The cases for the persons concerned are still active and being processed. A decision on their applications will be made when all circumstances relevant to their cases have been fully considered.

**Parental Leave Provisions.**

595. **Mr. Ardagh** asked the Minister for Justice, Equality and Law Reform the present and prospective positions in relation to paid paternal leave for fathers at the time of the birth of their child (details supplied). [26129/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): At present there is no statutory entitlement to paternity leave. However, many employers in both the public and private sectors have arrangements in place providing short periods of paid paternity leave.

Paternity leave was considered in the context of a review of the Parental Leave Act 1998 conducted by a Working Group chaired by my Department. The Working Group comprised the social partners, relevant Government Departments and the Equality Authority. The Report of the Working Group on the Review of the Parental Leave Act 1998 was published on 29 April, 2002. Paternity leave was considered by the Working Group taking into account the following issues: reconciliation of work and family life; cost to employers; comparative situation in EU Member States.

While acknowledging that a statutory arrangement to provide an entitlement to time off for fathers at the time of childbirth would enhance arrangements for the reconciliation of work and family life, the Working Group could not reach consensus on the issue. Subsequently, no agreement was reached on paternity leave by the social partners in the context of the negotiations on the Sustaining Progress Partnership Agreement.

The Government has no plans at present to introduce statutory paid paternity leave. However, the Government and the social partners are committed in the new social partnership agreement Towards 2016 to review the level of provision of maternity/paternity leave before the end of 2008.

**Citizenship Applications.**

596. **Mr. Haughey** asked the Minister for Justice, Equality and Law Reform if he will process an application for naturalisation by a person (details supplied) in County Dublin despite the fact that they have no stamp showing permission to remain in the State for December 2004; if he will review this case; and if he will make a statement on the matter. [26130/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Minister for Justice, Equality and Law Reform may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. One of these conditions is that the applicant has had a period of one year’s continuous residency in the State immediately before the date of the application and, during the eight years immediately preceding that period, has had a total residence in the State amounting to four years.

In the context of determining if an applicant meets the residence requirement for naturalisation, certain periods of residence in the State must be excluded. These include periods of residence in respect of which an applicant does not
have permission to remain in the State; periods granted for the purposes of study; and periods granted for the purposes of seeking recognition as a refugee within the meaning of the Refugee Act, 1996.

The person in question lodged an application for naturalisation which was received in the Citizenship Section of my Department on 19 January 2006, having lodged an earlier, unsuccessful application in 2003. My officials were unable to establish that he had permission to remain in the State for the month of December 2004. Consequently he was deemed ineligible for naturalisation as he cannot be considered to have had one year’s continuous residency in the State prior to the date of application. He was informed of this determination in March 2006.

My officials have informed me that the person in question now satisfies the statutory residency requirement and it is open to him to submit a fresh application for naturalisation if he wishes.

Further information and the necessary application forms may be obtained from my Department’s website, www.justice.ie, or by telephoning the Citizenship Section helpline on Tuesdays or Thursdays between 10:00am to 12:30pm at Local call 1890 551 500 or (01) 6167700.

Garda Investigations.

597. Mr. Gregory asked the Minister for Justice, Equality and Law Reform when the information promised in the reply to Parliamentary Question No. 440 of 16 May, 2006 will be available; and if he will make a statement on the matter. [26135/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): A reply to Parliamentary Question No. 440 of 16 May, 2006 was issued to the Deputy on 3 July, 2006.

Citizenship Applications.

598. Caomhghín Ó Caoláin asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the website of the British Home Office which states that the processing time for naturalisation applications is 5.27 months, as opposed to the waiting list of more than two years here; if he will liaise with the British authorities to determine the way in which they are able to process their applications so quickly, with a view to achieving a similar level of efficiency here; and if he will make a statement on the matter. [26141/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As part of the ongoing review of procedures in the Citizenship section of my Department, my officials have already commenced a process of examining the regimes in place in various jurisdictions, including the UK, with a view to applying best practices to our system where possible. Such an examination will, of course, have to have regard to the different legislative processes that exist in the various jurisdictions including the need to maintain the integrity of the Irish naturalisation process.

Question No. 599 answered with Question No. 582.

Visa Applications.

600. Dr. Upton asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to what an organisation (details supplied) does; if his further attention has been drawn to the fact it might be charging sums of money for work visas; and if he will make a statement on the matter. [26183/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The organisation referred to is known to my Department. Should the Deputy have information in relation to the practices of the organisation in question which she believes to be irregular, I will be happy to have the matter investigated on receipt of the relevant information.

Sexual Offences.

601. Dr. Upton asked the Minister for Justice, Equality and Law Reform the dates of correspondence between An Garda Síochána and the Department of Education from 1992 to date in 2006 regarding the investigation of concerns of possible child abuse in a children’s detention centre (details supplied); the circumstances under which such correspondence arose; and if he will make a statement on the matter. [26184/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have requested a report from the Garda authorities in relation to the matters raised by the Deputy. I will contact the Deputy again when the report is to hand.

EU Regulations.

602. Mr. Deenihan asked the Minister for Justice, Equality and Law Reform if he will confirm that Government decision S 29721 of 18 June 2002, to which he was party, authorised and instructed Government Departments to apply retrospectively EU Regulation 2064/97 back to 1994; and if he will make a statement on the matter. [26185/06]

603. Mr. Deenihan asked the Minister for Justice, Equality and Law Reform if he personally was informed by officials prior to or at the related Cabinet meeting on 18 June 2002, that Government decision S 29721 authorised the retrospective application of EU Regulation 2064/97 back to 1994; and if he will make a statement on the matter. [26186/06]
604. Mr. Deenihan asked the Minister for Justice, Equality and Law Reform if he will confirm that EU law, as a general rule, prohibits retrospective legislation; that EU law does not supersede the Irish Constitution where retrospective legislation is concerned; and if he will make a statement on the matter. [26189/06]

605. Mr. Deenihan asked the Minister for Justice, Equality and Law Reform if, where fraud was alleged and the Gardaí were deployed solely as a consequence of the retrospective application of changed conditions by virtue of the late introduction of EU Regulations, Government Departments should have made clear to the Garda Bureau of Fraud Investigation and the accused the retrospective nature of the charge; that in follow up enquiries the relevant information should have been freely disclosed by Government Departments; that the citizen so damaged is entitled to his good name; that the Irish Constitution expects the State and its agents to undo the damage it has, even if unwittingly, been party to, even where legal remedy is available to the citizen; and if he will make a statement on the matter. [26190/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to answer Questions Nos. 602 to 605, inclusive, together.

The substantive matters to which these Questions relate are outside the remit of my Department. I am, therefore, not in a position to assist the Deputy.

Visa Applications.

606. Mr. Timmins asked the Minister for Justice, Equality and Law Reform the position in relation to a person (details supplied); the criteria they need to follow in order to be allowed visit Ireland; and if he will make a statement on the matter. [26192/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): It is not possible to provide the Deputy with a comprehensive answer based on the details supplied to my Department. I would ask the Deputy to provide further details in respect of the person in question.

607. Dr. Upton asked the Minister for Justice, Equality and Law Reform the criteria used to determine whether or not a person would be entitled to long-term residency here. [26193/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The position in relation to granting long term residency is as follows: Persons who have been legally resident in the State for over five years (ie: 60 months) on the basis of work permit/work authorisation/work visa conditions may apply to the Immigration Division of my Department for a five year residency extension. In that context they may also apply to be exempt from employment permit requirements.

The dependants of the aforementioned, who have been legally resident in the State for over five years (ie: 60 months) may also apply for long term residency. This particular long term permission does not exempt the person from employment permit requirements.

In considering such applications the following documents are required. They are a clear and legible copy of passport (all pages) — in the event that the passport has been renewed since commencing employment, a copy of the previous passport must be provided; a copy of Certificate of Registration; copies of work permits / working visa endorsements / work authorisation endorsements.

608. Dr. Upton asked the Minister for Justice, Equality and Law Reform if a person who is a non EU national has the right to reside and work in Estonia; if they have the right to reside and work here; if so, the legal basis for same; and if not, the legal basis for same. [26194/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to advise the Deputy that questions regarding the right of a non-EU national to reside and work in Estonia are a matter for the Estonian authorities. The rights of non EU nationals, who have no family connection to an EU citizen, are not covered by Community free movement legislation. This is not a matter for my Department or, indeed, the Irish Government.

The Minister for Enterprise, Trade and Employment has the primary role in developing economic migration policy and the work permit scheme is currently administered by his Department. In general, a non-EEA national wishing to work in Ireland requires the permission of the Minister for Enterprise, Trade and Employment under the Employment Permits Act 2003 and is required to be in possession of a work permit or a working visa/work authorisation. A prospective employer must obtain a work permit in respect of the non-EEA national. If the worker is of a nationality which requires a visa, this must be obtained prior to travel to the State.

609. Mr. Hayes asked the Minister for Justice, Equality and Law Reform the position regarding an application for a holiday visa by a person (details supplied). [26195/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The application referred to the Deputy was received in the Visa Office on 6th June, 2006. The decision of the Visa Officer to refuse this application was made on 3rd July, 2006. It is open to the applicant to appeal this decision. All appeals must be submitted to this office within two months of the date of the initial refusal decision.
Sexual Offences.

610. Ms Harkin asked the Minister for Justice, Equality and Law Reform the plans in place to implement Garda policy in relation to domestic violence, rape and sexual assault, as recommended in the report Sexual Assault Treatment Services — A National Review; and if he will make a statement on the matter. [26198/06]

611. Ms Harkin asked the Minister for Justice, Equality and Law Reform if the recommendations that Garda Domestic Violence and Sexual Assault Investigation Units should be established in major urban areas outside of Dublin, as recommended in the report Sexual Assault Treatment Services — A National Review, will be put in place; and where these units may be located. [26199/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to answer Questions Nos. 610 and 611 together.

I have been informed by the Garda authorities that the Garda Domestic Violence and Sexual Assault Investigation Unit has a national remit for all cases of domestic violence and sexual assault investigations. Members of the unit are available to advise and assist all members of An Garda Síochána in the investigation of such incidents.

A member of Inspector rank has been appointed in each Garda Division to ensure the uniform implementation of Garda policy relating to incidents of domestic violence. The National Steering Committee on Violence Against Women was party to a Working Group chaired by the Department of Health and Children which recently produced the report to which the Deputy refers.

I have previously indicated that I will take any necessary action to appropriately address any resource requirements which arise from it relating to the provision of medical services to assist the Garda Síochána. Now that the report has been published, I am anxious that the recommendations of the report will be considered by the relevant stakeholders with a view to putting the necessary structures and resources in place at the earliest opportunity.

Citizenship Applications.

612. Dr. Cowley asked the Minister for Justice, Equality and Law Reform the reason a person (details supplied) in County Mayo has to wait until 2008 before their application will be examined; and if he will make a statement on the matter. [26204/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The lengthy processing time for applications is primarily due to the significant increase in the volume of applications that were received in the last number of years. The following table shows the number of applications received in the years 2000 to date.

<table>
<thead>
<tr>
<th>Year</th>
<th>Applications for naturalisation received</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>1,004</td>
</tr>
<tr>
<td>2001</td>
<td>1,431</td>
</tr>
<tr>
<td>2002</td>
<td>3,574</td>
</tr>
<tr>
<td>2003</td>
<td>3,580</td>
</tr>
<tr>
<td>2004</td>
<td>4,074</td>
</tr>
<tr>
<td>2005</td>
<td>4,523</td>
</tr>
<tr>
<td>2006 (to 28/6/06)</td>
<td>3,026</td>
</tr>
</tbody>
</table>

The above figures illustrate a significant upward trend in the number of applications received during that 7 year period. With over 3,000 applications received to date in 2006, the upward trend looks set to continue and it appears likely that over 6,000 applications will be received this year — a potential increase of 33% on 2005.

The granting of Irish citizenship through naturalisation is an honour and applications must be processed in a way which preserves the necessary checks and balances to ensure that it is not undervalued and is given only to persons who are suitably qualified. I believe it would be beneficial to the Deputy if I set out below a short synopsis of the procedures employed to assess an applicant for naturalisation.

Upon receipt, each application is examined to determine if the statutory application is completed fully. Incomplete application forms are returned to the applicant for amendment. Valid applications are then examined to determine if the applicant meets the statutory residency criteria set out in the Irish Nationality and Citizenship Act. Passports and other documentation are examined in detail and enquiries with the Garda National Immigration Bureau may also be necessary. Since this procedure was introduced on 1 April 2005, over 1,500 applicants who applied since that date have been found to be ineligible. All such applicants are informed of any shortfall in their residency and will be able to reapply when they have the required residency.

The next stage of the process involves assessing an applicant’s financial status in respect of their ability to support themselves in the State. Enquiries with the Revenue Commissioners and the Department of Social and Family Affairs may be necessary in this regard. At the same time enquiries are also made with the Garda Síochána to clarify if the applicant can be deemed to be of good character. There may also be circumstances in individual cases which require a greater level of investigation than other cases. Once all enquiries are completed, the file is referred to me for a decision. The Deputy will appreciate that these processes can take a lengthy time to complete.

An application for a certificate of naturalisation was received in the Citizenship section of my Department from the person referred to in...
the Deputy’s question on 10 February 2006. Applications received in the first half of 2004 are currently being processed and there are almost 8,000 applications awaiting processing before that of the person in question. It is likely that processing of the application of the person concerned will commence in the second half of 2008. Meanwhile, if the person concerned wishes to travel outside of the State prior to his application for naturalisation being finalised, he can travel on his current passport and apply, in advance of his departure from the State, for a re-entry visa to the Visa Office at 13/14 Burgh Quay, Dublin 2.

Garda Operations.

613. Mr. O’Dowd asked the Minister for Justice, Equality and Law Reform if the Garda will increase patrols in an area (details supplied) in Dublin 7; and if he will make a statement on the matter. [26214/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the Community Policing Unit at Mountjoy Garda station has initiated a number of operations to tackle vandalism, anti-social behaviour and criminal damage in the area concerned. The Garda authorities also held meetings with Dublin City Council and Irish Rail with a view to installing new lighting, a CCTV camera and raising the height of the railings in the vicinity of the area concerned. I am further informed that the Community Garda attached to the area concerned has contacted local residents with a view to reactivating the local Neighbourhood Watch scheme.

I am informed by the Garda authorities that they are satisfied with the level of Garda patrols in the area concerned. I understand that the number of Garda patrols assigned to the area concerned has contacted local residents with a view to reactivating the local Neighbourhood Watch scheme.

Garda Strength.

614. Mr. English asked the Minister for Justice, Equality and Law Reform the personnel strength of the Garda stations at Navan, Kells, Trim, Athboy, Longwood, Ballivor, Crossakeel, Oldcastle, Summerhill and Enfield as of 27 June 2006; the times these stations are open to the public; the plans he has to increase the personnel numbers for each station; and if he will make a statement on the matter. [26294/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda Commissioner that the personnel strength of An Garda Síochána increased to a record 12,641 (all ranks) on Thursday 8 June with the attestation of 273 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June 1997 and represents an increase of 1,939 (or 18.1%) in the personnel strength of the Force during that period.

I have been further informed by the Garda authorities that the personnel strength of each Garda Station referred to by the Deputy, as at 27 June 2006, is set out in the following table.

<table>
<thead>
<tr>
<th>Station</th>
<th>27/06/2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Navan</td>
<td>47</td>
</tr>
<tr>
<td>Kells</td>
<td>36</td>
</tr>
<tr>
<td>Trim</td>
<td>25</td>
</tr>
<tr>
<td>Athboy</td>
<td>6</td>
</tr>
<tr>
<td>Longwood</td>
<td>1</td>
</tr>
<tr>
<td>Ballivor</td>
<td>2</td>
</tr>
<tr>
<td>Crossakeel</td>
<td>0</td>
</tr>
<tr>
<td>Oldcastle</td>
<td>3</td>
</tr>
<tr>
<td>Summerhill</td>
<td>2</td>
</tr>
<tr>
<td>Enfield</td>
<td>13</td>
</tr>
</tbody>
</table>

Navan, Kells and Trim Garda Stations are open daily on a 24 hour basis. The opening hours of each of the remaining Garda Stations is as follows:

<table>
<thead>
<tr>
<th>Station</th>
<th>Weekdays</th>
<th>Sundays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Athboy</td>
<td>10 a.m. -1 p. m.</td>
<td>12 m.d. -1 p.m.</td>
</tr>
<tr>
<td>Longwood</td>
<td>10 a.m. -1 p. m.</td>
<td>12 m.d. -1 p.m.</td>
</tr>
<tr>
<td>Ballivor</td>
<td>10 a.m. -1 p. m.</td>
<td>12 m.d. -1 p.m.</td>
</tr>
<tr>
<td>Crossakeel</td>
<td>—</td>
<td>—</td>
</tr>
<tr>
<td>Oldcastle</td>
<td>10 a.m. -1 p. m.</td>
<td>12 m.d. -1 p.m.</td>
</tr>
<tr>
<td>Summerhill</td>
<td>10 a.m. -1 p. m. &amp; 2 p.m. -6 p.m.</td>
<td>12 m.d. -1 p.m.</td>
</tr>
<tr>
<td>Enfield</td>
<td>10 a.m. -1 p. m. &amp; 2 p.m. -6 p.m.</td>
<td>12 m.d. -1 p.m.</td>
</tr>
</tbody>
</table>

The opening hours as set out above are dependent on the availability and rostered tour of duty of the members attached to each station.

While there is no member currently attached to Crossakeel Garda Station a member of Garda rank attached to Kells Garda Station attends Crossakeel Garda Station for a one hour period each day Monday to Friday when that member is rostered for duty. The time the member attends Crossakeel depends on the exigencies of the service. The situation will be kept under review and when additional personnel next become available the needs of the Louth/Meath Division will be fully considered within the context of the needs of Garda Divisions throughout the country.

It is the responsibility of Garda management to allocate personnel to and within Divisions on a priority basis in accordance with the requirements of different areas. These personnel allocations are determined by a number of factors including demographics, crime trends, administrative functions and other operational policing
needs. Such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made of Garda resources, and that the best possible service is provided to the public.

I should add 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. The first group of newly attested Gardaí under this accelerated recruitment programme came on stream in March and the second such group did so on the 8th of June. Further tranches of approximately 275 newly attested Gardaí will follow every 90 days thereafter until the programme is complete. 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 each of the above Garda Stations referred to by the deputy will be given the fullest consideration.

615. Mr. English asked the Minister for Justice, Equality and Law Reform the personnel strength of the Garda stations in Castlepollard and Delvin as of 27 June 2006; the times these stations are open to the public; the plans he has to increase the personnel numbers for each station; and if he will make a statement on the matter. [26295/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda Commissioner that the personnel strength of An Garda Síochána increased to a record 12,641 (all ranks) on Thursday 8 June with the attestation of 273 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June 1997 and represents an increase of 1,939 (or 18.1%) in the personnel strength of the Force during that period.

I have been informed by the Garda authorities that the personnel strength of Castlepollard Garda Station as at 27 June, 2006 was three (3) and that the Station is open to the public on Tuesday from 10 a.m. to 1 p.m., Thursday from 1 p.m. to 5 p.m. and Saturdays from 10 a.m. to 2 p.m. The personnel strength of Delvin Garda Station as at 27 June, 2006 was three (3) and the Station is open daily from 10 a.m. to 1 p.m. The opening hours as set out above are dependent on the availability and rostered tour of duty of the members attached to each station.

It is the responsibility of Garda management to allocate personnel to and within Divisions on a priority basis in accordance with the requirements of different areas. These personnel allocations are determined by a number of factors including demographics, crime trends, administrative functions and other operational policing needs. Such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made of Garda resources, and that the best possible service is provided to the public.

I should add 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. The first group of newly attested Gardaí under this accelerated recruitment programme came on stream in March and the second such group did so on the 8th of June. Further tranches of approximately 275 newly attested Gardaí will follow every 90 days thereafter until the programme is complete. 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 Delvin Garda Station and Castlepollard Garda Station will be given the fullest consideration.

Departmental Funding.

616. Mr. English asked the Minister for Justice, Equality and Law Reform the grant programmes available from his Department and from agencies under his responsibility; and the deadlines for each programme. [26304/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy is set out below.

The Commission for the Support of Victims of Crime has a budget of €1,100,000 for 2006. The Commission is charged with the disbursement of funding for victim support and assistance measures. The Commission received 40 applications for funding following a national advertising campaign and formal application process during April 2006. The closing date for applications was 18 April 2006.

The Equality for Women Measure of the National Development Plan 2000-2006 is designed to promote pilot initiatives aimed at improving the economic, social, cultural and political lives of women. In August 2004, my Department issued a second call for proposals. This second phase specifically targets economically disadvantaged women living in RAPID (Revitalising Areas by Planning, Investment and Development) areas.

The closing date for receipt of proposals under the second phase was 15 October, 2004. Following a thorough appraisal of all applications funding of approximately €7m was approved to 58 projects over the period June, 2005 to March 2007. Any future calls under the Measure will be announced in the Press.

Grant funding is available to voluntary organisations, subject to an evaluation process, from my
Department’s Violence Against Women budget for awareness raising, intervention or preventative measures which fall within the Department’s scope of responsibility in this area. No deadlines are set for applications but the availability of funding in any given year is of course subject to the annual budget provided.

In April of this year my Department publicly advertised the second round of a five year funding programme for ‘Enhancing Disability Services Project Funding’ (EDS). Applications were invited from voluntary organisations providing services for people with disability. The closing date for the receipt of applications is 15 July, 2006.

The National Disability Authority (NDA) is an independent statutory agency established under the aegis of the Department of Justice, Equality & Law Reform and currently runs a Research Promotion Scheme — this is an annual grant scheme and has a closing date of 21 September.

My Department is also administering a small grant scheme this year, relating to the provision of accessible transport to people with disabilities. The closing date for receipt of applications was 9 December, 2005.

Funding is made available by my Department through the Probation Service for a range of facilities and programmes that support the work of the Service in the management of persons who are on court ordered supervision in the community, have been released from custody and where there is capacity for or risk of re-offending. The Probation Service supports sixty six projects nationally which offer programmes to offenders and those at risk of offending.

There is no set deadline for receipt of applications. However, all such applications should be submitted to the Probation Service for consideration.

A “Small Grants” Scheme is in place to provide funding to local voluntary and community groups that befriend and support asylum seekers living in direct provision. The total grant fund under Part A of the Scheme is €140,000 with a maximum grant of €6,000 per project. Roughly eighty applications have been received and assessed, and the issuing of cheques is currently underway. Sample projects funded include anti-racism and cultural awareness sessions, art and music projects & exhibitions, celebrations of national holidays, cultural outings/day trips, sports activities etc. Part B of the Scheme has an allocation of €30,000. The purpose of Part B is to fund activities which do not come under the remit of Part A and is aimed particularly at organisations or groups working with refugees and minority ethnic groups. Activities which may be funded under this Scheme include intercultural events at local or national level, awards initiatives, events linked to World Refugee Day and other such initiatives as well as any initiative which the Reception and Integration Agency considers will contribute to the integration of refugees and those given leave to remain.

The Agency also administers the European Refugee Fund for projects related to reception, integration and voluntary return measures carried out by NGO’s. Funding of around €3.0 million has just been allocated to projects for the period 2005-2007.

I launched the Community Based CCTV Scheme last year in response to a demonstrated demand from local communities across Ireland for the provision of CCTV systems. The Scheme offered two Stages or options that were designed to meet the requirements of communities in both of these situations.

Stage 1 offered pre-development supports and possible funding of up to €5,000 for organisations/groups who were not yet ready to develop their proposals fully or utilise funds. The Stage 2 process offered a direct Application Process, to access funds, to those organisations who could demonstrate an ability to develop and deliver a CCTV Programme immediately. Under this stage of the Scheme, communities could apply for grant aid funding of up to €100,000 from my Department to install a CCTV system in their area. In addition, the Department of Community, Rural and Gaeltacht Affairs gave a commitment to provide successful applicants from RAPID areas with a further grant to a maximum of €100,000 subject to the total grant aid from both Departments not exceeding €200,000 or 100% of the capital costs of the project, whichever is the lesser.

Over €1 million in grant aid has already been allocated to 37 communities under the Scheme and many of these could see their CCTV systems in operation before the end of the year. I plan to make a further call for proposals under the Scheme in the coming months and it is open to any Community Group to submit an application for funding under the Scheme when it is announced.

Up to €0.5 million has been made available from the Dormant Accounts Fund in 2006 under the Economic and Social Disadvantage Category for projects supporting Prisoners/Ex Prisoners. This measure is intended to provide funding for addiction counselling and employment supports for prisoners and ex prisoners. The monies, which are provided in the Prisons Vote, are split evenly between addiction counselling and employability services for prisoners (€250,000 for addiction counsellors and €250,000 for employability services).

The Scheme is administered by Pobal (formerly Area Development Management) on behalf of the Department of Community, Rural and Gaeltacht Affairs and the Irish Prison
Service. Applications for funding could be made to Pobal up to 30 June 2006.

**Garda Investigations.**

617. Mr. English asked the Minister for Justice, Equality and Law Reform the position regarding investigations by agencies under his control into a bogus internet investment scheme, known as PIPS scheme; and if he will make a statement on the matter. [26306/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Gardaı¯ authorities that the Gardaı¯ are investigating a number of complaints regarding this type of fraud. As the Gardaı¯ investigation is ongoing it would be inappropriate for me to comment further as this time.

**Departmental Funding.**

618. Dr. Upton asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to any fund to which an organisation (details supplied) in Dublin 10 might apply for funding to match that which it has been promised on the condition that it finds matching funding; and his views on making funds available to an organisation in such circumstances. [26423/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I can inform the Deputy that a certificate confirming the Irish citizenship of the person in question was signed by the Deputy that a certificate confirming the Irish citizenship of the person in question was signed on 15 May 2006 and passed to the Department of Foreign Affairs shortly after for onward transmission to the individual concerned.

**Citizenship Applications.**

620. Mr. O’Dowd asked the Minister for Justice, Equality and Law Reform the position regarding an application for post nuptial citizenship for a person (details supplied) in County Louth; and if he will make a statement on the matter. [26477/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am pleased to inform the Deputy that a certificate confirming the Irish citizenship of the person in question was signed on 15 May 2006 and passed to the Department of Foreign Affairs shortly after for onward transmission to the individual concerned.

**Departmental Funding.**

621. Ms O’Sullivan asked the Minister for Justice, Equality and Law Reform if an application for funding to the gender equality unit of his Department by a group (details supplied) in County Limerick has been received; when a decision will be made on the application; and if he will make a statement on the matter. [26479/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The processing by my Department of the application from this group for funding is being finalised following some exchange of correspondence and I expect that a decision will be made shortly on the application.

**Garda Investigations.**

619. Mr. Durkan asked the Minister for Justice, Equality and Law Reform the number of Gardaı¯ inquiries carried out in relation to allegations of Garda misconduct in Donegal; the names of the Gardaı¯ in charge of each such inquiry; and the cost of each of the aforementioned inquiries. [26445/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I assume the Deputy is referring to misconduct which is comprehended by the terms of reference of the Morris Tribunal. There has been one major Gardaı¯ investigation whose primary focus concerned Gardaı¯ misconduct arising form the events in Donegal. That investigation, which was carried out by Assistant Commissioner Carty, was wide-ranging and covered a number of issues arising from the original Gardaı¯ investigation into the death of Mr. Richard Barron. Its conclusions spawned a number of further avenues of enquiry — including avenues related to Gardaı¯ disciplinary matters. All of these investigations were carried out as part of normal Gardaı¯ duties and the costs incurred were accounted for in the normal manner under the Gardaı¯ Vote. It would not be possible to retrospectively extract the cost of each investigation without the reallocation of resources that would be impractical.

**Garda Strength.**

622. Mr. Crawford asked the Minister for Justice, Equality and Law Reform the number of Gardaı¯ in the Cavan and Monaghan division currently engaged in duties that could be undertaken by civilians; if he has satisfied himself that this is good use of personnel; and if he will make a statement on the matter. [26481/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): There are 19 civilian staff currently employed in the Cavan/Monaghan Division. There are also three members of An Garda Síochána in receipt of an Ex-Gratia allowance to
perform clerical duties who could be released to policing duties if civilian staff were available.

However, as the Deputy will be aware, progress in relation to the appointment of additional Clerical Officers to Garda Stations has been stalled for some time now due to the Equal Pay cases taken by the Civil, Public and Services Union (CPSU). I am pleased to say that other elements of the Civilisation Programme are continuing apace and are contributing to the free-up of Gardaí for front-line policing. I would refer the Deputy in particular, to the establishment of the Garda Information Service Centre (GISC) in Castlebar. Whereas previously Gardaí had to return to their Stations following a crime event to enter data on PULSE, they now make a call to GISC, where civilian colleagues input the data for them, allowing officers to remain “on the beat”. This new system, which has been rolled out in the Southern Region, South-Eastern Region and parts of the Dublin Metropolitan region will be fully operational nationwide this Autumn.

Northern Ireland Issues.

623. Caoimhghín Ó Caoláin asked the Minister for Justice, Equality and Law Reform if his Department or An Garda Síochána were in contact with their northern counterparts following the murder of a person (details supplied). [26613/06]

624. Caoimhghín Ó Caoláin asked the Minister for Justice, Equality and Law Reform if his Department has received a request from the Department of Foreign Affairs, for documents relating to the murder of a person (details supplied); the reason this request has not been replied to; and if a reply will issue. [26614/06]

625. Caoimhghín Ó Caoláin asked the Minister for Justice, Equality and Law Reform if official files or documents exist within his Department or An Garda Síochána relating to the murder of a person (details supplied); and if he will make a statement on the matter. [26615/06]

626. Caoimhghín Ó Caoláin asked the Minister for Justice, Equality and Law Reform if he will acknowledge the sense of hurt and abandonmet felt by persons (details supplied) at the apparent inaction of their Government following a murder. [26616/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 623 to 626, inclusive, together.

My Department was first contacted about this matter in June 2005. A request for information from the Pat Finucane Centre was transmitted to my Department via the Department of Foreign Affairs. Officials of my Department, in turn, passed this request to An Garda Síochána, and a comprehensive record search was conducted in Garda Headquarters and in Donegal Garda Division.

In October 2005, my Department informed the Department of Foreign Affairs, for onward transmission to the Pat Finucane Centre, that no records existed to indicate that An Garda Síochána had any involvement in the murder investigation in question. I understand also that there is no record of contact with the then RUC at the time. In this regard, the Deputy will be aware that the murder was committed outside this jurisdiction. Similarly, there are no contemporaneous records within my own Department in relation to this incident.

My Department also informed the Department of Foreign Affairs, again for onward transmission to the Pat Finucane Centre, that enquiries had been made by An Garda Síochána of the Police Service of Northern Ireland (PSNI), which indicated that no-one had been made amenable for the murder and that the case now forms part of the series of investigations being undertaken by its Historical Enquiries Team.

The family of the person in question, in common with all the families who have suffered bereavement as a result of the conflict in Northern Ireland, have my deep sympathy for their loss.

As with so many others who lost their lives, the perpetrators of this crime have not been made amenable to the courts in Northern Ireland. I hope that the Historical Enquiries Team, which will be re-examining the case, is successful in dealing with the unanswered questions which endure in this matter.

School Transport.

627. Mr. Perry asked the Minister for Education and Science if her attention has been drawn to a submission regarding an accident (details supplied); the orders she will issue in relation to the investigation; the negotiations her Department officials have had; if she will provide written correspondence outlining same; and if she will make a statement on the matter. [25678/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department recently replied to the legal representative of the person concerned.

Detention Schools.

628. Mr. Bruton asked the Minister for Education and Science the names of all detention schools in operation; the number of children in each location; and the capacity for each location. [25685/06]
Minister of State at the Department of Education and Science (Mr. B. Lenihan): The information the Deputy requested is contained in the following table.

Table 1: Children Detention Schools.

<table>
<thead>
<tr>
<th>Children Detention School</th>
<th>Average Occupancy 2006</th>
<th>Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oberstown Boys Centre</td>
<td>17</td>
<td>20</td>
</tr>
<tr>
<td>Oberstown Girls Centre</td>
<td>5</td>
<td>15</td>
</tr>
<tr>
<td>Trinity House School</td>
<td>17</td>
<td>27</td>
</tr>
<tr>
<td>Finglas Child and Adolescent Centre</td>
<td>13</td>
<td>13</td>
</tr>
<tr>
<td>St. Joseph’s Special School</td>
<td>28</td>
<td>40</td>
</tr>
</tbody>
</table>

Property Transfers.

629. **Mr. Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 560 of 30 May 2006 if the site transfer has been completed; the status of the project; and if she will make a statement on the matter. [27068/06]

Minister for Education and Science (Ms Hanafin): Contracts for the transfer of the site in question have been signed. However, for this transfer to formally close, the agreement of the Commissioners of Charitable Donations and Bequests is required. It is the responsibility of the vendor to refer the transfer contracts to the Commissioners. Confirmation from the vendor’s solicitors of the agreement of the Commissioners is still awaited.

The question of the project progression will be considered further when the site transfer closes.

Commercial Research.

630. **Mr. Gogarty** asked the Minister for Education and Science if she has carried out or will carry out a full investigation into revelations that a publicly-funded third level institution has been engaging in research in primary schools during school hours on behalf of commercial clients, in some cases without the sanction of parents; her views on such practices in general; if she intends to ban same in the future; and if she will make a statement on the matter. [26443/06]

631. **Mr. Gogarty** asked the Minister for Education and Science the guidelines which exist on commercial involvement in schools; if it is planned to review these guidelines; and if she will make a statement on the matter. [26444/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 630 and 631 together.

My Department has not received a written complaint in relation to the issue referred to by the Deputy. However, as the Deputy will be aware, under Section 15 of the Education Act 1998, the Board of Management is the body charged with the direct governance of a school and is therefore responsible for making decisions as to the types of activities that the school gets involved in.

Clearly there are two different issues here — the issue of commercial links between companies and schools, and the issue of food-testing in schools.

In relation to general commercial links, it is important to remember that these include a very wide range of activities. A school may be delighted to benefit from the sponsorship of the football kit by a local business or the provision of work experience opportunities for its students. Equally, a school may decide to get involved in collecting tokens for particular promotions.

Clearly, the latter is a far more sensitive issue and this is why my Department’s circulars — while entrusting school authorities with deciding which activities to engage in — explicitly require them to ensure that pressure is not placed on parents to buy particular products.

My Department’s concern is to strike a balance between allowing schools to benefit from positive links with businesses and protecting children and their parents from inappropriate marketing.

So, the decision as to whether to accept sponsorship, partake in promotions or engage with research is one for the Board of Management to take. And naturally, the Board should only engage in activities that are in the best interests of their students.

I have to say that I was surprised to hear that food was being tested in primary schools. Food companies have plenty of opportunities to test their products in supermarkets with the children’s parents present to decide what they do and do not want their children to eat, being mindful of allergies and healthy eating objectives etc. As I mentioned at the start, my Department has not received any written complaints from parents in the schools involved, and if a parent has a difficulty with such activities they should raise the matter with the Board of Management of the school. Nonetheless, I believe that Boards should be wary of getting involved in such activities, particularly given that each child can have very different dietary requirements.

My officials have been in touch with DIT regarding this practice and have been assured that in any future activity of the Food Evaluation Centre that involves food testing by school pupils,
they will in all cases request that parents give their written approval.

School Accommodation.

632. Mr. P. Breen asked the Minister for Education and Science if, further to Parliamentary Question No. 490 of 23 May 2006, her Department contacted a school (details supplied) in County Clare regarding an additional post; and if not, when a decision will be made; and if she will make a statement on the matter. [25511/06]

Minister for Education and Science (Ms Hanafin): An application for capital funding towards the provision of an extension has been received from the school and has been assessed and the long term projected staffing, on which the accommodation needs will be based, has been determined and notified to the school authority. In order to determine how best to provide for the school’s accommodation needs into the future, it will be necessary to have a technical assessment of existing buildings carried out by my Department. Officials from the School Planning Section will be in contact with the school authority to arrange a technical visit.

In the interim, pending a permanent solution to the school’s accommodation requirements the school has recently been given approval to rent three prefabricated classrooms from September 2006.

Schools Building Projects.

633. Mr. O’Shea asked the Minister for Education and Science her proposals to assist in the setting up of a school for autistic children in Waterford (details supplied); and if she will make a statement on the matter. [25513/06]

730. Mr. Deasy asked the Minister for Education and Science if her attention has been drawn to a proposal to establish an ABA school for autistic children in the Waterford area and it has been assisting the management of the school in obtaining suitable premises for establishment of this facility. Subsequent to a technical inspection of proposed premises, an initial letter of approval to rent these premises issued. The School Planning Section of my Department is awaiting the return of the relevant documentation from the school to enable the rental of the property in question to proceed. The school management authority recently assured my Department that this is imminent.

School Transport.

634. Mr. J. O’Keeffe asked the Minister for Education and Science if she will make school transport provision for 26 students from the Dunbeacon area, west Cork to a school (details supplied); and if she will make a statement on the matter. [25514/06]

Minister of State at the Department of Education and Science (Miss de Valera): The area in question is in the Bantry catchment area, whereas the school referred in the details supplied by the Deputy is located in another catchment area. Transport can only be provided within the terms of the School Transport Scheme.

Schools Building Projects.

635. Mr. J. O’Keeffe asked the Minister for Education and Science the position of the application for an extension and refurbishment at a school (details supplied) in County Cork; and if she will approve the appropriate work without further delay. [25515/06]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy declined an offer of funding made under the Small Schools Scheme 2006 to provide appropriate accommodation for a four teacher school on the basis that it could not deliver the required accommodation within the grant approved. The school authority also raised the need to review its long term projected staffing for which accommodation is required as it had indications that the school population is set to increase in the medium to long term.

A re-assessment of the school’s projected enrolment and long term projected staffing has been initiated in my Department. This assessment will take into account of all the relevant factors such as current and projected enrolment, demographic trends and the likely impact of ongoing and proposed housing developments in the area.

When this has been finalised, a decision on how best to provide for the school’s long term needs will be taken. The building project required to deliver on the school’s accommodation needs will be considered in the context of the School Building and Modernisation Programme 2006-2010.

Further Education.

636. Mr. Ring asked the Minister for Education and Science the changes made to the format of a course (details supplied) in County Mayo; if it is possible for the students who have completed some modules to continue their studies to gain
Minister of State at the Department of Education and Science (Miss de Valera): The course referred to by the Deputy is a self-contained whole-time programme of education and training designed to provide successful participants with specific skills, to enhance their prospects of securing lasting, full-time employment or progression to other studies. My Department provides resources for these courses in relation to teachers’ pay, non-pay running costs, student support and certification.

The conditions of approval for the course referred to by the Deputy are that it be provided on a full time basis and be of one year duration and these conditions have not been changed.

The Vocational Education Committee in this area is responsible for the management of the course and may be able to provide you with additional information on the operation of the course.

School Staffing.

637. Ms Enright asked the Minister for Education and Science if her attention has been drawn to the fact that a teacher (details supplied) in County Laois has never been made permanent; and if she will make a statement on the matter. [25517/06]

638. Ms Enright asked the Minister for Education and Science if her attention has been drawn to the fact that a school (details supplied) in County Laois, having reached the required enrolment of 14 traveller pupils, was never given a permanent resource teacher; and if she will make a statement on the matter. [25518/06]

639. Ms Enright asked the Minister for Education and Science if she has received the necessary paperwork along with recommendations to have a post (details supplied) made permanent; and if she will make a statement on the matter. [25519/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 637 to 639, inclusive, together.

My Department’s records confirm that the teacher referred to by the Deputy is a permanent member of the school staff.

The school in question is the base school for a temporary resource teacher for traveller post shared with another school. I understand that the teacher to whom the Deputy refers is currently assigned to this post. It was recommended to my Department that this post would be made permanent. However, the combined enrolment between both schools is currently twelve pupils so the matter of making the post permanent does not arise.

640. Ms Enright asked the Minister for Education and Science the criteria regarding resource teachers for travellers; and if she will make a statement on the matter. [25520/06]

Minister for Education and Science (Ms Hanafin): I wish to advise the Deputy that my Department’s policy in relation to the education of traveller children is that they should be taught in an integrated setting. In order to assist with the integration of traveller children, a resource teacher for traveller post (RTT) may be allocated to a primary school to cater for the educational needs of traveller children of primary school-going age. A minimum of fourteen children of the travelling community is required to qualify for an RTT post. The educational needs of traveller children may also be met through the general allocation model of resource teaching that was introduced into primary schools in September 2005.

The RTT post is allocated on the basis that the traveller children are taught either within their classroom with the RTT working in partnership with their classroom teacher or withdrawn in groups for intensive tuition according to their ages and perceived needs by the RTT.

Special Educational Needs.

641. Mr. S. Ryan asked the Minister for Education and Science if her attention has been drawn to the fact that a school (details supplied) in County Dublin was unable to provide places in their similar special language class for four children from different locations in Fingal and that a similar situation existed in 2005; if she will approve the appointment of a teacher and speech therapist for this purpose for September 2006 in view of the fact that the board of management of the school will look favourably on accommodating an extra class for the children who need this special education. [25521/06]

642. Mr. S. Ryan asked the Minister for Education and Science if she will approve the extra resources for a school (details supplied) in County Dublin to give extra tuition to a child who was unable to secure access to the special language class in another school as that class is full. [25522/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 641 and 642 together.

As the Deputy is aware the National Council for Special Education is now operational. There are over 70 Special Education Needs Organisers (SENOs) employed by the Council since
September 2004, who have been deployed on a nationwide basis, with at least one SENO being deployed in each county and who are a local point of contact for parents and schools.

The issue of an additional special class for speech and language disorder at the school was originally raised with my Department last year by a number of parents. I understand however, that the local SENO has not yet received a formal application from the school in question for the establishment of such a class. Once an application has been received, the SENO will consider the application and notify the school directly of the outcome.

The allocation of speech and language therapy services is a matter for the Health Service Executive.

My officials have been in contact with the local SENO in relation to the pupil referred to by the Deputy. The SENO will make direct contact with the school authorities regarding the pupil’s special educational needs.

**Higher Education Grants.**

643. **Mr. Carey** asked the Minister for Education and Science if a person (details supplied) in Dublin 11 will qualify for a higher education grant to study for a full-time masters programme; and if she will make a statement on the matter. [25556/06]

**Minister for Education and Science (Ms Hanafin):** My Department fund three means tested maintenance grant schemes for third level education students in respect of attendance on approved courses in approved third level institutions and one grant scheme in respect of Post Leaving Certificate courses:

(a) The Higher Education Grants Scheme

(b) The Vocational Education Committees’ Scholarship Scheme

(c) The Third Level Maintenance Grants Scheme for Trainees

(d) Maintenance Grants Scheme for Students attending Post Leaving Certificate (PLC) Courses

The decision on eligibility for third level grants is a matter for the relevant local authority or VEC. These bodies do not refer individual applications to my Department except, in exceptional cases, where, for example, advice or instruction regarding a particular clause in the relevant scheme is desired. It appears no such advise or instruction has, to date, been sought in the case of the student referred to by the Deputy.

The student referred to by the Deputy should contact their local authority directly to establish eligibility under the relevant grant scheme.

**Special Educational Needs.**

644. **Mr. Carey** asked the Minister for Education and Science further to Parliamentary Question No. 803 of 21 March 2006, the progress which has been made in finding a suitable placement for a person (details supplied) in Dublin 11; and if she will make a statement on the matter. [25557/06]

**Minister for Education and Science (Ms Hanafin):** I understand that the local special educational needs organiser (SENO) has been in contact with the parents of the child in question regarding the matter referred to by the Deputy. The parents were advised that it is open to them to approach a school with a view to having their child enrolled. The SENO will then lend further assistance to the parents and school once a school has been selected.

**Educational Disadvantage.**

645. **Mr. F. McGrath** asked the Minister for Education and Science the action she will take regarding the discrimination and victimisation of the Travellers in the educational system here; and the measures she is taking to prevent the Travelling community from dropping out of school at an early age. [25573/06]

**Minister of State at the Department of Education and Science (Miss de Valera):** My Department has already taken a number of actions to address issues of discrimination and victimisation in the education system which are concerned with all students, including Traveller students.

In particular, Section 6 of the Education Act 1998 states that “every person concerned in the implementation of the Act shall have regard to the following objects ... to promote equality of access to and participation in education and to promote the means whereby students may benefit from education”.

To assist in the delivery of an inclusive education my Department in 2002 published Guidelines on Traveller Education in Primary Schools and also Guidelines on Traveller Education in Second-Level Schools. These Guidelines address in a very practical manner how Travellers can be fully integrated into our mainstream primary and second level schools. In 2005, the NCCA published Guidelines for Schools “Intercultural Education in the Primary School” which take a cross-curricular approach to interculturalism.

Each school is required to have in place a policy which includes specific measures to deal with bullying behaviour within the framework of an overall school Code of Behaviour and Discipline. Such a code, properly devised and implemented, can be the most influential measure in countering discrimination and victimisation. My Department in its “Guidelines on Countering Bullying Behaviour in Schools” has provided a framework within which individual school man-
agement authorities may meet their responsibilities for implementing effective school based policies. These are evaluated during whole school evaluation.

My Department, in 2005, spent over €40m on Traveller specific initiatives in primary and post-primary education. One of the key aims of this would be to retain young Travellers in the education system and minimise early school leaving. This additional €40m is above and beyond what was spent on mainstream primary and post-primary education to which Travellers have an equal entitlement in a manner similar to the settled population. This special resourcing for young Travellers includes the provision of a National Education Officer for Travellers, a Visiting Teacher Service consisting of 40 teachers, over 520 Resource teachers for Travellers in primary schools, the allocation of teaching hours in post-primary schools equivalent to almost 140 whole-time equivalent posts, enhanced capitation for primary and post-primary schools with Traveller pupils.

My Department continues to actively evaluate the provision of education to Travellers and in May this year my Inspectorate published a Survey of Traveller Education Provision in Irish Schools which followed an extensive survey of the participation and inclusion of Traveller pupils in a number of primary and post-primary schools. I am currently awaiting the Report with Recommendations for a Traveller Education Strategy which addresses the full spectrum of lifelong learning from pre-school to adult education.

In addition, my Inspectorate is engaging with the Equality Authority in relation to focusing on equality and diversity issues in schools. Training and documentation on equality and diversity have been made available to all inspectors to assist them in carrying out whole school evaluations.

Special Educational Needs.

646. Mr. J. Breen asked the Minister for Education and Science if she will provide funding for a sapling ABA school in County Clare; and if she will make a statement on the matter. [25579/06]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware of my commitment to ensuring that all children, including those with autism receive an education appropriate to their needs, preferably through the primary and post primary school network.

My Department supports an eclectic approach to the education of children with autism where a range of teaching methods can be applied specific to the needs of individual pupils. Provision in this regard in County Clare includes special classes for children with autism attached to special and mainstream schools plus a range of supports for pupils with autism integrated in mainstream classes.

Officials from my Department are meeting this week with parents from the Clare area to further consider provision in the county.

Primary Teacher Training.

647. Mr. O’Shea asked the Minister for Education and Science the specific measures she proposes to introduce to attract more male students into primary teacher training; and if she will make a statement on the matter. [25583/06]

Minister for Education and Science (Ms Hanafin): The decreasing numbers of males entering the teaching profession is an issue that is of concern to me. I believe that it is important to attract more men into teaching for a number of reasons, not least of which is the positive role models that teachers provide in children’s lives and the desirability of having both male and female role models in our schools.

I genuinely believe that teaching is an attractive profession for both men and women. Teaching is fulfilling work which makes a huge social contribution.

This Government wants to attract and reward the best teachers. In addition to increasing teachers’ salaries, we have also undertaken other initiatives to enhance the status of the profession. Not least of these is the establishment of the Teaching Council as a professional regulatory body.

In November, 2005 I launched the Report of the Primary Education Committee, ‘Males into Primary Teaching.’ The Primary Education Committee was established in order to examine a range of issues in relation to males entering primary teaching, and to make recommendations on short-term and long-term strategies to increase the numbers in this regard.

The Report draws on the professional insight of key experts in this area as well as drawing on a number of relevant research studies. The Report’s findings will be of significant benefit in assisting the development of future policy in this important area.

One of the key recommendations in the Committee’s report is that a coordinated promotion campaign, which would encourage boys as well as girls to enter primary teaching, should be undertaken. This promotion campaign commenced on 24 January, and is currently ongoing. The campaign focuses on a number of key target audiences, including students, parents, teachers and guidance counsellors. Other recommendations contained in the Report are under consideration in my Department.

Schools Building Projects.

648. Mr. Kenny asked the Minister for Education and Science if there are plans to build a national school in Newcastle, County Dublin; if resources allocated to a school (details supplied)
[Mr. Kenny.] in County Dublin will be increased in the short to medium term; and if she will make a statement on the matter. [25599/06]

Minister for Education and Science (Ms Hanafin): My Department has examined the long term accommodation needs of the Newcastle area of County Dublin and has determined that additional provision will be required to meet demand emanating from current and planned housing developments in the area.

The matter of how best this additional accommodation should be provided having regard to existing accommodation and the alternative options available is currently under consideration. A decision in this regard will be made as soon as possible.

Vocational Training Opportunities Scheme.

649. Dr. Cowley asked the Minister for Education and Science if she intends to increase the child care grant awarded to VTOS students in view of the increasing childcare and crèche costs and the fact that this grant has not increased in five years; and if she will make a statement on the matter. [25625/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department provides funding to VECs to assist towards the childcare expenses of participants in certain further education programmes in order to facilitate the enrolment on these programmes of people for whom they were designed but who had been unable to enrol on them because of childcare responsibilities. These are the Vocational Training Opportunities Scheme (VTOS), Youthreach and Senior Traveller Training Centre programmes.

The amount of grant that each VEC receives is determined by reference to the numbers of students it has enrolled on these programmes and the total amount provided to the Department for this purpose.

The administration and disbursement of these grants are matters for each VEC. Students in the relevant programmes who feel entitled to such grants should apply to their VECs.

The funds provide for:

— direct provision of creche facilities in centres or in rented premises, including staff, equipment/refurbishment, rental, insurance and other overheads;

— the purchase of places in existing community or commercial creches. This is subject to payment of a maximum of €63.50 per week for a full-day session, with pro-rata adjustments for sessions of lesser duration;

— the payment of childminders, subject to a maximum of €63.50 per child per week for a full session, with pro-rata adjustments for part-time sessions.

The grant is intended as a contribution to costs. VECs determine the level of childcare provision and have the discretion to bridge any gap between the Department’s grant and actual costs they approve. Expenditure by my Department on further education childcare grants to VECs has grown from €3.25m in 2001 to €5.45m in 2005. The 2006 provision is €5.69m.

School Accommodation.

650. Mr. M. Higgins asked the Minister for Education and Science the action she proposes to take with regard to a school (details supplied) in County Galway; her views on whether the provision of four portacabins for this school in the past six years is sufficient; and if she will make a statement on the matter. [25626/06]

Minister for Education and Science (Ms Hanafin): I understand the school referred to by the Deputy is Scoil Mhuire, Clarinbridge, County Galway. An application for capital funding towards the provision of additional classroom and ancillary accommodation has been received in my Department. My officials are nearing completion of an examination of the overall accommodation needs of the school in light of projected enrolments for the coming years and will be in contact with the school authority in this regard. When this is finalised a decision will be made on how best to provide for the school’s long term accommodation requirements.

Schools Building Projects.

651. Mr. F. McGrath asked the Minister for Education and Science the action she will take regarding the absence of basic education infrastructure in east Meath; and if she will support an association (details supplied) in County Meath in their requests for educational facilities. [25635/06]

Minister for Education and Science (Ms Hanafin): Prior to 2005/06 there was only one primary school in the area to which the Deputy refers which was a fully vertical co-educational facility meaning it catered for pupils from Junior Infants to 6th class.

To ensure an adequacy of primary provision in what I accept is a rapidly developing area, my Department sanctioned the recognition of a 2nd primary school for the area to commence operation from September 2005. This is the school to which the Deputy refers.

My Department supported a local agreement that this new school would become the junior school for the area with the existing school becoming the senior school. This agreement is in operation.

For the new school year, the school in question has examined its accommodation needs and
applied for 5 additional prefabs to cater for its 2006/2007 enrolments. I am pleased to be able to inform the Deputy that this provision has been approved by my Department and steps are being taken by the school authority for its delivery.

With regard to permanent accommodation for the school, the Patron has confirmed that it is his intention to acquire and make a site available for this purpose. My Department looks forward to progressing a project for the school when this matter is finalised by the Patron.

The project in question which will attract a Band 1 priority rating under the published prioritisation criteria for large scale building projects. This Band rating is the highest possible. This is a clear indication of the importance which my Department attaches to the delivery of both permanent accommodation for the school and extra provision for the area.

With regard to supporting the requests of the Association referred to by the Deputy, it is the norm for the business of a school to be conducted through its Board of Management. Notwithstanding this, my Department has had no request from the Association in question. In any event, I am satisfied that the arrangements put in place by my Department will address the needs of the area concerned.

Educational Disadvantage.

652. Mr. Perry asked the Minister for Education and Science if she has received correspondence from an association (details supplied) in County Leitrim regarding the review of the DEIS programme; when a review will take place in view of the new figures submitted; and if she will make a statement on the matter. [25653/06]

Minister for Education and Science (Ms Hanafin): DEIS (Delivering Equality of Opportunity in Schools), the action plan for educational inclusion, provides for a standardised system for identifying levels of disadvantage and a new integrated School Support Programme (SSP). The School Support Programme will bring together, and build upon, a number of existing interventions in schools with a concentrated level of disadvantage.

The process of identifying primary and second-level schools for participation in the SSP was managed by the Educational Research Centre (ERC) on behalf of my Department and supported by quality assurance work co-ordinated through the Department’s regional offices and the Inspectorate.

As a result of the identification process, 840 schools were invited to participate in the SSP. These comprised 640 primary schools (320 urban/town schools and 320 rural schools) and 200 second-level schools.

Schools that did not qualify for the new programme will keep the extra resources they are getting under existing schemes for the 2006/07 school year and after that they will continue to get support in line with the level of disadvantage among their pupils.

A review process has been put in place for both primary and second-level schools. The review process applies only to those primary schools that participated in the ERC survey in May 2005 and only to those eligible second-level schools for which data were available from the relevant databases. The school referred to by the Deputy has submitted a review application. It is anticipated that the review process will be completed shortly.

School Staffing.

653. Mr. Deasy asked the Minister for Education and Science if the incremental point of teachers absent on additional unpaid maternity leave of up to eight weeks will be paid retrospective to people back to 1991 rather than the proposed date of 2004; and if she will make a statement on the matter. [25656/06]

Minister for Education and Science (Ms Hanafin): The Maternity Protection (Amendment) Act, 2004 amended the previous legislation to provide that a person on additional maternity leave is deemed to remain in employment for the period of their absence. Apart from their right to remuneration, superannuation benefits or obligation to make (pension) contributions for the period of this absence, the Act referred to provides that an employee’s rights cannot be altered while on additional maternity leave. The Maternity Protection (Amendment) Act 2004 became effective from 18 October 2004.

Accordingly, the incremental points of teaching and non teaching staff paid by my Department and affected by the amendment to the Act referred to, are being amended from the 18th October 2004.

School Discipline.

654. Ms C. Murphy asked the Minister for Education and Science the number of section 29 appeals received in 2004, 2005 and to date in 2006; the number concluded successfully for those making the appeal; the number remaining unresolved in 2006; and if she will make a statement on the matter. [25657/06]

Minister for Education and Science (Ms Hanafin): Section 29 allows parents, and students who have reached the age of 18, the right to appeal certain decisions made by a school’s Board of Management. Appeals may be made in respect of a decision to (i) permanently exclude a student (ii) suspend a student from the school for a period which would bring the cumulative period of suspension to 20 school days in any one school year or (iii) refuse to enrol a student. In 2004 and 2005 my Department dealt with 253 and 270 appeals respectively under section 29 of the Education Act, 1988. These figures cover both first and second level schools. The position in relation to 2004 appeals is that 48 were withdrawn
School Enrolments.

655. **Ms C. Murphy** asked the Minister for Education and Science the number of places available at secondary level for the 2006 and 2007 school year for pupils transferring from primary outreach classes; the number of children seeking such places by county; the way in which it is intended to deal with the shortfall; and if she will make a statement on the matter. [25658/06]

**Minister for Education and Science (Ms Hanafin):** The information requested by the Deputy is not available in my Department. Enrolment decisions are the responsibility of the Board of Management of each individual school. My Department has no role in relation to processing applications for enrolment by schools. 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. Where a school refuses to enrol a pupil, the school is obliged to inform parents of their right under Section 29 of Education Act 1998 to appeal that decision to the Secretary General of my Department. Where an appeal under Section 29 is upheld, the Secretary General of my Department may direct a school to enrol a pupil. The National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. The NEWB can be contacted at National Educational Welfare Board, National Headquarters, 16-22 Green Street, Dublin 7 or by telephone at 01-8738700.

**Special Educational Needs.**

656. **Ms C. Murphy** asked the Minister for Education and Science further to Parliamentary Question No. 469 of 20 June 2006, the number of the classes operated within secondary schools; and if she will make a statement on the matter. [25659/06]

**Minister for Education and Science (Ms Hanafin):** My Department provides a range of supports to second level school management to enable schools to cater for pupils with special educational needs including the needs of pupils with autism. The supports in question include remedial and additional teaching support, special needs assistant support and funding for the purchase of specialised equipment. As the Deputy is aware, there has been enormous progress made over the past number of years in relation to increasing the number of teachers in our schools who are specifically dedicated to providing education for children with special educational needs.

At second level, approximately 1,654 whole time equivalent additional teachers are in place to support pupils with special educational needs. This compares to the approximately 200 teachers that were in place in 1998 for such pupils. In addition, there are 532 whole time equivalent learning support teachers and approximately 1,102 whole time equivalent special needs assistants (SNAs) in our second level schools. With effect from 1 January 2005, the National Council for Special Education (NCSE) has taken over key functions from my Department in relation to special educational provision. The NCSE was formally established as an independent statutory body on the 1st October 2005 under the Education for Persons with Special Educational Needs Act 2005. The Council acts under the broad policy direction of my Department but has the resources and the remit to play the leading role in the delivery of education services to children with disabilities/special needs. The NCSE co-ordinates with the health services, schools and other relevant bodies regarding the provision of education and related support services to children with disabilities/special needs. The responsibilities of the NCSE include the following: Deciding on applications for additional teaching support in respect of children with disabilities with special educational needs at second level; Deciding on applications for special needs assistant (SNA) hours; Processing applications for school placement in respect of children with disabilities with special education needs.

My Department supports the education of individual students with autism in various second level schools throughout the country. The precise model of provision made available at second level will depend on the assessed needs of the pupils involved. Some pupils are capable of attending ordinary classes on an integrated basis with additional teacher and/or special needs assistant support. In other cases, placement in special dedi-
cated classes or units attached to the school may be the more appropriate response. Such special classes operate at significantly reduced pupil teacher ratios. In general, where a special class for pupils with autism is established by my Department, such classes are staffed by one teacher and two special needs assistants and can cater for a maximum of six pupils though the number in attendance can vary as pupils attached to these special classes may be facilitated in attending ordinary subject classes on an integrated basis wherever possible.

In recent years, my Department has supported the establishment of a number of special classes for pupils with autism in mainstream post primary schools. The organisation of such provision is a significant task of the National Council for Special Education. Special classes are currently in operation in post primary schools in Celbridge, Co. Kildare, Fairview, Co. Dublin, Cashel, Co. Tipperary and Kilcoole, Co. Wicklow. Discussions are ongoing between the NCSE and a number of other post primary schools with a view to establishing further classes of this nature. The NCSE, through the local Special Educational Needs Organiser (SENO) will process the relevant application for resources and inform the school of the outcome. It is important to note that in the case of decisions on additional teaching and SNA support, the SENO will outline the process to the school and parents, where appropriate, and will at the end of the process outline the basis on which the decision was made. In addition, my Department’s Teacher Education Section has developed a strategy designed to meet the continuing professional development needs of personnel working with children with special educational needs. This involves a major expansion of the range of post graduate professional training programmes available to teachers in the special needs area and the ongoing development of the Special Education Support Service (SESS) to support schools staff locally. My Department will continue to ensure that the necessary resources are made available for the education of children with special needs. I am confident that the advent of the NCSE will prove of major benefit in ensuring that all children with special educational needs receive the support they require, when and where they require it.

Educational Services for Prisoners.

657. Mr. Bruton asked the Minister for Education and Science when her Department will publish a strategy for the provision of educational services in the new youth justice structure as recommended by the Youth Justice Review Report in 2005. [25660/06]

Minister for State at the Department of Education and Science (Mr. B. Lenihan): Work on the preparation of the education strategy is under way. The strategy will focus on the key principle of early intervention, the specific educational needs of children in detention and in special care and the supports required to assist with their reintegration into the community. As part of the strategy, the National Council for Curriculum and Assessment has been requested by my Department to prepare a framework for and guidelines on curriculum and assessment provision for children in detention. An Education Officer has been appointed by the Council to undertake this task and it is planned that an outline framework for the strategy will be completed in the Autumn of 2006.

School Staffing.

658. Mr. Fleming asked the Minister for Education and Science the number of special needs teachers and special needs assistants in schools in County Laois for the years from 1997 to date in 2006. [25667/06]

Minister for Education and Science (Ms Hanafin): The specific information requested by the Deputy for special need support teachers at primary level is not readily available in my Department. I can confirm however that there are currently 116.4 whole-time equivalent special needs assistants (SNAs) employed in schools in County Laois and a total of 7,241.02 whole-time equivalent SNAs employed nationwide. I can confirm also that at primary level there are now approximately 5,000 teachers in our primary schools working directly with children with special needs, including those requiring learning support. This compares to fewer than 1,500 in 1998. Indeed, one out of every five primary school teachers is now working specifically with children with special needs.

At second level approximately 1,654 whole time equivalent additional teachers are currently in place to support pupils with special educational needs. This compares to approximately 200 teachers that were in place in 1998 for such pupils. Of these 1,654 teachers, 21.23 whole time equivalents are based in second level schools in County Laois. In addition, there are 532 whole time equivalent learning support teachers in our second level schools nationwide. Applications for special educational needs supports for the 2006/2007 school year are now being processed by the special educational needs organisers (SENOs). The SENO will convey their decisions on the applications directly to the schools as soon as this process has been completed. Responsibility for the recruitment and employment of the relevant staff rests with the individual school authorities and will be determined by the level of need.

Third Level Admissions.

659. Mr. Fleming asked the Minister for Education and Science the level of participation on a county basis in third level education both on a numbers and a percentage basis for the years
Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is in the following table. The earliest data available are for 1998/99 and the latest available are for 2003/2004. Data for both of these years have been supplied along with those for 2000/2001.

Number and Percentage of Full-time Third Level Students by County of normal residence (students normally resident in Ireland before entering Third Level)

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<tr>
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<tr>
<td></td>
<td>Total</td>
<td>%</td>
<td>Total</td>
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<td><strong>Leinster</strong></td>
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<td>Carlow</td>
<td>1,320</td>
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<td>1,491</td>
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<td>Dublin</td>
<td>25,902</td>
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<td><strong>Munster</strong></td>
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<td>Clare</td>
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<td>Limerick</td>
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<td>306</td>
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<td>Fermanagh</td>
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<td>1,345</td>
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<td>Tyrone</td>
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<td><strong>TOTALS</strong></td>
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<td>of which N. Ireland</td>
<td>1,084</td>
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<td>1,087</td>
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School Transport.

660. Mr. Perry asked the Minister for Education and Science the progress she has made regarding the submission sent in relation to an accident (details supplied); the orders she has issued to her officials on the enquiry; if she will provide a written response detailing the negotiations that have taken place; and if she will make a statement on the matter. [25669/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department recently replied to the legal representative of the person concerned.

Special Educational Needs.

661. Mr. P. Breen asked the Minister for Education and Science the number of children with autism in County Clare and nationwide for whom the home tuition grant has been withdrawn; the alternative arrangements which have been made for the education of the children affected; her views on reinstating the grant; and if she will make a statement on the matter. [25670/06]

Minister for Education and Science (Ms Hanafin): There are approximately 8 children with autism in County Clare, and fewer than 100 nationwide, whose home tuition grant has been discontinued. My Department considers that school-based education provision is the most appropriate intervention for all children including those with special educational needs and has discontinued the practice whereby children who are in full-time education provision would also be able to avail of home tuition grants. The children referred to by the Deputy are enrolled in special schools or special class placements or are attending mainstream schools with additional resource teaching and special needs assistant supports, as appropriate. It is open to any parent who may have a concern in relation to the educational supports being delivered in the schools to discuss their concerns with the school in question. The National Council for Special Education, and its team of over 70 Special Educational Needs Organisers, is also working, across the country, to ensure that new services are put in place where needed so that autistic children have access to appropriate school-based provision.

Higher Education Grants.

662. Mr. Wall asked the Minister for Education and Science if a persons application for a higher education grant will be affected or if the persons means test for such a payment will be affected if the person states that they have after school or weekend employment; and if she will make a statement on the matter. [25681/06]

Minister for Education and Science (Ms Hanafin): The assessment of means under my Department’s third level student support schemes is based on gross income from all sources of the candidate and his/her parents/guardians, where applicable, with certain social welfare and health board payments being exempt. Clause 13 of the Higher Education Grant Scheme deals with the declaration of income and other information. The clause includes the following: “A declaration of reckonable income shall be made by the candidate and the candidate’s parents or guardians or, in the case of an independent mature candidate, by the candidate and the candidate’s spouse, if applicable, and they shall submit to the Local Authority such information and documentation as may be required by it to process the application in full. It will be the responsibility of candidates to ensure that the statement of income and other details sought is full and complete in every respect. If a candidate’s failure to provide this full and complete information be the result of a deliberate material omission or inaccuracy, the candidate(s) shall be liable to prosecution, loss of grant and repayment, with interest, of any portion of a grant already received.”

It is necessary, therefore, that information regarding all income, including that from after school/weekend employment, is accounted for when completing the grant application form. However, in the assessment of means allowance is made for “holiday earnings” on the part of the candidate. Under the terms of the Schemes holiday earnings are considered as a candidate’s reasonable earnings from employment outside of term time. At present holiday earnings of up to €3,810 are regarded as reasonable and are, accordingly, excluded in the calculation of reckonable income for grant purposes.

Educational Services for Prisoners.

663. Mr. Bruton asked the Minister for Education and Science her Department’s budget that is specifically allocated to detention schools from 1998 to date in 2006; and the capital expenditure allocated for same. [25686/06]

Minister of State at the Department of Education and Science (Mr. B. Lenihan): The information requested by the Deputy is contained in the tables attached. The Department of Education and Science has responsibility for the funding of education services for children attending schools attached to high support and special care units. It also provides capital funding as required towards the development of such facilities. Funding for the care provision in these units is matter for the Department of Health & Children and the Health Service Executive.
Table 1: High Support Special Schools

<table>
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<tr>
<th>Year</th>
<th>Current Expenditure</th>
<th>Capital Expenditure</th>
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</thead>
<tbody>
<tr>
<td>1998</td>
<td>€16,960,027</td>
<td>€1,186,261</td>
</tr>
<tr>
<td>1999</td>
<td>€16,852,616</td>
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<td>2000</td>
<td>€18,729,119</td>
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<td>2001</td>
<td>€22,521,843</td>
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<td>€26,423,691</td>
<td>€7,497,671</td>
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<td>2003</td>
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<td>2004</td>
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<td>2005</td>
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<td>€622,537</td>
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<tr>
<td>1/1/06-30/6/06</td>
<td>€20,502,301</td>
<td>€929,791</td>
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Table 2: Children Detention Schools

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<thead>
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<th>Year</th>
<th>Current Expenditure</th>
<th>Capital Expenditure</th>
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</thead>
<tbody>
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<td>2003</td>
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<td>2005</td>
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<td>1/1/06-30/6/06</td>
<td>€1,166,263</td>
<td>€10,767</td>
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</table>

Departmental Strategy Statement.

664. Mr. Bruton asked the Minister for Education and Science the reason for the delay in publishing her Department’s 2005 to 2007 statement of strategy; when it will be published; and if her Department’s annual report will be published at the same time. [25689/06]

Minister for Education and Science (Ms Hanafin): My Department’s Statement of Strategy is available to download on the Department’s website at www.education.ie. Design and printing work is being finalised with a view to a printed version being available next month. The Department’s annual report for 2005 is being compiled at the moment. This will be published later in the year.

Vocational Training Opportunities Scheme.

665. Mr. Crowe asked the Minister for Education and Science if her attention has been drawn to the case of a person (details supplied); if in view of the Government’s commitment of encouraging unemployed people into education and subsequent employment she will review the criteria which act as a disincentive; and if she will ensure that people in similar circumstances receive the necessary financial support to further their education while looking after their children. [25704/06]

Minister of State at the Department of Education and Science (Miss de Valera): The Vocational Training Opportunities Scheme (VTOS) consists of a range of full time courses designed to meet the education and training needs of unemployed people. The Scheme is funded by my Department and operated through the 33 Vocational Education Committees (VECs). A VTOS allowance is paid by the VECs to students who had a prior entitlement to unemployment benefit or assistance. This category of student ceases to receive an unemployment payment and instead receives a VTOS training allowance at a rate equivalent to the maximum rate of unemployment benefit, plus a payment for an adult or child dependant if appropriate. VTOS students who are in receipt of any other category of social welfare payment, such as one-parent family payment, continue to receive payment from the Department of Social & Family Affairs. This category of student does not receive a VTOS training allowance from the VEC. VTOS courses are provided free of charge, as are books and materials. Students who were at least 12 months in receipt of an eligible social welfare payment prior to joining the programme receive a weekly training bonus of €31.80. Funding is given to VECs to assist towards the child care expenses of participants in VTOS. A decision as to entitlement to Family Income Supplement (FIS) is a matter for the Department of Social & Family Affairs. FIS is defined by that Department as a weekly payment to families, including lone parents, who are at work on low pay.

Schools Building Projects.

666. Ms Enright asked the Minister for Education and Science the position regarding the proposed extension to a school (details supplied) in Donegal; the possible start date; and if she will make a statement on the matter. [25708/06]

Minister for Education and Science (Ms Hanafin): The proposed extension project for the school referred to by the Deputy is at an early stage of architectural planning and is one of the 124 schools that I announced in April of 2005 to progress through the architectural planning process. Following an increase in the long-term projected enrolments at the School, my Department’s officials visited the School in question in February of this year and completed revised schedules of suggested future use of the existing along with a schedule of residual accommodation to take account of the increase. The school authorities were subsequently requested to forward a revised Stage 1 report (site analysis and building
School Staffing.

667. Mr. P. Breen asked the Minister for Education and Science if she will put all primary school secretaries employed on a 40 week basis; and if she will make a statement on the matter. [25709/06]

Minister for Education and Science (Ms Hanafin): My Department provides funding on the matter. [25709/06]

It is a matter for each school to determine how secretarial and other ancillary services. The scheme is flexible in nature giving Boards of Management and schools discretion as to the manner in which secretarial services are provided. Under the new scheme the arrangement is that each school receives a grant from my Department for the provision of secretarial and other ancillary services. It is a matter for each school to determine how best to meet its secretarial requirements. My Department has no direct role in the pay or conditions of service of secretaries employed directly by schools under these arrangements.

Site Acquisitions.

668. Mr. Kenny asked the Minister for Education and Science if negotiations which have taken place regarding a site for a school (details supplied) in Dublin 22; if she has identified a suitable site; and if she will make a statement on the matter. [25714/06]

669. Mr. Kenny asked the Minister for Education and Science if negotiations are continuing between her Department and an organisation regarding the sale of a site for a replacement school (details supplied); and if she will make a statement on the matter. [25715/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 668 and 669 together.

My Department has acknowledged the need for a permanent solution to meet the long term accommodation needs of the school referred to by the Deputy. The school is currently occupying rented accommodation which is being grant aided at the rate of 95% by my Department. Officials are actively looking at proposals regarding an alternative site for the school. However, due to commercial sensitivities surrounding site acquisitions, the Deputy will appreciate that I am unable to comment on specific site purchase issues.

670. Aengus Ó Snodaigh asked the Minister for Education and Science the future plans for a school (details supplied) in County Dublin; if consideration was given to making it a gaelcoláiste; and if she will make a statement on the matter. [25723/06]

Minister for Education and Science (Ms Hanafin): My Department is in discussions with the owners of the property referred to by the Deputy regarding the possibility of it being retained for educational use. These discussions are ongoing.

School Staffing.

671. Mr. P. Breen asked the Minister for Education and Science the number of special needs assistants in primary schools in County Clare and nationwide; the number to be allocated in September 2006; and if she will make a statement on the matter. [25762/06]

Minister for Education and Science (Ms Hanafin): There are currently 217.16 whole-time equivalent special needs assistants (SNAs) employed in primary schools in County Clare and a total of 6587.41 whole-time equivalent SNAs employed nationwide. Applications from schools for SNA support for the 2006/2007 school year are now being processed by the National Council for Special Education (NCSE). The SENOs will convey their decisions on the applications directly to the schools as soon as this process has been completed. Responsibility for the recruitment and employment of SNAs rests with the relevant school authorities. The number of SNAs sanctioned in 2006 will be determined by the level of need.

Third Level Admissions.

672. Mr. Timmins asked the Minister for Education and Science the position regarding a person from Kosovo (details supplied); if they can attend college here to complete their final year; the criteria for same; and if she will make a statement on the matter. [25776/06]

Minister for Education and Science (Ms Hanafin): The admission of students to the post initial year of courses is a matter for the individ-
ual institutions. The person should therefore make their application directly to the institutions concerned.

Pupil-Teacher Ratio.

673. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25830/06]

674. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25831/06]

675. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25832/06]

676. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25833/06]

677. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25834/06]

678. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25835/06]

679. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25836/06]

680. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25837/06]

681. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25838/06]

682. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25839/06]

683. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25840/06]

684. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25841/06]

685. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25842/06]

686. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25843/06]

687. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25844/06]

688. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25845/06]

689. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25846/06]

690. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25847/06]

691. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25848/06]

692. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25849/06]
693. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25850/06]

694. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25851/06]

695. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25852/06]

696. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25853/06]

697. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25854/06]

698. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25855/06]

699. Mr. Bruton asked the Minister for Education and Science the number of children under nine years who are in classes of over 20 pupils in a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25856/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 673 to 699, inclusive, together.

The information requested by the Deputy is provided in the following table. However, because of variation in class size and ages of pupils across standards in certain schools the information for those schools is not available for the 2005/2006 school year and this is also indicated on the attachment. Major improvements in school staffing have been made in recent years with the hiring of more than 5,000 additional primary teachers. This represents the largest increase in teacher numbers since the expansion of free education. Today there is one teacher for every 17 children, the lowest pupil-teacher ratio in the history of the State.

Aside from decreasing average class size, the unprecedented increase in school staffing in recent years has also greatly improved the services provided for children with special needs and those from disadvantaged areas. Under DEIS (Delivering Equality of Opportunity in Schools) the action plan for educational inclusion that I launched in May, 2005, there will be a reduction in class sizes to 24:1 at senior level and 20:1 at junior level in the 180 primary schools serving communities with the highest concentrations of disadvantage. With more than 600 extra resource teachers put in place in this school year, children with special needs are getting more support than ever before. It should be acknowledged how much progress has been made in this area in recent years.

Recently I announced that I have secured sufficient funding to provide even smaller classes in our primary schools in the next school year and the Minister for Finance has committed to a further reduction in class size in the following year. Accordingly, over the next 2 years, my Department will put 500 extra teachers into primary schools to reduce class size and to tackle disadvantage. The mainstream staffing of a primary school is determined by reference to the enrolment of the school on the 30th September of the previous school year. The actual number of mainstream posts sanctioned is determined by reference to a staffing schedule which is issued annually to all primary schools. At present the general rule is that the schedule provides at least one classroom teacher for every 29 pupils in the school. Of course, schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school. Next year this is being reduced to 28 children per classroom teacher and in 2007/2008 it will be reduced to 27 children per classroom teacher. In speaking about staffing in our schools, we have consistently said that priority would be given in the first instance to children in disadvantaged schools and those with special needs. We have done this. And now, in line with the Government commitment, mainstream class sizes are also being reduced.

<table>
<thead>
<tr>
<th>School Name</th>
<th>Number of Nine Year Olds &amp; Under in Classes of Over 20</th>
</tr>
</thead>
<tbody>
<tr>
<td>St. Thomas Junior N.S. Jobstown, Tallaght</td>
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</tr>
<tr>
<td>St. Thomas Senior N.S. Jobstown, Tallaght</td>
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</tr>
<tr>
<td>St. Mary's School, Greenhills Rd. Tallaght</td>
<td>111</td>
</tr>
<tr>
<td>St. Martin De Porres N.S., Old Bawn, Tallaght</td>
<td>172</td>
</tr>
<tr>
<td>St. Marks Junior N.S., Springfield, Tallaght</td>
<td>499</td>
</tr>
</tbody>
</table>
**Schools Amalgamation.**

700. **Mr. Carey** asked the Minister for Education and Science if discussions have taken place between the board of a school (details supplied) in Dublin 9 and her Department regarding their immediate and long term accommodation needs; and if she will make a statement on the matter. [25866/06]

701. **Mr. Carey** asked the Minister for Education and Science the most recent information available to her Department regarding discussions between schools (details supplied) in Dublin 9 on a strategy for amalgamation; and if she will make a statement on the matter. [25867/06]

**Minister for Education and Science (Ms Hanafin):** I propose to take Questions Nos. 700 and 701 together.

As the Deputy will be aware, my Department intends to permanently accommodate the school to which he refers in a building which it expects to be vacated post an amalgamation of three other schools.

The Boards of Management of these schools recently sent a proposal to my Department in relation to its requirements to effect the amalgamation. This is being examined in School Planning Section and a response will issue the Boards as soon as possible.

**Schools Building Projects.**

702. **Mr. Carey** asked the Minister for Education and Science if a decision has been made as to when the case of a school (details supplied) in Dublin 9 for permanent accommodation will be addressed; and if she will make a statement on the matter. [25868/06]

**Minister for Education and Science (Ms Hanafin):** The school to which the Deputy refers has an application with my Department for large scale capital funding. The application has been assigned a Band 2 rating under the published prioritisation criteria for large scale building projects. My Department is carrying out a review of all-Irish educational provision in the area where the school is located to determine an appropriate accommodation solution for the school. This will be completed as quickly as possible.

**Third Level Education.**

703. **Mr. O’Shea** asked the Minister for Education and Science further to Parliamentary Question No. 522 of 27 June 2006, the number of students expected to graduate from each of the courses listed in her reply in each of the years...
2006 to 2009, and if she will make a statement on the matter. [25883/06]

Minister for Education and Science (Ms Hanafin): The following table shows the student intake to each of the courses in question from 2002 to 2005, as applicable. These students will graduate from the relevant courses from 2006 onwards.

<table>
<thead>
<tr>
<th>Source Year</th>
<th>Course Title</th>
<th>Institution</th>
<th>Type</th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3</th>
<th>Year 4</th>
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<tr>
<td>2003</td>
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<td>Degree</td>
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<td>Degree</td>
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<td>2005</td>
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<td>Degree</td>
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<td>28</td>
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<tr>
<td>2004</td>
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<td>Masters</td>
<td>Year 1</td>
<td>Year 2</td>
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<tr>
<td>2005</td>
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<td></td>
</tr>
</tbody>
</table>

Note:
*Figures for 2005/2006 are not yet available for these courses.
**These courses are of two years duration.

Pupil-Teacher Ratio.

704. Mr. Kenny asked the Minister for Education and Science the number of classes in primary schools in County Mayo where classes of over 25 to 30 pupils and in excess of 30 pupils apply; and if she will make a statement on the matter. [25954/06]

Minister for Education and Science (Ms Hanafin): The most recent information on class sizes in primary schools for County Mayo is for the 2005/2006 school year and is as follows:

Classes of 25 to 29 — 4,204 pupils

Classes of 30 and above — 1,840 pupils

As the Deputy will be aware, major improvements have been made in primary school staffing in recent years. Next September there will no less than 4000 extra teachers in our primary schools, compared with 2002. Not only is the average class size in our primary schools down to 24, but there is now one teacher for 17 pupils at primary level, including resource teachers etc. Children with special needs and those from disadvantaged areas are getting more support than ever before to help them to make the most of their time at school.

Indeed, with the thousands of extra primary teachers hired by this Government, recent years have seen the largest expansion in teacher numbers since the expansion of free education. Over the next two school years even more teachers will be put in place both for the above priority areas of disadvantage and special education and also under a reduction in the mainstream staffing schedule.

As you know all schools are staffed on a general rule of at least one classroom teacher for every 29 children. Of course, schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school. Next year this is being reduced to 28 children per classroom teacher and in 2007/2008 it will be reduced to 27 children per classroom teacher. So, as I have pointed out the general rule in the current school year is that at least one classroom teacher is provided for every 29 pupils. Furthermore, the actual average class size nationally is 24.

It is important to appreciate that there are a number of different reasons why a particular school may have a large class in a given year.
[Ms Hanafin.]

Reasons why there are large classes include a significant fluctuation in enrolments from one year to the next and/or a decision by the school principal not to have multi-grade classes.

Regardless of the reason why there is a large class in a particular school one year, it should be noted that in the majority of cases this is not the situation in the following year. In the main, the same schools do not have large classes year after year and so the same children are not in large classes year after year.

Where some classes in a school have class sizes of greater than 29, it is often because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes. Indeed, I often find that when I look into why a particular school has a class of 35 in a particular grade, the answer is because there is another class in the same school with a much lower than average number of pupils in it.

I appreciate that splitting classes may not always be an option for a particular school, because for example there might be a large group in junior infants and a small group in sixth class and so on. But where it is possible, I believe that principals should consider the benefits of having smaller multi-grade classes as against having large differences in class sizes at different levels in the school.

This Government has clearly demonstrated its commitment to improving staffing in our primary schools by hiring thousands of extra teachers in recent years and we will continue to make progress on this issue.

School Accommodation.

705. Mr. Kenny asked the Minister for Education and Science the proposed spending envelopes approved and set out by her Department for the foreseeable future; the broad objectives to be achieved by the spending of such financial envelopes; the timescale set out for the achievement of targets; and if she will make a statement on the matter. [25974/06]

Minister for Education and Science (Ms Hanafin): A capital envelope amounting to €3.340 billion has been approved for my Department. The envelope covers the period 2006 to 2010. The envelope will be targeted at planning for and providing suitable cost effective accommodation to underpin the delivery of sustainable and quality education at all levels.

Information Technology.

706. Mr. Quinn asked the Minister for Education and Science the information technology purchasing requirements, for both hardware and software, in her Department for the second half of 2006; the requirements for which tender requests have been issued; and if she will make a statement on the matter. [26044/06]

Minister for Education and Science (Ms Hanafin): My Department anticipates that it will have expenditure in the region of €900,000 on information technology hardware and software in the second half of 2006. Tender requests have been issued or will be issued in respect of all of this expenditure.

707. Mr. Quinn asked the Minister for Education and Science her Department’s information technology purchasing policy; and if she will make a statement on the matter. [26059/06]

Minister for Education and Science (Ms Hanafin): My Department undertakes procurements for information technology goods and services in accordance with public procurement guidelines.

708. Mr. Quinn asked the Minister for Education and Science the percentage of information technology spend in her Department that went to Irish SMEs in each year from 2002 to date in 2006; the percentage for European Union and European Economic Area SMEs; if systems are in place in her Department’s procurement procedures to give preference to SMEs, such as the weighting system in place in the Local Government Computer Services Board; and if she will make a statement on the matter. [26074/06]

Minister for Education and Science (Ms Hanafin): There are no systems in place in my Department’s procurement procedures to give preference to SMEs and my Department does not record the spend that went to Irish SMEs. The information requested by the Deputy is not therefore readily available.

709. Mr. Quinn asked the Minister for Education and Science the average size of information technology procurement contracts in her Department; the median size of such contracts; and if she will make a statement on the matter. [26089/06]

Minister for Education and Science (Ms Hanafin): The average size of information technology procurement contracts in my Department for the period from 1/1/2005 to date in 2006 has been approximately €190,000. The median size was €84,000.

710. Mr. Quinn asked the Minister for Education and Science the steps she is taking to support the development of the indigenous software industry through her Department’s public procurement process; and if she will make a statement on the matter. [26104/06]
Minister for Education and Science (Ms Hanafin): My Department does not take any special steps to support the development of the indigenous software industry through the public procurement process.

Telecommunications Services.

711. Mr. Kenny asked the Minister for Education and Science the name and location of each primary and secondary school in County Mayo that currently has broadband provided; the name and location of each school, primary and second level in County Mayo that does not have broadband access; the reason this has happened; the action she proposes to take regarding same; and if she will make a statement on the matter. [26119/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, my Department is currently engaged in the roll-out of broadband internet connectivity to all recognised primary and post-primary schools. This project is being undertaken in partnership with industry, following the establishment of a three year €18m joint Government — IBEC / TIF (Telecommunications and Internet Federation) Fund. Following a competitive public procurement process, contracts were finalised with a number of service providers for the provision of local broadband access to 3,925 schools, of which 208 schools are in Co. Mayo. The broadband connectivity of a further 75 schools, including 2 in Co. Mayo, was advanced separately under two pilot projects.

As you will see from the details in the attached spreadsheet, 203 of the 210 schools in Co. Mayo have had their broadband service installed, either under the contractual arrangements or under the advance deployment project. Of the remaining 7 schools (details supplied in attached table), two schools have been removed from the project as one school is closing and a further school has amalgamated with another school. Installation has been deferred in another school pending the completion of a building project and the installation in the remaining four schools is being progressed.

<table>
<thead>
<tr>
<th>Roll No.</th>
<th>School</th>
<th>County District</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>12816Q</td>
<td>S N Ceathrú an Chlochar</td>
<td>County Mayo</td>
<td>Connection is delayed due to a building project at the school, which is due to be completed in March 2007</td>
</tr>
<tr>
<td>13174H</td>
<td>St. Columba’s N.S.</td>
<td>County Mayo</td>
<td>Basic connectivity (Lot 1) has been installed, there were difficulties encountered when the router installation was attempted. The national helpdesk is pursuing the matter.</td>
</tr>
<tr>
<td>13866N</td>
<td>Ratheskin N S</td>
<td>County Mayo</td>
<td>School was due to close in June 2006. This has now been extended to June 2007.</td>
</tr>
<tr>
<td>13912R</td>
<td>Annaghmore N S</td>
<td>County Mayo</td>
<td>School 13912R merged with 15423M from September 2005.</td>
</tr>
<tr>
<td>15030Q</td>
<td>St. Mary’s N S</td>
<td>County Mayo</td>
<td>While there was a building project at the school, this has been completed and basic connectivity (Lot 1) has recently been installed. Arrangements are being made in relation to the installation of a router.</td>
</tr>
<tr>
<td>16811D</td>
<td>Killala N S</td>
<td>County Mayo</td>
<td>Connection was delayed due to a building project at the school. This work has now been completed and the national helpdesk is pursuing the matter.</td>
</tr>
<tr>
<td>20142I</td>
<td>Scoil Iosa</td>
<td>County Mayo</td>
<td>While basic connectivity (Lot 1) has been installed, difficulties were encountered in installing a router. The national helpdesk is pursuing the matter.</td>
</tr>
</tbody>
</table>

Teachers’ Remuneration.

712. Mr. McGuinness asked the Minister for Education and Science if an application for incremental credit for a person (details supplied) in County Kilkenny will be expedited and approved; and if she will make a statement on the matter. [26120/06]

Minister for Education and Science (Ms Hanafin): Under the terms of revised Circular 10/01, in order for service under this scheme to be recognised for the award of incremental credit, the service must have been remunerated, full-time, satisfactory and be relevant to primary teaching. The application for incremental credit submitted by the person referred to by the Deputy was considered by an independent Appeals Board on 27th June 2006. It was decided by the Appeals Board that the service in question was not relevant to primary teaching. The person concerned was notified in writing of the decision of the Appeals Board on the 30th June 2006. The Appeals Board operates independently of the Minister and the Department and its decision is final. I am sure you will appreciate that it is not appropriate for me to intervene in the operation of the independent Appeals Board.
Schools Building Projects.

713. Mr. McGuinness asked the Minister for Education and Science if she will request the allocation of 80 square meters of accommodation for a school (details supplied) in County Kilkenny, rather than the 25 square metres which has been allocated; if she will expedite a response; and if she will make a statement on the matter. [26121/06]

Minister for Education and Science (Ms Hanafin): The School Planning Section of my Department received an application for additional accommodation from the management authority of the school to which the Deputy refers. The application was assessed and a 25 square metre room was allocated to the school. The Department is now in receipt of an appeal to this allocation. This appeal is being processed through the appropriate channels and the school management authority will be notified as soon as a decision is reached.

School Staffing.

714. Mr. Noonan asked the Minister for Education and Science if she will ensure an early and favourable adjudication on appeals by persons (details supplied) in County Limerick to the terms of fixed term teaching contracts they have been offered to ensure their contract of indefinite duration offers them 22 hours teaching per week; and if she will make a statement on the matter. [26122/06]

Minister for Education and Science (Ms Hanafin): In September 2005, the Education Partners reached a transitional agreement on certain arrangements for the implementation of the Protection of Employees (Fixed Term Work) Act 2003 in the education sector. Under the Transitional Agreement certain individuals were to be awarded contracts of indefinite duration and a system for adjudication of appeals from aggrieved individuals was to be established. The independent third party adjudication system is voluntary and intended to facilitate a quick, efficient resolution of disputes arising from the award or refusal to award a contract of indefinite duration.

Mr Peter Ward, Senior Counsel, is the Adjudicator. The files in relation to the two individuals mentioned have been with Mr Ward since the 22nd of June 2006. It is expected that decisions will issue on these two cases in the near future.

Schools Building Projects.

715. Mr. Penrose asked the Minister for Education and Science if, in view of the efforts being made by the board of management and parent’s association of a school (details supplied) in County Westmeath to come up with additional funding, her Department will bridge the gap and provide the necessary additional funding to ensure that the school can be completed; and if she will make a statement on the matter. [26123/06]

Minister for Education and Science (Ms Hanafin): As part of the expansion of the devolved scheme for primary school building works, a grant of €350,000 was sanctioned to enable the management authorities of the school in question to provide additional accommodation. Devolving funding to school management authorities allows them to have control of their projects, assists in moving projects more quickly to tender and construction and can also deliver better value for money.

The scheme is not structured on the basis that the Department funding must be supplemented by local fundraising. It does however allow a school to supplement the funding from local resources if they so wish. The critical element is that with devolved authority the school must set the scope of works to match the funding allocated. The Department does not define the precise works to be carried out. A school can make choices within the budget allocated.

Setting the scope of works is the critical first step. Clearly where a school has a known level of resources apart from the Department funding or knows its capacity to raise additional resources it is open to that school to extend the scope of works to include additional facilities. However if the scope of works is not set appropriately from the outset based on the budget available there is a risk that the school will be faced with a funding gap when the project is at construction.

The choices to be made within the devolved scheme rest with the school and that is the cornerstone of any policy of devolution. The school authority knows the budget and must decide what it is capable of building with that budget. The time to identify a problem is at the outset before entering any contract. Schools can raise with my Department any site specific problems or unusual planning stipulations that impose additional costs and these will be examined. Otherwise schools must reduce the scope of intended works so as to remain within budget.

A school does not have to accept the invitation to participate in a devolved scheme and instead be considered for inclusion in the mainstream school building programme in line with the project’s priority band rating.

An appeal for additional funding by the school in question was considered by the Appeals Board and they are satisfied that, under the terms of the scheme, the school does not warrant additional funding. The Board of management was informed of the position.

School Transport.

716. Mr. McGuinness asked the Minister for Education and Science further to Parliamentary Question No. 277 of 24 May, 2006, the action she
intends to take to accommodate the children of 11 families who attend a school (details supplied) in County Kilkenny and who do not have a school bus service in view of the fact that there are seats available on the existing service; if she will engage with the bus operator to find a solution; and if she will make a statement on the matter. [26134/06]

Minister of State at the Department of Education and Science (Miss de Valera): Bus Éireann, which operates the School Transport Service on behalf of my Department, has advised that a number of pupils attending the school referred to in the details supplied were availing of concessionary transport.

I should point out that concessionary transport is not guaranteed. Pupils availing of such transport may only do so if spare seats are available on school buses and this is determined on a term-to-term basis by reference to those who are fully eligible for transport under the terms of the school transport scheme.

The introduction of one-for-one seating arrangements on school transport services does not necessarily mean that concessionary transport will be discontinued. However, parents of pupils should check in advance of the school year to ascertain the position regarding the availability of concessionary transport on school buses.

Significant investment has been made by the Government to address capacity shortfalls arising from the phasing out of the three for two seating arrangement on school buses. A programme for Bus Éireann to acquire a number of new and modern second-hand buses is well advanced. In addition, Bus Éireann has hired-in over 220 additional vehicles from the private sector and the situation is being kept under review.

717. Mr. M. Higgins asked the Minister for Education and Science if, further to Parliamentary Question No. 239 of 8 June 2006, and a meeting with parents on 3 May 2006, the position relating to the need for a bus service for children attending a school (details supplied) in County Galway; the steps taken to ensure that such a service is provided; the likelihood of such being in place for the next school year; and if she will make a statement on the matter. [26136/06]

Minister of State at the Department of Education and Science (Miss de Valera): The circumstances of the case referred to by the Deputy in the details supplied, are being reviewed by my Department. Arrangements will be made to notify all relevant parties as soon as a decision has been made.

School Staffing.

718. Mr. Aylward asked the Minister for Education and Science her views on the request by the board of management of a school (details supplied) in County Kilkenny for the retention of a teacher in view of the changes taking place in this particular school; and if she will make a statement on the matter. [26158/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that the school in question has been allowed to retain the teaching post as part of the amalgamation process that is taking place involving this school.

719. Mr. Sherlock asked the Minister for Education and Science the position in relation to efforts being made at a school (details supplied) in County Cork to retain the five class teachers for 2006-2007. [26159/06]

Minister for Education and Science (Ms Hanafin): The staffing of a primary school is determined by reference to the enrolments of the school on the 30th September of the previous school year. The actual number of mainstream posts sanctioned is determined by reference to a staffing schedule which is issued annually to all primary schools. The relevant circular (0023/2006) issued to all schools in March 2006.

Under the staffing arrangements for primary schools, there is provision for the allocation of an additional post to a school where the school experiences rapid growth in its enrolment. In such cases, an additional post, referred to as a developing school post, may be sanctioned provisionally where the projected enrolment at 30th September of the school year in question equals or exceeds a specified figure. If the specified figure is not achieved on 30th September, sanction for the post is withdrawn.

The enrolment in the school referred to by the Deputy on 30th September 2005 was 111 pupils, which warrants a staffing of Principal plus 3 mainstream posts for the 2006/2007 school year.

To ensure transparency and openness in the system an independent Appeal Board is now in place to decide on any mainstream staffing appeals.

The staffing of the school referred to by the Deputy for the 2006/2007 school year was considered by the Primary Staffing Appeal Board at its meeting on the 25th May 2006. The Board, having considered the appeal with regard to the criteria outlined in Department Circular 0024/2006, was satisfied that a departure from the staffing schedule is not warranted in this case. The Board of Management of the school was notified in writing of the decision of the Appeals Board on the 26th May 2006.

I am sure the Deputy will appreciate that it would not be appropriate for me to intervene in the operations of the Independent Appeal Board.

Inquiry into Child Abuse.

720. Dr. Upton asked the Minister for Education and Science if her attention has been drawn to evidence which the Secretary General
of her Department gave to the Commission on Child Abuse on 13 June 2006; if she will confirm that all former staff of her Department who had dealt with the industrial and reformatory schools were contacted and asked for their version of events; the date on which a former member of staff (details supplied) was contacted and invited to give their account; and if she will make a statement on the matter. [26160/06]

Minister for Education and Science (Ms Hanafin): The evidence given by the Secretary General of my Department to the Commission to Inquire into Child Abuse at the Phase III hearings on 12th and 13th June 2006 was based on a detailed examination of files held in my Department in relation to the industrial and reformatory school system and related matters. These files were previously provided to the Commission on an informal basis or under discovery direction.

In the context of seeking to fulfil the Department's obligations to provide the Commission with all available records relevant to the Commission's inquiry, my Department made contact with existing and former staff who may have been in a position to assist the Department in the identification and retrieval of relevant Department records and to address the issue of missing files and gaps in the Department's archive. My Department did not contact former staff, including the former member of staff referred to by the Deputy, to ask about their version of events as recorded in the Department's files. It is a matter for the Commission to interview persons about their involvement in events of relevance to its inquiry and, where requested by the Commission, contact details of former Department staff involved in such events were provided to the Commission.

I would like to confirm that my Department holds documentation on file in relation to claims made by the former member of staff in question and all of this documentation has been provided to the Commission in compliance with a Discovery Order from the Commission in June 2003.

721. Dr. Upton asked the Minister for Education and Science if her attention has been drawn to a note of a meeting on 21 March 1988 in Finglas Children's Centre which was attended by officials from her Department [details supplied]; the date on which her Department gave the Garda Síochána a copy of that note; and if she will make a statement on the matter. [26161/06]

Minister of State at the Department of Education and Science (Mr. B. Lenihan): I am aware of the meeting referred to by the Deputy. A copy of a note of this meeting was provided on request by my Department to an Garda Síochána on 17 December, 1996.

I would like to confirm, also, that relevant documentation held by my Department in relation to the sexual, physical and emotional abuse or neglect of children in industrial and reformatory schools was forwarded to the Commission to Inquire into Child Abuse in compliance with a Discovery Order from the Commission in June, 2003.

Special Educational Needs.

722. Mr. Ring asked the Minister for Education and Science the annual cost of the July provision scheme since it was introduced in 2001; the number of people benefiting from this scheme on an annual basis; and if she will make a statement on the matter. [26162/06]

Minister for Education and Science (Ms Hanafin): My Department currently does not keep a separate record of the costs of the July provision. My Department's support package for the July Education Programme is available to all special schools and mainstream primary schools with special classes catering for children with autism who choose to extend their education services through the month of July. My Department also provides for a July Programme for pupils with a severe/profound general learning disability. My Department encourages all eligible schools to participate in this initiative in the interest of the children in question. Where school based provision is not feasible, home based provision may be grant aided.

The cost of the package includes agreed rates of remuneration for principals, teachers and special needs assistants involved in the July Programme. Participating schools also receive a special rate of capitation funding in respect of pupils participating in the programme. Funding is also available to facilitate the provision of school transport and escort services for the children.

My Department has seen a steady increase in the number of schools offering the July Programme which is detailed below:

<table>
<thead>
<tr>
<th>Year</th>
<th>Total No. Participating Schools</th>
<th>% Classes</th>
<th>Total No. Pupils home based provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>21</td>
<td></td>
<td>29</td>
</tr>
<tr>
<td>2002</td>
<td>38</td>
<td></td>
<td>116</td>
</tr>
<tr>
<td>2003</td>
<td>53</td>
<td></td>
<td>307</td>
</tr>
<tr>
<td>2004</td>
<td>59</td>
<td></td>
<td>633</td>
</tr>
<tr>
<td>2005</td>
<td>64</td>
<td></td>
<td>933</td>
</tr>
</tbody>
</table>

723. Mr. Ring asked the Minister for Education and Science if she will answer a question previously placed with regard to the July provision for a person (details supplied) in County Mayo for the years 2005, 2004, 2003 and 2002, as the query raised was not replied to. [26163/06]

Minister for Education and Science (Ms Hanafin): I previously advised the Deputy that
forty hours tuition under the July Provision Scheme has been approved for the child in question for this year. The allocation was made following an application from his parents for inclusion in the programme. An application for retrospective sanction was refused.

**School Transport.**

724. Mr. Hayes asked the Minister for Education and Science if a decision has been made in relation to an application for transport to a school (details supplied) in County Tipperary. [26164/06]

Minister of State at the Department of Education and Science (Miss de Valera): Bus Éireann, which operate the School Transport Scheme on behalf of my Department, have been requested to submit a report on the application for school transport as outlined in the details provided. When this report is received and reviewed, arrangements will be made to advise all interested parties.

**Special Educational Needs.**

725. Mr. Hayes asked the Minister for Education and Science the reason a person (details supplied) in County Tipperary with hearing difficulties, will have their resource hours cut by half to five hours when they commence secondary school in September 2006. [26165/06]

Minister for Education and Science (Ms Hanafin): My Department provides a range of supports to second level schools to enable them to cater for students with special educational needs. The supports in question include remedial and additional teaching support, special needs assistant support and funding for the purchase of specialised equipment.

With effect from 1 January 2005, the National Council for Special Education (NCSE) has taken over key functions from the Department of Education and Science in relation to special educational provision. The NCSE was formally established as an independent statutory body on the 1st October 2005 under the Education for Persons with Special Educational Needs Act 2005. The Council acts under the broad policy direction of the Department of Education and Science but has the resources and the remit to play the leading role in the delivery of education services to children with disabilities/special needs.

The NCSE co-ordinates with the health services, schools and other relevant bodies regarding the provision of education and related support services to children with disabilities/special needs. The responsibilities of the NCSE include the following:

- Deciding on applications for additional teaching support in respect of children with disabilities with special educational needs at second level;
- Deciding on applications for special needs assistant (SNA) hours; and
- Processing applications for school placement in respect of children with disabilities with special education needs.

The precise model of provision made available at second level will depend on the assessed needs of the pupils involved. Some pupils are capable of attending ordinary classes on an integrated basis with additional teacher and/or special needs assistant support. In other cases, placement in special dedicated classes or units attached to the school may be the more appropriate response. Such special classes operate at significantly reduced pupil teacher ratios. Students attached to these special classes may be facilitated in attending ordinary subject classes on an integrated basis wherever possible.

The NCSE, through the local Special Educational Needs Organiser (SENO) will process the relevant application for resources and inform the school of the outcome. It is important to note that in the case of decisions on additional teaching and SNA support, the SENO will outline the process to the school and parents, where appropriate, and will at the end of the process outline the basis on which the decision was made.

The NCSE has confirmed that the pupil to whom the Deputy refers has been granted 5 hours additional teaching support per week for the 2006/07 school year in accordance with my Department’s policy.

My Department will continue to ensure that the necessary resources are made available for the education of children with special needs. I am confident that the advent of the NCSE will prove of major benefit in ensuring that all children with special educational needs receive the support they require, when and where they require it.

**School Accommodation.**

726. Dr. Cowley asked the Minister for Education and Science if she will resolve the fact that 98 children in the Laytown and Bettystown area in County Meath, due to start school in September 2006 cannot, due to the failure of the relevant authorities to provide such a place in an area with high density housing; and if she will make a statement on the matter. [26166/06]

Minister for Education and Science (Ms Hanafin): Prior to 2005/06 there was only one primary school in the area to which the Deputy refers which was a fully vertical co-educational facility meaning it catered for pupils from Junior Infants to 6th class.

To ensure an adequacy of primary provision in what I accept is a rapidly developing area, my Department sanctioned the recognition of a 2nd
primary school for the area to commence operation from September 2005.

My Department supported a local agreement that this new school would become the junior school for the area with the existing school becoming the senior school. This agreement is in operation.

For the new school year, the school in question has examined its accommodation needs and applied for 5 additional prefabs to cater for its 2006/2007 enrolments. I am pleased to be able to inform the Depute that this provision has been approved by my Department and steps are being taken by the school authority for its delivery.

With regard to permanent accommodation for the school, the Patron has confirmed that it is his intention to acquire and make a site available for this purpose. My Department looks forward to progressing a project for the school when this matter is finalised by the Patron.

The project in question which will attract a Band 1 priority rating under the published prioritisation criteria for large scale building projects. This Band rating is the highest possible. This is a clear indication of the importance which my Department attaches to the delivery of both permanent accommodation for the school and extra provision for the area.

Higher Education Institutions.

727. Mr. Perry asked the Minister for Education and Science if she will ensure that the transfer of a person (details supplied) in County Sligo is approved; and if she will make a statement on the matter. [26207/06]

Minister for Education and Science (Ms Hanafin): The admission of students to higher education institutions is a matter for the individual institutions and/or the Central Applications Office.

School Discipline.

728. Mr. Sargent asked the Minister for Education and Science when she will commence implementation of the recommendations of the report School Matters; if she intends to identify priority areas; what these areas will be; and the timescale for same. [26208/06]

Minister for Education and Science (Ms Hanafin): In launching “School Matters” the final Report of the Task Force on Student Behaviour in Second Level Schools, I outlined a package of measures to tackle student behaviour issues. In my view, implementation of the report must be approached in a prioritised and carefully structured way.

The putting in place of a Behaviour Support Team is at the core of many of the Task Force recommendations. I see it as a critical first step in their implementation. The role of this team will span the spectrum from diagnosis of school problems to assistance with remediation. It is expected that this team will be in place in the next school year and will be working with up to 50 schools. This team will work with schools that are experiencing significant discipline problems. It will be staffed by experienced practitioners from across the education sector, including additional psychologists dedicated to this area.

The Behaviour Support Team will become intensively involved in the school over a period of time. The desired outcome of this is an identification, at school level, of those measures and changes which need to be put in place in order to bring about a real and sustained improvement in student behaviour.

I also intend to trial up to 30 Behaviour Support Classrooms in those schools experiencing severe behavioural difficulties with students. Schools chosen to trial a Behaviour Support Classroom will be expected to demonstrate a real commitment to dealing with all causes of the discipline problem in their school.

The recruitment of Behaviour Support Team has already commenced with advertisements appearing in the national press. Allowing for the fact that we will undoubtedly be drawing many of the members of the team from the school system, it is nonetheless my intention that it will be fully operating in the next school year.

The Junior Certificate Schools Programme is a critical intervention in many schools at present and one which is proposed for expansion by the Task Force. It is intended to allow appropriate and focussed expansion of this programme where proposals to this effect result from the engagement of the Behaviour Support Team with individual schools.

The Task Force report recommends the expansion of existing Youth Encounter Projects and Youthreach services instead of putting in place a new service of out of school provision. My Department’s Regional Offices network will compile a comprehensive list of existing alternative educational provision nationwide, which the Behaviour Support Team will analyse. This will in turn provide a capacity to augment existing provision where gaps exist.

The Task Force also recommended that the Section 29 legislation be amended to stress the rights of the compliant majority to learn while at the same time protecting the rights of the persistently disruptive student to an education. It also recommends that the timeframe involved in these appeals be looked at. I have decided to review existing legislation in order to take account of the Task Force recommendations and to bring forward amending legislation as soon as this review is complete.

The report’s recommendations require action and engagement from a wide range of participants in our education system. For my part, as
Minister, I have given a clear statement of my commitment to sustained and considered action in dealing with the issue of student behaviour.

Site Acquisitions.

729. Mr. Sargent asked the Minister for Education and Science if a site for the permanent accommodation of a school (details supplied) has been identified and purchased by the Department; and if not, the timescale for such accommodation. [26210/06]

Minister for Education and Science (Ms Hanafin): The Property Management Section of the Office of Public Works, which acts on behalf of my Department in relation of site acquisitions generally, has been requested to source a site for the school in question. Officials in my Department are awaiting a report from the OPW on the matter.

As soon as a site has been acquired, the school building project can be considered in the context of the School Buildings and Modernisation Programme 2006-2010.

Question No. 730 answered with Question No. 633.

Schools Survey.

731. Ms Harkin asked the Minister for Education and Science if a copy of the ERC survey in relation to a school (details supplied) in County Leitrim is available for public inspection. [26235/06]

Minister for Education and Science (Ms Hanafin): The Educational Research Centre does not release information provided by individual schools as part of the survey referred to by the Deputy. It is a matter for the authorities of each school to decide whether any or all of the responses it made to the survey should be made available and, if so, to whom.

A review process has been put in place for both primary and second-level schools. The review process applies only to those primary schools that participated in the ERC survey in May 2005 and only to those eligible second-level schools for which data were available from the relevant databases.

The school referred to by the Deputy has submitted a review application. It is anticipated that the review process will be completed shortly.

School Transport.

732. Mr. English asked the Minister for Education and Science if she intends to ensure that school sites are provided in line with the development and expansion of residential areas in County Meath; the action she has taken or proposes to take in order that such integrated development transpires; and if she will make a statement on the matter. [26309/06]

Minister of State at the Department of Education and Science (Miss de Valera): Bus Éireann has informed my Department that there are currently 106 vehicles providing school transport services in County Meath. It is too early to indicate the number of additional vehicles, if any, that may be required for the 2006/07 school year as applications for school transport are still being processed.

School Accommodation.

733. Mr. English asked the Minister for Education and Science if she intends to ensure that school accommodation in schools has risen significantly over the last number of years mainly due to the rapid expansion in teacher numbers particularly in the area of special needs, the growth in the school-going population in rapidly developing areas including the impact of inward migration and the demands to cater for diversity through the recognition of new Gaelscoileanna and Educate Together schools.

In planning for school provision to meet these demands my Department has adopted an area based approach which involves a public consultation process involving all interested parties. This leads to the production of a blueprint for schools’ development in an area for a timeframe of approximately ten years. The exercise recently completed on the N4-M4 corridor is an example of this and the rapidly developing areas of north Dublin, south Louth and east Meath are being examined this year. This structured process will ensure a more proactive approach to school planning than had been the case in the past.

Apart from the area development planning process my Department is also proactively engaged with local authorities on a continual basis in relation to specific areas. This is being done through improved contacts and communication protocols to ensure that the Department is better alerted about new and expanding residential areas and afforded an opportunity to ensure appropriate zoning provision for educational purposes.

My Department prioritises school buildings for rapidly developing areas. This is achieved by assigning them a band one priority rating under the published prioritisation criteria for large scale building projects. Whenever possible, my Department implements a standardised design model or a design and build process to fast track delivery of the buildings themselves. Not alone does this result in speedier delivery of projects but it also
achieves savings in design fees and land use arising from the use of the two storey design.

The level of work being done under the schools building programme is at an all-time high. While increased investment is a central reason for this — €500m this year alone — radical changes in how projects are planned and managed have also made a major difference in ensuring that provision is delivered in line with or ahead of demand.

**Physical Education Facilities.**

734. Mr. English asked the Minister for Education and Science the proportion of primary and post primary schools in Meath that have physical education facilities; the way in which this compares nationally; and if she will make a statement on the matter. [26310/06]

**Minister for Education and Science (Ms Hanafin):** The information sought by the Deputy is not readily available in my Department. Information is recorded on a project by project basis.

The Deputy can be assured that My Department fully recognises the key role of physical exercise within the school environment and continues to respond to the need to improve PE facilities for all pupils attending primary and post-primary schools. The provision of such facilities is an integral part of the design process for new school buildings or where an existing school building is undergoing major refurbishment.

In primary schools new PE equipment such as balancing benches and gym mats are funded as part of any major building programme. Regarding specific sports equipment grants, in recent years, my Department has provided in excess of €5.5 million in grant aid to primary schools specifically for this purpose to enable them to provide coaching or mentoring in connection with physical education or to purchase resource materials associated with the provision of physical education. Such materials and equipment would normally have a useful life of several years.

Schools may use their general capitation funding to support the implementation of curricula including Physical Education. Additionally, all primary schools with permanent recognition receive an annual Minor Works Grant from my Department.

Each school gets a standard rate of €3,809 together with a per pupil rate of €12.70. Special Schools and schools with special classes receive an enhanced per pupil rate of €50.80. It is open to school management authorities to use this devolved grant for the purchase of equipment, including physical education equipment, provided it is not required for more urgent works.

Primary schools that establish a class for special needs pupils receive a once-off grant of €6,500 per class to purchase equipment, including physical education equipment, that they feel best meets the needs of the pupils attending the class.

My Department also considers applications for additional grant aid for such equipment where schools can demonstrate that the minor works grant funding is insufficient for this purpose.

**Pupil-Teacher Ratio.**

735. Mr. English asked the Minister for Education and Science the average class size for primary and post primary schools in County Meath; the way in which this compares nationally; and if she will make a statement on the matter. [26311/06]

**Minister for Education and Science (Ms Hanafin):** As the Deputy will be aware, major improvements have been made in primary school staffing in recent years. Next September there will be no less than 4,000 extra teachers in our primary schools, compared with 2002. Not only is the average class size in our primary schools down to 24, but there is now one teacher for 17 pupils at primary level, including resource teachers etc.

Children with special needs and those from disadvantaged areas are getting more support than ever before to help them to make the most of their time at school. Indeed, with the thousands of extra primary teachers hired by this Government, recent years have seen the largest expansion in teacher numbers since the expansion of free education. Over the next two school years even more teachers will be put in place both for the above priority areas of disadvantage and special education and also under a reduction in the mainstream staffing schedule.

Another development that would have particularly helped schools in developing areas in Meath in the last school year was the lowering of the threshold for getting a developing school post. This was reduced specifically to help schools that are seeing large increases in enrolments each year, as is the case in many areas of rapidly increasing population in Meath. 170 such posts were sanctioned in the 2005/06 school year, compared to 105 in 2004/05.

As the Deputy knows all schools were staffed in the 2005/06 school year on the basis of a general rule of at least one classroom teacher for every 29 children. Next year this is being reduced to 28 children per classroom teacher and in 2007/2008 it will be reduced to 27 children per classroom teacher. The average class size in Meath in the 2005/06 school year was 26 pupils.

This Government has clearly demonstrated its commitment to improving staffing in our primary schools by hiring thousands of extra teachers in recent years and we will continue to make progress on this issue. The information in relation to post-primary schools is not readily available.
Schools Building Projects.

736. Mr. English asked the Minister for Education and Science further to Parliamentary Question No. 454 of 6 December 2005, the progress which has been made by her Department in the provision of extensions for schools (details supplied) in County Meath; and if she will make a statement on the matter. [26320/06]

Minister for Education and Science (Ms Hanafin): With regard to the first school referred to by the Deputy, the building project for this school is at an early stage of architectural planning. My Department’s officials wrote to the school authorities in February 2006 advising them that they should proceed to prepare and submit a revised stage 1 submission (site suitability, briefing and site report). As the Board of Management is the client for the project, responsibility for ensuring that the stage submission is forwarded to my Department lies with it. Further progress on the project can be considered when the revised stage 1 submission is received.

In relation to the second school referred to by the Deputy, the School Planning Section of my Department is currently carrying out a review of the long-term accommodation needs of this school. It will be in further contact with the school authorities in this matter as soon as possible.

In relation to the third school, the building project for this school is also at an early stage of architectural planning. Officials from my Department visited the school on 29 June last to discuss the way forward for the project. The Board of Management undertook to submit proposals in writing to my Department in relation to possible accommodation solutions. Further progress on the project can be considered when these proposals are received and examined.

737. Mr. English asked the Minister for Education and Science further to Parliamentary Question No. 455 of 6 December 2005, the progress which has been made by her Department in the provision of extensions for schools (details supplied) in County Meath; and if she will make a statement on the matter. [26321/06]

Minister for Education and Science (Ms Hanafin): With regard to the first school referred to by the Deputy my Department has not received any application for additional permanent accommodation from this school.

In relation to the second school referred to by the Deputy this school was sanctioned to commence architectural planning for the provision of a new school on a new site as part of the 2006 School Building Programme.

738. Mr. English asked the Minister for Education and Science further to Parliamentary Question No. 455 of 6 December 2005, the progress which has been made by her Department in the provision of a new school (details supplied) in County Meath; and if she will make a statement on the matter. [26322/06]

Minister for Education and Science (Ms Hanafin): The site for the school referred to by the Deputy is being acquired by my Department under the terms of the Residential Institutions Redress Act, 2002. My Department has accepted in principle a site in Kells which was offered under the terms of the property aspect of the Indemnity Agreement between the State and 18 Religious Congregations dated 5th June 2002.

Documentation in relation to the transfer of ownership is currently being examined by the Chief State Solicitor’s Office. The project in question is one of the 23 new post-primary schools announced to be built under the Government’s Public Private Partnership arrangements.

739. Mr. English asked the Minister for Education and Science further to Parliamentary Question No. 455 of 6 December 2005, the progress which has been made by her Department in the provision of extensions for schools (details supplied) in County Meath; and if she will make a statement on the matter. [26323/06]

Minister for Education and Science (Ms Hanafin): An application for an extension from the first school referred to by the Deputy is currently under consideration in the School Planning Section of my Department. Contact will be made with the school authority as soon as a decision is taken in the matter.

In relation to the second school referred to by the Deputy, this school’s application for an extension is currently at stage 3 of the architectural planning process and my Department’s Building Section is in the process of arranging a further meeting with the school authorities to progress this project further.

740. Mr. Naughten asked the Minister for Education and Science the status of the application for a new school (details supplied) in County Roscommon; and if she will make a statement on the matter. [26373/06]

Minister for Education and Science (Ms Hanafin): The Property Management Section of the Office of Public Works, which acts on behalf of my Department in relation to site acquisitions generally, has identified a site for the school in question. An agreement has been reached, subject to Contract, on the acquisition of this site.

As soon as the site has been acquired the school building project can then be considered in the context of the School Building and Modernisation Programme 2006-2010.
Physical Education Facilities.

741. **Mr. Naughten** asked the Minister for Education and Science when she will approve funding for physical education halls in VEC schools in Drumshanbo, Carrigallen and Drumkeerin, County Leitrim in line with commitments given by her Department; and if she will make a statement on the matter. [26374/06]

**Minister for Education and Science (Ms Hanafin):** Applications for capital funding towards the provision of extensions which will include physical education halls have been received in my Department in respect of the schools in Drumshanbo, Carrigallen and Drumkeerin, County Leitrim. These applications have been assessed and banded in accordance with the published prioritisation criteria and the projects are being considered for progression in the context of the School Building and Modernisation Programme 2006-2010.

Site Acquisitions.

742. **Mr. Naughten** asked the Minister for Education and Science the status of the new community school (details supplied) in County Leitrim; the reason for the delays; and if she will make a statement on the matter. [26375/06]

**Minister for Education and Science (Ms Hanafin):** The Property Management Section of the Office of Public Works, which acts on behalf of my Department in relation to site acquisitions generally, has been requested to source a site for the school in question.

Following a recent re-advertisement for possible sites, a number of new proposals were received. All site options are being examined by the OPW at present. My Department is awaiting a final report on the matter.

743. **Mr. Naughten** asked the Minister for Education and Science the status of the development of a new community school in County Leitrim; the reason for the delays; the steps she will take to expedite the situation; and if she will make a statement on the matter. [26376/06]

**Minister for Education and Science (Ms Hanafin):** I am pleased to advise the Deputy that contracts for the transfer of the site for the school in question have been signed.

In order for this transaction to formally close, the agreement of the Commissioners of Charitable Donations and Bequests is required. It is the responsibility of the vendor to refer the transfer contracts to the Commissioners. Accordingly, confirmation from the vendor’s solicitor of the agreement of the Commissioners is now awaited. The question of the project proceeding to construction will be considered further when the site transfer closes.

Schools Building Projects.

744. **Mr. Rabbitte** asked the Minister for Education and Science if she will examine, in co-operation with local management, the standard of accommodation and the need for the development of the school building and grounds at a school (details supplied) in Dublin 24 and specifically, to survey the school yard with a view to resurfacing and levelling, to authorise a modernising project for the school hall, to assist with the local effort to develop a sports pitch on the grounds, to make a statement on the standard of accommodation, funding available for improvements and schemes in place to carry out such works; and if she will make a statement on the matter. [26377/06]

**Minister for Education and Science (Ms Hanafin):** The scope of the works referred to by the Deputy is appropriate for consideration under the Summer Works Scheme (SWS). While the school did make an application for funding under the SWS for 2004, it is noted that it did not apply under the 2005 or 2006 Schemes. The 2007 Summer Works Scheme was recently published. The closing date for the receipt of applications is the 29th of September next. The governing Circular Letter and the application form are available on my Department’s website www.education.ie and the Scheme has been advertised in the national media and through the Education Partners.

745. **Mr. Rabbitte** asked the Minister for Education and Science if, in respect of a school (details supplied) in Dublin 24, she has received an application from the school for further classroom accommodation; if her attention has been drawn to the fact that the school had to utilise its library to accommodate children in class during 2005/2006; if her attention has further been drawn to the fact that, in the event of classrooms not being sanctioned and provided, the school will be forced to use its physical education hall as classrooms in 2006/2007, with the consequences of restricting the curriculum in a key area for young children; if, in these circumstances, she will sanction and authorise two temporary prefabs for classroom purposes as an immediate priority and an examination at an early date of the future accommodation and development needs of this school in an area with a very large young population; and if she will make a statement on the matter. [26378/06]

**Minister for Education and Science (Ms Hanafin):** The school to which the Deputy refers made an application to my Department for additional accommodation for September 2006. However, this application was refused on the basis that my Department is satisfied that there is considerable spare capacity in neighbouring schools. My Department’s main responsibility is
to ensure that schools in an area can, between them, cater for all pupils seeking school places. While, this may result in pupils not obtaining a place in the school of their first choice, this approach ensures that the use of existing accommodation is maximised and that the development and support of one school over others does not occur.

Higher Education Grants.

746. Mr. McGuinness asked the Minister for Education and Science if a person (details supplied) in County Kilkenny will be funded by her Department to complete a two-year air pilot course in view of the fact that the course is not available in a public college; and if she will make a statement on the matter. [26379/06]


Under the Higher Education Grants Scheme an approved course is defined as a full-time undergraduate course of at least two years duration or a full-time postgraduate course of not less than one year duration pursued in an approved institution.

An approved institution is defined to mean a university, university college or other institution of higher education in so far as it provides a course or courses of not less than two years duration, being a course or courses which the Minister for Education and Science approves for the time being for the purposes of the Acts.

Each year, the Higher Education Grants Scheme specifies a list of approved institutions for the purposes of the Scheme. The approved institutions mainly comprise of publicly funded third level institutions.

Any extension to the scope of the grants scheme, to include private colleges, can be considered only in the light of available resources and in the context of competing demands within the education sector. There are no plans at present to extend the scope of the student support schemes to private colleges.

School Transport.

747. Ms O'Sullivan asked the Minister for Education and Science if the school transport service will continue to operate in all parts of the country until the end of the national school year 2006; and if she will make a statement on the matter. [26380/06]

Minister of State at the Department of Education and Science (Miss de Valera): The Transport Liaison Officers are responsible for the co-ordination of the school transport service for Primary and Post Primary schools within their area.

Part of this co-ordination is to ensure schools standardise their opening and closing times to ensure the School Transport Service is delivered in a timely and cost effective manner.

If the Deputy has any specific case in mind I will be pleased to have it investigated.

Grant Payments.

748. Ms O'Sullivan asked the Minister for Education and Science if information in the socio-economic background, in tabular form, of recipients of education grants for 2002-03, 2003-04 and 2004-05 is available; if she will supply the information; and if she will make a statement on the matter. [26381/06]

Minister for Education and Science (Ms Hanafin): I expect that the available information will be issued to the Deputy this week.

Psychological Service.

749. Ms Enright asked the Minister for Education and Science the number of psychologists on the National Education Psychological Service panel established following the recruitment competition of 2005; when the next recruitment competition will take place; and the number who applied under the 2005 competition. [26382/06]

Minister for Education and Science (Ms Hanafin): The Public Appointments Service (PAS) conducted an open competition on behalf of my Department for positions as psychologists with the National Educational Psychologists Service (NEPS) in 2005.

I understand from PAS that 172 applications were received of which 31 were ineligible. Following a short-listing process, 55 candidates were invited for interview and arising from this 41 were placed on a panel. The panel will remain open until July 2007. The need to conduct a further competition will only arise upon the expiry or exhaustion of the current panel.

School Staffing.

750. Mr. Lowry asked the Minister for Education and Science when a review of one teacher schools will be completed; her views on appointing a second teacher to all one teacher schools on the basis of good health and safety practice; the cost of such a measure; and if she will make a statement on the matter. [26384/06]

Minister for Education and Science (Ms Hanafin): The review of the one-teacher schools is ongoing. As part of the review, Inspectors of my Department have been asked to submit reports on the individual schools involved. These reports on the individual schools involved are expected to be available shortly. Discussions will be held with representatives of the interested par-
ties when all of the reports have been received and considered.

Sections 14, 15 and 23 of the Education Act, 1998 assign each Board of Management and Principal Teacher responsibility for the day-to-day management of schools at both primary and post-primary level. Principals should organise supervision for the order and general behaviour of pupils during school hours. In particular, they should organise and participate in the effective supervision of the pupils during breaks, lunch-breaks, assembly and dismissal.

Rules 121(4) and 124(1) of the Rules for National Schools and Section 23(2) of the Education Act 1998 oblige teachers to take all reasonable precautions to ensure the safety of pupils and to participate in supervising pupils when the pupils are on school premises, during school time and/or on school activities. Accordingly, the responsibility of all teachers individually and collectively to provide a duty of care at all times towards the pupils in the school in which they teach, including periods of supervision, remains. Special needs assistants, who may be assigned to schools to cater for pupils with significant care needs, may be required to assist such pupils, if appropriate.

In accordance with the Safety, Health and Welfare at Work Act 1989, it is the responsibility of individual school management authorities to have a safety statement in place in their schools. The Statement should identify potential hazards, assess the risks to health and safety and put appropriate provision in place to safeguard the safety and health of employees and pupils. The Safety Statement should be reviewed on a regular basis.

The cost of the measure referred to by the Deputy can only be determined when the reports referred to above have been received and considered.

Psychological Service.

751. Ms Enright asked the Minister for Education and Science the number of primary school children awaiting an assessment from the National Educational Psychological Service; the average waiting time for such an assessment; and if she will make a statement on the matter. [26385/06]

752. Ms Enright asked the Minister for Education and Science the number of post-primary schoolchildren awaiting an assessment from the National Educational Psychological Service; the average waiting time for such an assessment; and if she will make a statement on the matter. [26386/06]

769. Mr. Durkan asked the Minister for Education and Science her plans to improve the availability of educational psychologists, speech and language therapists, occupational therapists or other support services to all schools throughout the country; if her attention has been drawn to the long waiting lists for such services at present; and if she will make a statement on the matter. [26459/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 751, 752 and 769 together.

All primary and post primary schools have access to psychological assessments either directly through my Department’s National Educational Psychological Service (NEPS) or through the Scheme for Commissioning Psychological Assessments (SCPA) that is administered by NEPS and full details of which are available on my Department’s website.

NEPS does not keep waiting lists for assessments of children but in common with other psychological services encourages a staged assessment process, whereby each school takes responsibility for initial assessment, educational planning and remedial intervention, in consultation with their assigned NEPS psychologist. Only if there is a failure to make reasonable progress in spite of the school’s best efforts, will a child be referred for individual psychological assessment. This system allows the psychologists to give early attention to urgent cases and also to help many more children indirectly than could be seen individually.

Children who manifest very special or urgent needs in school and who have not been previously assessed by a psychologist and are brought to the attention of a NEPS psychologist by the Principal teacher will usually be assessed by the psychologist within that school term. Normally, principals of schools prioritise those children in need of psychological assessment in consultation with the assigned psychologist.

In the case of schools that do not currently have dedicated NEPS psychologists assigned to them, as I already mentioned, such schools have access to educational psychological assessments through the SCPA. Under this Scheme, schools can commission assessments from a member of the panel of private practitioners approved by NEPS, and NEPS will pay the fees directly to the psychologist concerned.

NEPS provides assistance to all schools and school communities that experience critical incidents, regardless of whether or not they have a NEPS psychologist assigned to them. Also, in relation to all schools, NEPS processes applications for Reasonable Accommodation in Certificate Examinations and responds to queries in relation to individual children from other sections of my Department and from the specialist agencies.

Since the establishment of the NEPS in 1999, the number of NEPS psychologists has increased from 43 to 122 at present. The Public Appoint-
ments Service has concluded a new recruitment competition for the appointment of Educational Psychologists to NEPS. Regional panels have been established to allow my Department give greater priority in filling vacancies to areas with the greatest need. It is expected that a further 9 psychologists will be in place before the end of 2006.

School Closures.

753. Mr. Carey asked the Minister for Education and Science if, further to previous parliamentary questions, discussions have taken place between the trustees of a school (details supplied) in Dublin 11 and her Department regarding the future use of the school when it closes at the end of the school year in 2007; and if she will make a statement on the matter. [26387/06]

Minister for Education and Science (Ms Hanafin): A decision was taken by the Trustees of the school to which the Deputy refers that it will close in June 2007.

Officials in the School Planning Section of my Department are currently reviewing the educational infrastructure in the area and the educational requirements for the medium to long term. When this review is completed a decision will be taken on the discharge or otherwise of the leasehold interest in this property.

Pre-school Services.

754. Mr. Bruton asked the Minister for Education and Science the role of Montessori in developing early childhood education; if her Department has recognised the system for funding and recognised its association as an acceptable regulatory body for developing standards; and the role that she foresees for Montessori in the continuing development of services under her Department. [26388/06]

Minister for Education and Science (Ms Hanafin): The Montessori method of education, among other methods within a very diverse sector, is well recognised and respected and contributes significantly to the development of early childhood education in Ireland. This has included involvement in the development of the draft national quality framework for early childhood education recently published by the Centre for Early Childhood Development and Education. St. Nicholas Montessori Teachers’ Association is also represented on the National Childcare Coordinating Committee, to allow it to feed into national childcare and early education policy.

With regard to funding, capital and staffing grants are made available to childcare facilities, including those based wholly or partially on the Montessori model, under the Equal Opportunities Childcare Programme (EOCP) 2000-2006 and the National Childcare Investment Programme (NCIP) 2006-2010 administered by the Office of the Minister for Children (OMC).

St. Nicholas Montessori Teachers’ Association, which promotes the development of Montessori education in Ireland, is one of the seven National Voluntary Childcare Organisations (NVCOs) which receive annual funding from the OMC under the Quality Sub-Measure of the EOCP for the implementation of childcare Action Plans to allow them to expand their activities and membership, to improve collaboration between the NVCOs themselves and to strengthen linkages with other relevant organisations such as the City/County Childcare Committees.

My Department recognises two Montessori qualifications for the purpose of appointment to the following posts in primary schools: resource teaching posts, special classes and special schools. The two recognised qualifications are (i) the three-year full-time course in the Association Montessori Internationale (AMI) College, Mount St. Mary’s, Milltown, Dublin 14 and (ii) the HETAC accredited B.A. in Montessori Education or B.A. (Hons.) in Montessori Education in St. Nicholas Montessori College, Dún Laoghaire. Teachers with Montessori qualifications recognised by my Department are also eligible to work as substitute teachers in mainstream primary schools.

The Teaching Council is the designated authority for recognition of qualifications for the regulated profession of primary teacher. My Department does not regulate qualifications in other early childhood occupations such as preschools and crèches in the private sector or in private schools.

Regulation of standards in the pre-school sector is a matter for the Minister for Health and Children under Section 50 of the Child Care Act, 1991 and inspection of standards is carried out by the HSE Pre-School Services Inspectorate in accordance with the Child Care (Pre-School Services) Regulations, 1996 and the Child Care (Pre-School Services) (Amendment) Regulations, 1997. Montessori education, together with other methods in the early childhood field, will continue to contribute to the development of early childhood care and education services in Ireland.

Developments in this sector will be co-ordinated within the overall policy framework of the Office of the Minister for Children, which was established by the Government last December to bring together and promote close co-operation between the relevant areas of my Department, the Department of Health and Children and the Department of Justice, Equality and Law Reform.

Schools Building Projects.

755. Mr. Crawford asked the Minister for Education and Science the situation regarding the needs of a school (details supplied) where pupils
and teachers are using prefabs up to 30 years old; the plans she has for an extension or a new school; and if she will make a statement on the matter. [26389/06]

Minister for Education and Science (Ms Hanafin): The Property Management Section of the Office of Public Works which acts on behalf of my Department in relation to site acquisitions generally has been requested to source a site for the school in question.

Negotiations for the acquisition of a site are ongoing at present.

As soon as a site has been acquired for the school, the school building project can be considered in the context of the School Building and Modernisation Programme 2006-2010.

756. Mr. Crawford asked the Minister for Education and Science the plans she has to provide a new school to accommodate the growing numbers of pupils attending a school (details supplied) in County Monaghan; when a new school will be provided; and if she will make a statement on the matter. [26390/06]

Minister for Education and Science (Ms Hanafin): My Department has no record of an application for capital funding from the school in question. If the school is in need of additional accommodation to facilitate its growing enrolment the school authority should be advised to contact my Department’s School Planning Section to discuss how best to progress the issue.

Special Educational Needs.

757. Mr. Durkan asked the Minister for Education and Science the position in regard to the opening of the special autism unit at a project (details supplied) in County Kildare; the reason for the delay; her proposals to address the issue; if she and her Department have been in communication with the school authority in an effort to resolve the matter; and if she will make a statement on the matter. [26446/06]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware of my commitment to ensuring that all children including those with autism receive an education appropriate to their needs.

The unit referred to by the Deputy which is designed to cater for up to 12 pupils was completed in 2003. Such an enrolment would attract accommodation not designed for classroom use; if her attention has been drawn to such situations, the way in which she proposes to address the issue; and if she will make a statement on the matter. [26447/06]

Minister for Education and Science (Ms Hanafin): In accordance with the Safety, Health and Welfare at Work, Act 1989, it is the responsibility of school management authorities to have a safety statement in place in their schools. Schools are obliged to identify possible hazards, assess the risks to health and safety and to put appropriate safeguards in place.

In practical terms, individual school authorities are best placed to assess the detail of their own health and safety requirements.

Provision is built into the School Building and Modernisation Programme to enable schools address urgent health and safety problems. Primary schools are given an annual allocation, currently amounting to €3,809 plus €12.70 per pupil, under the grant scheme for minor works which can be used entirely at the discretion of school management to address basic health and safety issues relating to school infrastructure.

The Summer Works Scheme was introduced during 2004 which provides capital grants for small-scale refurbishment works at primary and post-primary schools. The level of funding that is provided is based on the cost estimate provided by the school’s design team at application stage. Responsibility for the delivery of the projects is entirely devolved out to the schools and their design teams. The scope of works covered under this scheme is intended to address Health and Safety issues in all schools as well as improvement works to the existing fabric of the buildings. 485 primary schools will be funded in 2006 under this scheme.

My Department also sets-aside a contingency sum each year to deal with emergency works in primary and post-primary schools, including health and safety works. Urgently required health and safety works relating to asbestos removal, radon mitigation or dust extraction may be grant-aided under the remediation programmes operated by the School Building Section of my Department.

This year alone, €277 million in total will be allocated to primary schools for building works. The new Schools Building and Modernisation Programme 2006-2010 will be underpinned not just by a significant increase in overall funding

has been in further contact with the school authorities.

Health and Safety Regulations.

758. Mr. Durkan asked the Minister for Education and Science if health and safety regulations are achieved by all schools throughout the country with particular reference to accommodation requirements resulting in the occupation of landings, hallways, passageways or other accommodation not designed for classroom use; if her attention has been drawn to such situations, the way in which she proposes to address the issue; and if she will make a statement on the matter. [26447/06]

Minister for Education and Science (Ms Hanafin): In accordance with the Safety, Health and Welfare at Work, Act 1989, it is the responsibility of school management authorities to have a safety statement in place in their schools. Schools are obliged to identify possible hazards, assess the risks to health and safety and to put appropriate safeguards in place.

In practical terms, individual school authorities are best placed to assess the detail of their own health and safety requirements.

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This year alone, €277 million in total will be allocated to primary schools for building works. The new Schools Building and Modernisation Programme 2006-2010 will be underpinned not just by a significant increase in overall funding
but also by major improvements in the administration of the funding. Devolving more funding to local level through the Summer Works Scheme and the Small and Rural School’s initiative will allow schools to move ahead more quickly with smaller projects.

Question No. 759 answered with Question No. 61.

Schools Building Projects.

760. Mr. Durkan asked the Minister for Education and Science when she expects the school building programme to reflect the needs of areas experiencing a rapid increase in population; and if she will make a statement on the matter.

Minister for Education and Science (Ms Hanafin): This Government has invested in the largest school building programme in the history of the State. Between 1998 and the end of 2004, almost €2 billion was invested in school buildings and in the region of 7,500 large and small projects were completed in schools — including 130 brand new schools and 510 large scale refurbishments/extensions. Indeed, funding for school building and renovation projects has increased five-fold since 1997. In 2006, €491 million will be spent on school building projects, compared to just €92 million in 1997. This, in its own right, is an increase of over 9% in real terms on the 2005 allocation.

As the Deputy will be aware, at the end of last year I outlined my spending plans for plans for primary and post primary schools for 2006. With €491 million to be spent on schools buildings, there will be over 1300 projects active in schools all over the country. This significant investment will allow me to continue to progress our major programme of school building and modernisation which includes improving equipment needed for new technologies and ICT.

With regard to rapidly developing areas specifically, my Department prioritises the provision of new and enhanced educational facilities in these areas. The prioritisation criteria for large scale building projects which were revised following consultation with the Education Partners allocates a top priority band 1 rating to school building projects in such areas and the School Building Programme is reflective of this fact. In this regard, I have outlined to the Deputy on a number of occasions details of the projects planned for and/or underway in his own constituency which will bear out this fact.

On top of prioritising projects for rapidly developing areas, radical changes in how projects are planned and managed have also made a major difference in ensuring that provision is delivered in line with or ahead of demand.

I can assure the Deputy that the Government is fully committed to continuing the work that it has started and to consolidating the substantial progress that has already been made to ensure that the needs of schools, regardless of their location, are met as expeditiously as possible.

Education Welfare Service.

761. Mr. Durkan asked the Minister for Education and Science the extent to which her Department engages in dialogue with the relevant section of the Department of Justice, Equality and Law Reform and the Department of Health and Children with a view to addressing the issues of wayward pupils or students; if she has received communications this regard; if she intends to address the issue by way of specific measure; and if she will make a statement on the matter.

Minister of State at the Department of Education and Science (Mr. B. Lenihan): A key focus of the Government’s education policy is to prioritise investment in favour of those most at risk and to optimise access, participation and educational outcomes at every level of the system for disadvantaged groups.

The National Educational Welfare Board (NEWB) was established under the Education (Welfare) Act, 2000 as the single national body with responsibility for school attendance. The NEWB is a statutory agency operating under the aegis of the Department of Education and Science.

The general functions of the NEWB are to ensure that each child attends a recognised school or otherwise receives a certain minimum education. The Board is developing a nationwide service that is accessible to schools, parents/guardians and others concerned with the welfare of young people. For this purpose, Educational Welfare Officers (EWOs) have been appointed and deployed throughout the country to provide a welfare-focused service to support regular school attendance and discharge the Board’s functions locally.

The NEWB through their local EWO has involvement with the Garda Junior Liaison Scheme. There are regular and ongoing contacts made by way of referrals to the HSE where the EWO has concerns regarding the welfare or care of a child. There is also attendance and participation by EWOs at Child Care Conferences and meetings convened by the HSE.

The Board, appointed an expert group in November 2005 to draw up a discussion document on the guidelines for schools on developing Codes of Behaviour. This document will form the basis for a widespread consultation process with schools, parents, education partners, organisations working with children, and critically, children themselves. The feedback from this consultation phase will inform the final Guidelines.

The Guidelines will focus on how schools can deal progressively and inclusively with
Youthreach services instead of putting in place a new service of out of school provision. My Department’s Regional Offices network will compile a comprehensive list of existing alternative educational provision nationwide, which the Behaviour Support Team will analyse. This will in turn provide a capacity to augment existing provision where gaps exist.

The Task Force also recommended that the Section 29 legislation be amended to stress the rights of the compliant majority to learn while at the same time protecting the rights of the persistently disruptive student to an education. It also recommends that the timeframe involved in these appeals be looked at. I have decided to review existing legislation in order to take account of the Task Force recommendations and to bring forward amending legislation as soon as this review is complete.

The report’s recommendations require action and engagement from a wide range of participants in our education system. For my part, as Minister, I have given a clear statement of my commitment to sustained and considered action in dealing with the issue of student behaviour.

At various levels within the schemes and programmes in place to tackle difficulties being experienced by schools, students and families there is cooperation and cross departmental activities to address issues created by wayward behaviour.

### Special Educational Needs.

762. **Mr. Durkan** asked the Minister for Education and Science her proposals to increase the number of special needs teachers, particularly in schools with high pupil/teacher ratios; and if she will make a statement on the matter. [26452/06]

770. **Mr. Durkan** asked the Minister for Education and Science the extent to which she expects to improve the remedial, resource and special needs teaching facilities in mainstream education throughout the country in respect of both teachers, special needs assistants or other facilities required; and if she will make a statement on the matter. [26460/06]

**Minister for Education and Science (Ms Hanafin):** I propose to take Questions Nos. 762 and 770 together.

My Department’s policy is to ensure the maximum possible integration of children with special educational needs (SEN) into ordinary mainstream schools. As the Deputy is aware, a general allocation scheme has been introduced under which mainstream primary schools have been provided with resource teaching hours, based on enrolment figures, to cater for children with high incidence SEN such as dyslexia and those with learning support needs.

The Deputy is also aware that the National Council for Special Education (NCSE), through the local special educational needs organiser...
(SENO), is responsible for processing applications from schools for special needs supports such as resource teaching hours and SNA support for children with low-incidence SEN, on the basis of applications in respect of individual pupils with SEN.

There has been enormous progress made over the past number of years in relation to increasing the number of teachers in our schools who are specifically dedicated to providing education for children with special educational needs. At primary level there are now approximately 5,000 teachers in our primary schools working directly with children with special needs, including those requiring learning support. This compares to fewer than 1,500 in 1998. Indeed, one out of every five primary school teachers is now working specifically with children with special needs.

Under DEIS (Delivering Equality of Opportunity in Schools) the action plan for educational inclusion that I launched in May, 2005, will be a reduction in class sizes to 24:1 at senior level and 20:1 at junior level in the 180 primary schools serving communities with the highest concentrations of disadvantage.

Over the next 2 years, my Department will put 500 extra teachers into primary schools to reduce class size and to tackle disadvantage.

At second level approximately 1,654 whole time equivalent additional teachers are in place to support pupils with special educational needs. This compares to approximately 200 teachers that were in place in 1998 for such pupils. In addition, there are 532 whole time equivalent learning support teachers.

Enormous progress has also been made in relation to increasing the number of special needs assistants (SNAs) who specifically cater for the care needs of children with special educational needs. There are over 7,300 whole time equivalent SNAs in primary and second level schools supporting children with special needs.

I can confirm that I will continue to prioritise the issue of special needs education and, in cooperation with the National Council for Special Education and the education partners, ensure that all children with special educational needs are adequately resourced to enable them to meet their full potential.

**Question No. 763 answered with Question No. 37.**

**Bullying in Schools.**

764. Mr. Durkan asked the Minister for Education and Science the extent to which her attention has been drawn to reports of school bullying and the use of modern communication methods in the course thereof; if she intends to take action to address the issue; and if she will make a statement on the matter. [26454/06]

Minister for Education and Science (Ms Hanafin): I share the Deputy’s concern that any child would feel upset in school because of bullying — be it physical, verbal or cyber and I assure him that supports are in place to enable schools both to prevent bullying and to deal with cases that may arise.

For a start, each school is required to have in place a policy which includes specific measures to deal with bullying behaviour, within the framework of an overall school Code of Behaviour and Discipline. Such a code, developed through consultation with the whole school community and properly implemented, can be the most influential measure in countering bullying behaviour in schools.

My Department has issued guidelines as an aid to schools in devising measures to prevent and deal with instances of bullying behaviour and to increase awareness among school management authorities of their responsibilities in this regard. These guidelines were drawn up following consultation with representatives of school management, teachers and parents, and are sufficiently flexible to allow each school authority to adapt them to suit the particular needs of their school. My Department, through the National Centre for Technology in Education has also developed Policy Guidelines and Advisory Notes for schools and parents which deal with the issues of internet and mobile phone bullying.

The National Educational Welfare Board (NEWB) is at present developing further guidelines for schools on Codes of Behaviour, as provided for under section 23 of the Education (Welfare) Act 2000. Work on the guidelines is at an advanced stage and will be informed by broad consultation. It is envisaged that implementation will commence in the next school year.

Once the NEWB Guidelines are in place, my Department will commence the process of revising and updating its own “Guidelines on Countering Bullying Behaviour”. This review will take into account issues such as legislative developments, the involvement of the support services available to schools, technological advancements such as use of the Internet, e-mail, mobile phones and camera phones and the latest developments in International best practice on dealing with bullying behaviour.

These guidelines, on top of those that are already in place, will provide vital guidance for schools in fulfilling their responsibilities in relation to this issue. The Deputy may also be interested to know that dealing with bullying has also been incorporated in training for principals through the Leadership Development for Schools programme.

I have also stressed to the teacher unions the importance of not just having a written policy on bullying but also ensuring a climate in which it is not tolerated in any form and in which children
know that if they make a teacher aware of bullying that it will be dealt with.

The Deputy will also be aware that the education of students in both primary and post-primary schools in relation to anti-bullying behaviour is part of the SPHE curriculum. SPHE is now a compulsory subject both at primary level and in the junior cycle of post-primary schools. In relation to the Deputy’s query about reports to my Department, there is no requirement for schools to report incidents of bullying to my Department, nor do I believe that this should be the case. Bullying must be tackled at local level. While incidents of bullying are brought to my Department’s attention from time to time, it would take an inordinate amount of time to compile the information requested by the Deputy in relation to the past five years. Responsibility for tackling bullying naturally falls to the level of the individual school as it is at local level that an effective anti-bullying climate must be established. I am, however, anxious to support schools in tackling bullying and it is for that reason that so many supports have been put in place in recent years.

**Pupil-Teacher Ratio.**

765. **Mr. Durkan** asked the Minister for Education and Science when she expects to provide adequate school building as a step towards reducing class sizes and consequently pupil/teacher ratios; and if she will make a statement on the matter. [26456/06]

**Minister for Education and Science (Ms Hanafin):** The pupil teacher ratio at primary level on a national basis (which includes all the teachers including learning support/resource teachers) has fallen from 22.2:1 in the 1996/97 school year to 17.1:1 in 2004/05. Significant improvements have also been made in the pupil teacher ratio at post primary level at national level in recent years. The ratio has fallen from 16:1 in the 1996/97 school year to 13.4:1 in the 2004/05 school year. Recently I announced that I have secured sufficient funding to provide even smaller classes in our primary schools in the next school year, and the Minister for Finance has committed to a further reduction in class size in the following year. Accordingly, over the next 2 years, my Department will put 500 extra teachers into primary schools to reduce class size and to tackle disadvantage. In the context of these developments, I am conscious of the pressures being placed on educational infrastructure. However, I am confident that the published prioritisation for large scale building works, which were revised following consultation with the Education Partners, provides an open and transparent system for addressing not just this accommodation requirement but all of the requirements underlying applications for large scale capital expenditure.

The level of work being done under the schools building programme is at an all-time high. While increased investment is a central reason for this — €500m this year alone — radical changes in how projects are planned and managed have also made a major difference in ensuring that provision is delivered in line with or ahead of demand.

766. **Mr. Durkan** asked the Minister for Education and Science when she expects to be in a position to improve pupil/teacher ratios with a view to in the first instance, addressing those areas currently having pupil/teacher ratios far in excess of the national average; and if she will make a statement on the matter. [26456/06]

**Minister for Education and Science (Ms Hanafin):** As the Deputy will be aware, major improvements have been made in staffing at both primary level in recent years. Next September there will no less than 4000 extra teachers in our primary schools, compared with 2002. Not only is the average class size in our primary schools down to 24, but there is now one teacher for 17 pupils at primary level, including resource teachers etc.

Children with special needs and those from disadvantaged areas are getting more support than ever before to help them to make the most of their time at school.

Indeed, with the thousands of extra primary teachers hired by this Government, recent years have seen the largest expansion in teacher numbers since the expansion of free education. Over the next two school years even more teachers will be put in place both for the above priority areas of disadvantage and special education and also under a reduction in the mainstream staffing schedule.

The staffing of a primary school for a particular school year is determined by reference to the enrolment of the school on the 30th September of the previous school year and by reference to a staffing schedule which is issued annually to all schools. My Department has no plans to change this arrangement.

All primary schools are staffed on a general rule of at least one classroom teacher for every 29 children. Of course, schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school. Next year this is being reduced to 28 children per classroom teacher and in 2007/2008 it will be reduced to 27 children per classroom teacher.

Under the staffing arrangements for primary schools, there is provision for the allocation of an additional post to a school where the school experiences rapid growth in its enrolment. In such cases, an additional post, referred to as a
I propose cation and Science (Mr. B. Lenihan): the matter. [26451/06]

For the current school year the threshold for getting a developing school post was reduced specifically to help schools that are seeing large increases in enrolments each year, as is the case in areas of rapidly increasing population such as County Kildare. 170 such posts have been sanctioned in the 2005/06 school year, compared to 105 in 2004/05.

This Government has shown a clear determination to improve the staffing in our schools and we will continue to prioritise this issue.

**Education Welfare Service.**

767. Mr. Durkan asked the Minister for Education and Science when adequate resources will be provided to the Educational Welfare Board with a view to ensuring that the Board can pro-actively pursue relevant issues; and if she will make a statement on the matter. [26457/06]

771. Mr. Durkan asked the Minister for Education and Science when she expects to provide sufficient staff to ensure the workability of the educational welfare service throughout the country; the number of staff to date employed on a county basis; and if she will make a statement on the matter. [26461/06]

**Minister of State at the Department of Education and Science (Mr. B. Lenihan):** I propose to take Questions Nos. 767 and 771 together.

The National Educational Welfare Board (NEWB) was established under The Education (Welfare) Act, 2000 as the single national body with responsibility for school attendance. The Act provides a comprehensive framework which promotes regular school attendance and tackles the problems of absenteeism and early school leaving. The general functions of the Board are to ensure that every child attends a recognised school or otherwise receives a certain minimum education. The Board is developing, on a continuing basis, a nationwide service that is accessible to schools, parents/guardians and others concerned with the welfare of young people. For this purpose, Educational Welfare Officers (EWOs) have been deployed throughout the country to provide a welfare-focused service to support regular school attendance and discharge the Board’s functions locally. The authorised staffing complement of the Board is 94 comprising 16 HQ and support staff, 5 regional managers, 12 Senior EWO’s and 61 EWO’s. Five regional teams are in place with bases in Dublin, Cork, Limerick, Galway and Waterford. In deploying its service staff, the NEWB has prioritised the provision of services to the most disadvantaged areas and the most at-risk groups. This deployment includes areas designated under the Government’s RAPID programme where an intensive full level of service is provided. Since September 2005 every county in Ireland is served by an educational welfare service. I have been informed by the NEWB that the current average caseload is 138 per officer. The budget allocated to the NEWB for 2006 is €8.15m, with the allocation to the Board having increased by more than 25% since 2004 to support it in delivering on its key objectives. In addition to the NEWB personnel there are some 490 staff, within the education sector, deployed in education disadvantage programmes whose work involves an element of school attendance and significant scope exists for integrated working between these personnel and Educational Welfare Officers. My Department is anxious to ensure that the maximum benefit is derived from these substantial personnel resources. Consequently work is ongoing to develop appropriate protocols for all agencies and services to work together in collaboration and to ensure that optimum use is made of the resources deployed. This government is determined to do all that is possible to ensure that every child gets all the opportunities and support they need to enable them to achieve their potential and participate fully in education. I will be keeping the issue of the NEWB’s staffing and financial resources under review in light of the rollout of services, the scope for integrated working and any proposals that the Board may put to me in relation to clearly identified priority needs. In that regard the draft partnership agreement “Towards 2016” includes provision for an additional 100 posts in total for the NEWB and the National Educational Psychological Service by 2009.

**Psychological Service.**

768. Mr. Durkan asked the Minister for Education and Science the number of assessments carried out under the National Educational Psychological Service in 2005; and if she will make a statement on the matter. [26458/06]

**Minister for Education and Science (Ms Hanafin):** Data on the total number of assessments carried out by my Department’s (National Educational Psychological Service) NEPS psychologists are collated on a school year basis. The most recent school year for which the data have been collated is 2004/2005 and the relevant number is 5,986. Not all assessments involved full cognitive IQ assessments.

In addition to the above number, in the 2005 calendar year, close on 3,500 assessments were carried out under the Scheme for Commissioning Psychological Assessments (SCPA) that is administered by NEPS. Schools that do not currently have NEPS psychologists assigned to them may avail of the SCPA. Under this scheme, the school...
can have an assessment carried out by a member of the panel of private psychologists approved by NEPS, and NEPS will pay the psychologist the fees for this assessment directly.

Question No. 769 answered with Question No. 751.

Question No. 770 answered with Question No. 762.

Question No. 771 answered with Question No. 767.

Question No. 772 answered with Question No. 37.

Schools Refurbishment.

773. Mr. Durkan asked the Minister for Education and Science the position in regard to the provision of extra facilities at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [26463/06]

779. Mr. Durkan asked the Minister for Education and Science if she has received a request for extra facilities required at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [26469/06]

797. Mr. Durkan asked the Minister for Education and Science the extent to which she has examined the request for further facilities at a school (details supplied) in County Kildare; if she expects to make an announcement in this regard; and if she will make a statement on the matter. [26467/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 773, 779 and 797 together.

My Department has no record of applications for the provision of additional facilities from the relevant authorities of the schools referred to by the Deputy.

Schools Buildings Projects.

774. Mr. Durkan asked the Minister for Education and Science the position in regard to the provision of extra facilities at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [26464/06]

Minister for Education and Science (Ms Hanafin): I am pleased to advise the Deputy that a letter issued to the school Authorities on 19 May 2006 giving approval to proceed to stage 3 (detailed plans / costs) of architectural planning. When a response is forwarded to my Department, my Officials will then be in a position to further progress this project.

776. Mr. Durkan asked the Minister for Education and Science the extent of progress to date in regard to the provision of extra facilities at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [26466/06]

Minister for Education and Science (Ms Hanafin): As part of the expansion of the devolved scheme for primary school building works, a grant was sanctioned to enable the management authorities of the school in question to provide additional permanent accommodation.

The initiative allows Board of Management to address their accommodation and building priorities with a guaranteed amount of funding and gives Boards of Management control of the building project.

The building project commenced on site in early May and the necessary documentation to draw down 70% of the funding will be submitted to my Department’s Building Unit within the next few days.

My Department has no request for any further facilities for this school.

777. Mr. Durkan asked the Minister for Education and Science if she has received a request for extra facilities at a school (details supplied) in County Kildare; if she expects to make an announcement in this regard in the near future; and if she will make a statement on the matter. [26467/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that a letter issued to the school Authorities on 16 March 2006 giving approval to proceed to stage 3 (detailed plans / costs) of architectural planning. When a response is forwarded to my Department, my Officials will then be in a position to further progress this project.

778. Mr. Durkan asked the Minister for Education and Science if she has received a request for extra facilities at a school (details supplied) in County Kildare; if she expects to respond to this
780. Mr. Durkan asked the Minister for Education and Science when she expects to respond to the request for extra facilities required at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [26470/06]

781. Mr. Durkan asked the Minister for Education and Science if her attention has been drawn to the need for extra facilities at a school (details supplied) in County Kildare; when she expects to respond to this request; if she expects to make an announcement in this regard in the near future; and if she will make a statement on the matter. [26471/06]

782. Mr. Durkan asked the Minister for Education and Science if her attention has been drawn to the need for extra facilities at a school (details supplied) in County Kildare; when she expects to respond to this request; if she expects to make an announcement in this regard in the near future; and if she will make a statement on the matter. [26472/06]

783. Mr. Durkan asked the Minister for Education and Science the extent to which she has evaluated the requirement of extra facilities at a school (details supplied) in County Kildare; when she expects to make an announcement; and if she will make a statement on the matter. [26473/06]

784. Mr. Durkan asked the Minister for Education and Science if she expects to increase teaching staff numbers at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [26474/06]

School Staffing.

785. Mr. Durkan asked the Minister for Education and Science when she expects to provide the necessary teaching staff at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [26475/06]

Minister for Education and Science (Ms Hanafin): The staffing of a primary school for a particular school year is determined by reference to the enrolment in the school on 30th September of the previous school year and by reference to a staffing schedule. This staffing schedule is outlined in Primary Circular 23/06 which issued to all primary schools recently.

Under the staffing arrangements for primary schools there is provision for the allocation of an additional post where a school experiences rapid growth in its enrolment. In such cases, an additional post, referred to as a developing school post, may be sanctioned provisionally where the projected enrolment at 30th September of the school year in question equals or exceeds a specified figure. If the specified figure is not achieved on 30th September, sanction for the post is withdrawn.

In the current school year the mainstream staffing of the school referred to by the Deputy, comprises of a Principal and 9 mainstream class teachers based on an enrolment of 243 pupils at 30th September, 2004.

The mainstream staffing of the school for the 2006/2007 school year will remain at a Principal and 9 mainstream class teachers based on an enrolment of 248 pupils at 30th September, 2005.

To ensure openness and transparency in the system an independent Appeal Board is now in place to decide on any appeals on mainstream staffing. The criteria under which an appeal can be made are set out in Department Primary Circular 0024/06 which is also available on my Department’s website.

786. Mr. Durkan asked the Minister for Education and Science if she expects to provide the necessary teaching staff at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [26476/06]

Minister for Education and Science (Ms Hanafin): The staffing of a primary school for a
particular school year is determined by reference to the enrolment in the school on 30th September of the previous school year and by reference to a staffing schedule. This staffing schedule is outlined in Primary Circular 23/06 which issued to all primary schools recently.

Under the staffing arrangements for primary schools there is provision for the allocation of an additional post where a school experiences rapid growth in its enrolment. In such cases, an additional post, referred to as a developing school post, may be sanctioned provisionally where the projected enrolment at 30th September of the school year in question equals or exceeds a specified figure. If the specified figure is not achieved on 30th September, sanction for the post is withdrawn.

The mainstream staffing of the school referred to by the Deputy for the current school year is a Principal and five mainstream class teaching posts. This is based on an enrolment of 148 pupils at 30th September 2004. The school was granted two extra mainstream class teachers by Primary Payments Section of my Department for the 2005/2006 school year under developing school criteria on the basis of a projected enrolment of 187 pupils on 30th September 2005.

The mainstream staffing of the school for the 2006/2007 school year will remain at a Principal and seven mainstream class teachers based on an enrolment of 187 pupils at 30th September, 2005.

To ensure openness and transparency in the system an independent Appeal Board is now in place to decide on any appeals on mainstream staffing. The criteria under which an appeal can be made are set out in Department Primary Circular 0024/06 which is also available on my Department’s website.

**Schools Building Projects.**

786. Mr. Durkan asked the Minister for Education and Science the progress to date in regard to the provision of permanent facilities at a school (details supplied) in County Kildare; when she expects the project to proceed; and if she will make a statement on the matter. [26476/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that on the matter. [26509/06]

787. Mr. Durkan asked the Minister for Education and Science the position in regard to the acquisition of a site and provision of a new school (details supplied) in County Kildare; when she expects the project to proceed; and if she will make a statement on the matter. [26507/06]

Minister for Education and Science (Ms Hanafin): I am pleased to advise the Deputy that a suitable site for the school in question has been identified. Contract documents for the purchase of the site are in the process of being signed and are with the Vendor at present.

Progress on the new school development will be considered in the context of the School Building and Modernisation Programme 2006-2010.

788. Mr. Durkan asked the Minister for Education and Science when she expects the provision of the permanent facilities required at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [26508/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that the Design Team has recently been appointed to the proposed building project at the school in question. The architectural planning phase of the new building will commence with immediate effect.

Progression of projects to tender and construction will be considered in the context of the School Building and Modernisation Programme 2006-2010.

789. Mr. Durkan asked the Minister for Education and Science when she expects the provision of the permanent facilities required at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [26509/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that the school in question is on the 2006 School Building and Modernisation Programme 2006-2010.

790. Mr. Durkan asked the Minister for Education and Science the schedule for the provision of the completion of the extra facilities required at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [26509/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that the school in question is on the 2006 School Building Programme and was authorised in March, 2006 to apply for planning permission and fire certificate and to proceed with the preparation of tender documentation for the project.

**Schools Building Projects.**

791. Mr. Durkan asked the Minister for Education and Science the position in regard to the provision of the permanent facilities at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [26510/06]

Minister for Education and Science (Ms Hanafin): I am pleased to advise the Deputy that
a tender was accepted, for the school in question, in May 2006. It is envisaged that the contact will be 12 to 15 months duration.

Question No. 792 answered with Question No. 778.

793. Mr. Durkan asked the Minister for Education and Science her proposals to meet current and future accommodation requirements at a school (details supplied) in County Kildare; when she expects an announcement to be made in this regard; and if she will make a statement on the matter. [26512/06]

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. An advertisement seeking design team consultants will shortly be posted on the public procurement portal: www.etenders.gov.ie

794. Mr. Durkan asked the Minister for Education and Science the position in regard to the carrying out of improvement works to the roof at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [26513/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, the Office of Public Works who is managing the Asbestos Remediation Programme on behalf of my Department. I understand that the contracts for the project have been signed and that work has now commenced on site.

795. Mr. Durkan asked the Minister for Education and Science the position in regard to the overall evaluation of school places at both primary and second level in the Naas, Kill and Sallins area of County Kildare; if she will ensure her Department takes the necessary steps to provide all the facilities required at the earliest possible date having particular regard to population growth; and if she will make a statement on the matter. [26514/06]

Minister for Education and Science (Ms Hanafin): I am aware that Sallins, Naas, and Kill, like many areas located within close proximity to Dublin, continue to experience population growth, a position that almost inevitably places some strain on existing educational provision. However, a range of significant measures has been undertaken by my Department to address the current and future need for pupil places in these areas.

At primary level, an entire new school has been provided at Killashee. In addition, a brand new 16 classroom school together has been provided for Naas together with the provision of temporary accommodation at Scoil Corbáin, St. Conleth’s & St. Mary’s NS and St. Conleth’s Naofa in Naas. Temporary accommodation has also been provided at one of the two nearby national schools at Caragh. On top of this, approval has been given to Gaelscoil Nás na Riogh, Caragh NS and Kill NS for additional accommodation for September 2006. Gaelscoil Nás na Riogh has recently been approved to commence architectural planning for the provision of a new 16-classroom school.

At Sallins National School, a seven classrooms extension is completed and this extension has increased capacity from 9 classrooms to 16 classrooms. An extension to bring the school up to 24 classrooms has commenced architectural planning.

In relation to Kill the Property Management Section of the Office of Public Works has identified a suitable site for a new school. An agreement on price, subject to contract, has been reached. The contract documents were only recently received in the office of the Chief State Solicitor and they are currently being examined there.

Additionally, there are proposals to improve accommodation at St. David’s National School, Two Mile House National School and Caragh National School. The accommodation needs of the national schools at Ballycane, Convent of Mercy in Naas and Scoil Pádraig in Johnstown are also currently being assessed.

At post primary level, the management authority of St. Patrick’s Post Primary School, County Kildare V.E.C., is currently progressing plans to re-locate the school and extend capacity to 1000 pupil places. Additionally, an extension project is under construction at St. Mary’s College, which will increase capacity at the school to 900 pupils. A similar extension is under construction at Meánscoil Iognáid Rí and a further extension at the school is currently in architectural planning.

All of these initiatives represent huge capital investment and demonstrate my commitment to meeting the needs of the area concerned. The School Planning Section of my Department will keep the position under review to ensure that any additional emerging needs are met as expeditiously as possible.

796. Mr. Durkan asked the Minister for Education and Science the extent to which adequate facilities have been provided for at a school (details supplied) in County Kildare having particular regard to scarcity of school places in the area and the need to make the maximum number of places available; and if she will make a statement on the matter. [26515/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, the school to which he refers opened in September
2005. It currently accommodates two junior infant classes. When fully occupied, the school will operate as a two-stream 16-classroom school. To enable it develop in this manner, it can only enrol two junior infant classes annually. This incremental development is common to all newly established schools to ensure that a shortage of accommodation at the school is avoided by an over enrolment in the early stages and crucially, to ensure that the enrolments and staffing levels in other schools in the area, where older pupils would inevitably be drawn, are not adversely affected.

Notwithstanding this position and as an exceptional matter, the school has been given approval to enrol three junior infant classes for the next school year on the grounds that this will not impact negatively on the other schools in question. It has also been allowed to enrol pupils in other classes if a place is not available for such pupils in existing schools. The most recent information suggests that there are some 40 such pupils.

If other eligible pupils move into the area during the new school year, I expect them to be likewise accommodated in the school in question.

Question No. 797 answered with Question No. 773.

Question No. 798 answered with Question No. 778.

799. Mr. Durkan asked the Minister for Education and Science the extent to which she has met or proposes to meet the accommodation or other facility requirements at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [26518/06]

Minister for Education and Science (Ms Hanafin): The Property Management Section of the Office of Public Works, which acts on behalf of my Department in relation to site acquisitions generally, has identified a suitable site for the school in question.

Contract documents, for the site in question, have been received by the Chief State Solicitors Office and are currently being examined.

As soon as the site has been acquired, the school building project can be considered in the context of the School Building and Modernisation Programme 2006-2010.

Pupil-Teacher Ratio.

802. Mr. Durkan asked the Minister for Education and Science the steps she proposes to take to improve the pupil/teacher ratio in the most seriously affected schools in County Kildare; and if she will make a statement on the matter. [26518/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, major improvements have been made in staffing at both primary level in recent years. Next September there will no less than 4000 extra teachers in our primary schools, compared with 2002. Not only is the average class size in our primary schools down to 24, but there is now one teacher for 17 pupils at primary level, including resource teachers etc.

Children with special needs and those from disadvantaged areas are getting more support than ever before to help them to make the most of their time at school.

Indeed, with the thousands of extra primary teachers hired by this Government, recent years have seen the largest expansion in teacher numbers since the expansion of free education. Over the next two school years even more teachers will be put in place both for the above priority areas of disadvantage and special education and also under a reduction in the mainstream staffing schedule.

The staffing of a primary school for a particular school year is determined by reference to the enrolment of the school on the 30th September of the previous school year and by reference to a requested further information, which the Committees’ consultants provided. A planning decision is imminent.

801. Mr. Durkan asked the Minister for Education and Science the schedule for the provision of the new school (details supplied) in County Kildare; when she expects all details arising from the site acquisition to be resolved, planning permission to be awarded and the conclusion of all other procedures associated with such a project; the opening date for the school; and if she will make a statement on the matter. [26520/06]
staffing schedule which is issued annually to all schools.

As you know all primary schools are staffed on a general rule of at least one classroom teacher for every 29 children. Of course, schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school. Next year this is being reduced to 28 children per classroom teacher and in 2007/2008 it will be reduced to 27 children per classroom teacher.

Under the staffing arrangements for primary schools, there is provision for the allocation of an additional post to a school where the school experiences rapid growth in its enrolment. In such cases, an additional post, referred to as a developing school post, may be sanctioned provisionally where the projected enrolment at 30th September of the school year in question equals or exceeds a specified figure. If the specified figure is not achieved on 30th September, sanction for the post is withdrawn.

For the current school year the threshold for getting a developing school post was reduced specifically to help schools that are seeing large increases in enrolments each year, as is the case in areas of rapidly increasing population such as County Kildare. 170 such posts have been sanctioned in the 2005/06 school year, compared to 105 in 2004/05.

This Government has shown a clear determination to improve the staffing in our schools and we will continue to prioritise this issue going forward.

803. Mr. Durkan asked the Minister for Education and Science the action she proposes to take to ensure ready and available access for children at primary and second level whose parents have recently moved to County Kildare having particular regard to classroom overcrowding, pupil/teacher ratios and data available from the National Census of Population and the various County development plans; and if she will make a statement on the matter. [26522/06]

Minister for Education and Science (Ms Hanafin): The demand for additional accommodation in schools has risen significantly over the last number of years mainly due to the rapid expansion in teacher numbers particularly in the area of special needs, the growth in the school-going population in rapidly developing areas including the impact of inward migration and the demands to cater for diversity through the recognition of new Gaelscoileanna and Educate Together schools.

In planning for school provision to meet these demands my Department has adopted an area based approach which involves a public consultation process involving all interested parties. This leads to the production of a blueprint for schools’ development in an area for a timeframe of approximately ten years. The exercise recently completed on the N4-M4 corridor, which includes parts of county Kildare, is an example of this. This structured process will ensure a more proactive approach to school planning than had been the case in the past.

Apart from the area development planning process my Department is also proactively engaged with local authorities on a continual basis in relation to specific areas. This is being done through improved contacts and communication protocols to ensure that the Department is better alerted about new and expanding residential areas and afforded an opportunity to ensure appropriate zoning provision for educational purposes. The preliminary Census will also be useful in this exercise.

My Department prioritises school buildings for rapidly developing areas. This is achieved by assigning them a band one priority rating under the published prioritisation criteria for large scale building projects. Whenever possible, my Department implements a standardised design model or a design and build process to fast track delivery of the buildings themselves. Not alone does this result in speedier delivery of projects but it also achieves savings in design fees and land use arising from the use of the two storey design.

The level of work being done under the schools building programme is at an all-time high. While increased investment is a central reason for this — €500m this year alone — radical changes in how projects are planned and managed have also made a major difference in ensuring that provision is delivered in line with or ahead of demand.

I have outlined to the Deputy on a number of occasions details of the extensive interventions being made by my Department in County Kildare specifically and I want to assure him that the situation there is under constant review to ensure that any newly emerging needs are met as expeditiously as possible.

804. Mr. Durkan asked the Minister for Education and Science if she will review enrolment policy in respect of primary schools in County Kildare which in areas of population growth militates against an improvement in pupil/teacher ratios; and if she will make a statement on the matter. [26523/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, major improvements have been made in staffing at both primary level in recent years. Next September there will no less than 4000 extra teachers in our primary schools, compared with 2002. Not only is the average class size in our primary schools down to 24, but there is now one teacher for 17
Children with special needs and those from disadvantaged areas are getting more support than ever before to help them to make the most of their time at school. Indeed, with the thousands of extra primary teachers hired by this Government, recent years have seen the largest expansion in teacher numbers since the expansion of free education. Over the next two school years even more teachers will be put in place both for the above priority areas of disadvantage and special education and also under a reduction in the mainstream staffing schedule.

The staffing of a primary school for a particular school year is determined by reference to the enrolment of the school on the 30th September of the previous school year and by reference to a staffing schedule which is issued annually to all schools. My Department has no plans to change this arrangement. As you know all primary schools are staffed on a general rule of at least one classroom teacher for every 29 children. Of course, schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school. Next year this is being reduced to 28 children per classroom teacher and in 2007/2008 it will be reduced to 27 children per classroom teacher.

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This Government has shown a clear determination to improve the staffing in our schools and we will continue to prioritise this issue going forward.

805. Mr. Durkan asked the Minister for Education and Science the number of primary and post primary schools throughout County Kildare that have a pupil/teacher ratio in excess of the national average; and if she will make a statement on the matter. [26524/06]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is not readily available in my Department.

Special Educational Needs.

806. Mr. Stanton asked the Minister for Education and Science the mechanisms available to enable dual enrolment to occur to assist special needs students to make the transition from special needs schools to ordinary primary schools by spending a number of days per week in each school; the procedures and assistance involved; and if she will make a statement on the matter. [26601/06]

Minister for Education and Science (Ms Hanafin): My Department does not have a formal policy facilitating dual enrolment. Children with special educational needs may transfer from special schools to special classes attached to ordinary primary school or to mainstream classes where they may attend on a fully integrated basis with the support of the resource teacher and special needs assistant service. In considering such transfers, it would be important to have regard to the professionally assessed needs of the child involved and his or her capacity to function successfully in the more integrated setting. In addition, children with special educational needs in special schools or special classes also attend mainstream classes on a part-time basis in line with their abilities and local arrangements are made by the relevant boards of management.

However, the concept of dual enrolment raises a range of practical issues which require careful consideration. These issues relate to such matters as the manner in which staffing and funding resources allocated in respect of such children should be apportioned between two schools catering for the same pupil for limited periods. Issues relating to capitation funding and entitlement to special transport services would also arise.

The Deputy may be interested to know that my Department is in the process of carrying out a review of special schools and classes. The initial part of the review involves the collection and collation of information and views from relevant schools in relation to the operation of special schools and special classes. The second phase of the review will be managed by the National Council for Special Education and will involve wider consultation with the schools and other partners. It is expected that the issue of dual enrolment will arise as part of this exercise.

School Staffing.

807. Mr. Stagg asked the Minister for Education and Science if her attention has been drawn to the situation arising in a school (details supplied) in County Kildare arising from the loss
of a teacher; the action she intends to take to correct this matter; and if she will make a statement on the matter. [26602/06]

Minister for Education and Science (Ms Hanafin): The staffing of a primary school for a particular school year is determined by reference to the enrolment of the school on the 30th September of the previous school year and by reference to a staffing schedule. This staffing schedule for the 2006/07 school year is outlined in Primary Circular 0023/2006 which was issued to all primary schools.

Based on the enrolment on the 30th September 2005 submitted by the Board of Management of 420 pupils, the staffing of the school in question for the 2006/2007 school year will be a Principal and 15 Mainstream Class Teachers. To ensure openness and transparency in the system an independent Appeal Board is now in place to decide on any staffing appeals. The criteria under which an appeal can be made are set out in Department Primary Circular 0024/2006. The next meeting of the Board will be held in October, 2006. The closing date for receipt of appeals is the 18 October 2006. Appeals must be submitted to Primary Payments Section, Department of Education and Science, Athlone, on the standard application form, clearly stating the criterion under which the appeal is being made. The standard application form is available from Primary Payments Section, Department of Education and Science, Athlone or on my Department's website.

The Appeal Board operates independently of the Minister and my Department and its decision is final. I am sure you will appreciate that it would not be appropriate for me to intervene in the operation of the independent Appeals Board.

School Accommodation.

808. Mr. Durkan asked the Minister for Education and Science the progress to date in regard to meeting the requirements at a school (details supplied) in County Kildare; if the schedule of accommodation drafted by her Department's Inspectorate has been agreed; if she expects to give approval to such proposals in the near future; and if she will make a statement on the matter. [26667/06]

Minister for Education and Science (Ms Hanafin): The building project for the school referred to by the Deputy is at an early stage of architectural planning. Officials from my Department visited the School in question in June of last year to carry out a Technical inspection of the existing accommodation and to assess the needs of the pupils attending the School.

The School authorities have embarked on a major redevelopment programme which is currently at a very early design stage. They are assessing the needs into the future of the residents with special needs on the campus and out-reach facilities and the many support services and industries around them. The School's Design Team are currently preparing a development control plan for the site, of which this school forms part and my Department are awaiting their response before the project can proceed further.

In the meantime a member of my Department's Inspectorate has drafted a schedule of overall accommodation to reflect the current educational needs of the pupils attending the school.

Overseas Missions.

809. Mr. F. McGrath asked the Minister for Defence the nature of the interface between serving Irish officers and the Afghan intelligence services; and if the Irish are facilitating the US Afghan intelligence war against the Taliban. [25572/06]

Minister for Defence (Mr. O'Dea): Seven Irish Defence Forces personnel are currently serving with the UN authorised International Security Assistance Force (ISAF) in Afghanistan. All personnel are stationed in the Kabul area. Three (3) personnel are employed at ISAF HQ while the remaining four (4) personnel are working with the Kabul Multinational Brigade (KMNB).

The three (3) personnel at ISAF HQ hold staff appointments in the information/operations sections and are deployed in planning and administrative type roles. These personnel do not interface with the Afghan intelligence services. The four (4) Defence Forces personnel employed with KMNB are solely engaged in liaison duties between KMNB, the Afghan National Directorate of Security, the Kabul city police and the United Nations Assistance Mission in Afghanistan (UNAMA) and their liaison remit is strictly confined to information exchange concerning security issues directly related to the ISAF mission.

Defence Forces Recruitment.

810. Mr. Kenny asked the Minister for Defence if he has received the review of height requirements for the Defence Forces; if he will change the height requirements for females who wish to join the Defence Forces; if current height requirements are discriminatory; and if he will make a statement on the matter. [25598/06]

Minister for Defence (Mr. O'Dea): I am pleased to say that I have recently received the military authorities report on the minimum height standards for Defence Force personnel prepared in the context of encouraging more women to apply to join the Defence Forces. The report deals comprehensively with the complex issues relating to this matter and as such requires careful consideration.
As the Deputy will be aware from my announcement last Sunday I have reduced the height requirement for entry into both the Permanent Defence Force and the Reserve Defence Force from 162.56cm (5'4") to 157.48cm (5'2") with effect from 1st September 2006. This change, which applies to both males and females, will have the effect of increasing the annual recruitment pool of females from 60% to 90% and males from 97% to 98%.

I must point out that height is not the only issue in encouraging more women to apply to join the Defence Forces and I have recently initiated more general research in this area. To this end, tenders have been received from companies willing to undertake research into the issue of recruitment and retention of women in the Defence Forces. It is intended that the research will test women’s attitudes to military life and a career in the Defence Forces. I envisage that the research will include interviews with currently serving female members of both the Permanent Defence Force and the Reserve Defence Force and members of the general public. The contract will be awarded this week with work commencing next week.

**Departmental Expenditure.**

811. Mr. Kenny asked the Minister for Defence the proposed spending envelopes approved and set out by his Department for the foreseeable future; the broad objectives to be achieved by spending of such financial envelopes; the timescale set out for achievement of targets; and if he will make a statement on the matter. [25975/06]

Minister for Defence (Mr. O’Dea): As indicated in Budget 2006, the capital spending envelopes available to my Department under the Multi-Annual Capital Investment Framework for the period to 2010 are:

<table>
<thead>
<tr>
<th>Year</th>
<th>€m</th>
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<tbody>
<tr>
<td>2006</td>
<td>26</td>
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<tr>
<td>2007</td>
<td>30</td>
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<tr>
<td>2008</td>
<td>35</td>
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<td>2009</td>
<td>40</td>
</tr>
<tr>
<td>2010</td>
<td>45</td>
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</tbody>
</table>

A key element of these arrangements is that they permit the carryover into the following year of unspent capital up to a maximum of 10% of the voted capital allocation. The capital allocation is expended on two programmes: (i) Infrastructural projects comprising new buildings / refurbishment of existing buildings to provide modern accommodation and facilities for the Defence Forces; (ii) Information and Communications Technology projects including the Management Information Framework (MIF). The planned expenditure programme on infrastructural projects over the next five years is a prioritised list from a much larger number of possible projects. It is consistent with Government policy on defence as set out in the White Paper of 2000. A list of the major projects for 2006 is set out as follows:

**Major Building Projects 2006**

- McKee Barracks, Dublin — New Gymnasium
- Aiken Barracks, Dundalk — New Battalion Headquarters
- Monaghan Barracks — Upgrade of Kitchens
- Custume Barracks, Athlone — Provision of Additional Accommodation
- DFTC, Curragh Camp — New Air Defence Regiment Stores
- DFTC, Curragh Camp — Upgrade of Infantry School Facilities
- Naval Base, Haulbowline — Upgrade of Sewage System
- Naval Base, Haulbowline — Upgrade of accommodation for new Naval HQ
- Naval Base, Haulbowline — Refurbishment of offices and workshops
- Casement Aerodrome, Baldonnel — New Avionics Workshop
- Casement Aerodrome, Baldonnel — Upgrade of Sewage System

In relation to ICT projects, the programme provides for the necessary infrastructural underpinning, such as telecommunications devices, computer hardware, software and operating licences, to support the Department and the Defence Forces business management process and also provides funding for new system development. With the MIF in the Department and the Defence Forces now live, the capital programme for ICT will also provide the necessary technical supports for its continual rollout, development and maintenance over the next five years.

**Information Technology.**

812. Mr. Quinn asked the Minister for Defence the information technology purchasing requirements, for both hardware and software, in his Department for the second half of 2006; the requirements for which tender requests have been issued; and if he will make a statement on the matter. [26045/06]

Minister for Defence (Mr. O’Dea): Information technology purchasing requirements for my Department, including Defence Forces requirements, for the second half of 2006 amount to approximately €400,000. These requirements
ensure the continuation of maintenance and support for installed systems, software and hardware and the purchase of PC’s, servers, licences and related items. Many of these are subject to contractual agreements already in place and others will be subject to normal tendering procedure. No tender requests have been issued to date and I am satisfied that existing arrangements fully meet the needs of the Department and the Defence Forces.

813. Mr. Quinn asked the Minister for Defence his Department’s information technology purchasing policy; and if he will make a statement on the matter. [26060/06]

Minister for Defence (Mr. O’Dea): Purchasing policy in relation to ICT services in my Department follows the Public Procurement Guidelines as set out by the National Public Procurement Policy Unit in 2004, the Public Procurement Framework document in 2005, Department of Finance Circulars and Guidelines, military Standard Operating Procedures and other relevant documents, such as the Quigley Report and associated guidelines.

814. Mr. Quinn asked the Minister for Defence the percentage of information technology spend in his Department that went to Irish SMEs in each year from 2002 to date in 2006; the percentage for European Union and European Economic Area SMEs; if systems are in place in his Department’s procurement procedures to give preference to SMEs, such as the weighting system in place in the Local Government Computer Services Board; and if he will make a statement on the matter. [26075/06]

Minister for Defence (Mr. O’Dea): The percentage of information technology spend in my Department that went to Irish SMEs in each year from 2002 to date in 2006 is, on average, 40%, the balance being spent with larger multinational organisations. The percentage for European Union and European Economic Area SMEs in the same period is minimal. There are no systems in place in my Department to give preference to any class of vendor or supplier as this would contravene the published central government procurement guidelines and the requirement for open tendering.

815. Mr. Quinn asked the Minister for Defence the average size of information technology procurement contracts in his Department; the median size of such contracts; and if he will make a statement on the matter. [26090/06]

Minister for Defence (Mr. O’Dea): The average size of information technology procurement contracts in my Department, including the Defence forces, in 2006 currently ranges from approximately €300,000 for larger contracts to €100,000 for medium contracts and €25,000 for smaller contracts. The median size of such contracts is currently about €35,000.

816. Mr. Quinn asked the Minister for Defence the steps he is taking to support the development of the indigenous software industry through his Department’s public procurement process; and if he will make a statement on the matter. [26105/06]

Minister for Defence (Mr. O’Dea): In line with public procurement policy as outlined at central government level, and to achieve maximum value for money, my Department engages in open tendering to the greatest possible extent. This requires advertising in the EU Journal and extensive use of the e-tenders website to enable a wide range of responses from interested vendors. Within these parameters, the Irish information and communications sector in general is a beneficiary of Defence expenditure, but it should be noted that my Department, including the Defence Forces, does not give preferential treatment to any particular company. This is in line with public procurement requirements. Exceptions to this procedure occur only when a single source of supply is available and I am satisfied that equal competitive opportunity is given to all vendors who transact business with my Department.

Overseas Missions.

817. Mr. F. McGrath asked the Minister for Defence his views on this Deputy’s concerns regarding Ireland’s neutrality position in relation to integrating the Army into EU Battle groups as a part of US/EU military structures; and if this is a clear breach of Ireland’s neutrality. [26118/06]

Minister for Defence (Mr. O’Dea): As the house is aware, Ireland is currently in discussion with Sweden, regarding our participation in the Nordic Battle group. Our participation in the Battle group, concept in no way weakens or undermines Ireland’s traditional policy of military neutrality. Ireland’s participation in EU-led peace support operations, including operations which may be undertaken by Rapid Response Elements/Battle groups, is entirely consistent with our foreign policy commitment to collective security, which recognizes the primary role of the UN Security Council in the maintenance of international peace and security and our tradition of support for the United Nations. Indeed, this is a position endorsed by the UN Secretary General. A commitment to a Battle group, does not involve any commitment to common or mutual defence. In addition, any participation by Ireland in a Battle group, peace support operation will continue to be bound by the Triple Lock of UN, Government and Dáil approval. There are no EU/US military structures as referred to by the
Deputy and EU Battle groups, have no relationship with US military structures.

Defence Forces Reserve.

818. Mr. Allen asked the Minister for Defence further to Parliamentary Question No. 239 on 14 June 2006, if his attention has been drawn to the difficulties arising for RDF officers assigned on 1 October 2006 to nominal appointments which are located substantive distances from their home addresses; if his further attention has been drawn to the fact that many of the gazetted staff appointments are not operational in the normal training environment; and if his further attention has been drawn to the fact that the new POCAR regulations do not provide for the reality of the situation in which many officers find themselves due to the changes in the location of the appointments rather than the individuals and, therefore, they have not been reimbursed for mileage incurred completing military duties. [26157/06]

Minister for Defence (Mr. O’Dea): The Deputy Chief of Staff (Support) issued comprehensive Administrative Instructions to provide for the filling of appointments in the Reserve Defence Force, to enable the reorganisation of 1st October 2005. Officers volunteered for specific appointments in the establishment and where possible were assigned to their unit and location of preference. The military authorities have informed me that a limited number of Officers were surplus to local establishments due to geographical demographics and were accordingly assigned to a unit nearest their home base.

It is my understanding that a comprehensive consultative process underpinned the reorganisation of the Reserve, that the process had the support of the Representative Associations and had due regard to the concerns of members of the Reserve and the requirements of the new Reserve. The revised DFR R5 (New Series) authorises the payment of motor travel allowances to Officers in respect of privately owned motor cars utilised in the performance of their official authorised duties. Currently, Officers who perform authorised duties, are paid an appropriate allowance per KM and I understand that this revision was broadly welcomed as the previous regulation restricted payment of this allowance to a maximum of two Officers per Company sized Unit.

Water Pollution.

819. Mr. English asked the Minister for the Environment, Heritage and Local Government the processes that are in place to stop water pollution in Meath’s rivers and lakes; the new measures that will be introduced; and if he will make a statement on the matter. [26298/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Primary responsibility among public authorities for the protection and improvement of water quality is assigned to local authorities, in this case Meath County Council. My Department in conjunction with the EPA, local authorities and other agencies is also pursuing a comprehensive range of measures to protect and improve water quality generally in the context of implementation of the Water Framework Directive, the Urban Waste Water Treatment Directive, the Nitrates Directive and related EU legislation.

The Local Government (Water Pollution) Act 1977 (Water Quality Standards for Phosphorus) Regulations 1998 provide for achievement of prescribed water quality standards in rivers and lakes based on phosphorus concentrations or related water quality classifications. The Regulations require that local authorities and the EPA take all such steps as may be appropriate to secure compliance by 2007 with the prescribed standards.

Under the European Communities (Water Policy) Regulations 2003, local authorities are required to take a coordinated approach to water management in respect of whole river basins with a view to preventing any deterioration in the existing status of any waters and achieving at least “good status” in relation to all waters by 2015. In this regard the river basin district projects, led by local authorities and funded by my Department, play a key role. Local authorities are required to bring forward by 2008 proposals for River Basin Management Plans, including comprehensive programmes of measures, to achieve the environmental objectives laid down by the Water Framework Directive.

Details of the wastewater infrastructure schemes currently in progress and planned for County Meath are contained in the Water Services Investment Programme 2005-2007, a copy of which is in the Oireachtas Library. All local authorities have been asked by my Department to produce new assessments of their needs for water services infrastructure and to submit the results to the Department by 31 July 2006. This affords Meath County Council an opportunity to identify any additional infrastructural needs in its area as an input to future phases of the Water Services Investment Programme.

Local Authority Housing.

820. Mr. Quinn asked the Minister for the Environment, Heritage and Local Government the status of the proposal for the introduction of a sale of flats scheme submitted to his office in February 2006 by Dublin City Council; if he has accepted in principle that the scheme will proceed; if heads of a Bill have been drafted; when he expects the legislative changes to be published; if the legislation will be enacted by December
2006; and if he will make a statement on the matter. [25560/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): No further proposal from Dublin City Council in relation to the sale of flats has been received. In December 2005, with the approval of the Government, I announced a New Housing Policy Framework: Building Sustainable Communities. This sets out the key elements of the Government’s vision for housing policy over the coming years. One of these elements is the introduction in 2007 of a new tenant purchase scheme for local authority tenants, which will allow for the sale of local authority flats under certain conditions. Legislation to underpin the new tenant purchase scheme will be made in a Housing (Miscellaneous Provisions) Bill currently being prepared by my Department.

821. Ms B. Moynihan-Cronin asked the Minister for the Environment, Heritage and Local Government the status of an application by Killarney Town Council for funding for the installation of gas heating in apartments; and if he will make a statement on the matter. [25574/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): My Department received an application in April 2006 from Killarney Town Council seeking capital funding for the replacement of a central heating system in a block of apartments. As this is a relatively recently completed development, my Department is seeking further information from the Town Council in relation to the proposal.

Building Regulations.

822. Mr. Kenny asked the Minister for the Environment, Heritage and Local Government the sound proofing requirements for new homes in high density developments; and if he will make a statement on the matter. [25600/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Part E (Sound) of the Building Regulations 1997, and the related Technical Guidance Document E (1997 Edition), sets out minimum requirements in relation to sound insulation in buildings, including new dwellings. Home Bond are carrying out a major study of sound insulation standards in Ireland and selected other EU Member States, which is due to be completed by mid-2007. I intend to initiate a review of Part E and the related TGD E, in the light of the results of the Home Bond Study and in consultation with the Building Regulations Advisory Body (BRAB).

Local Authority Funding.

823. Mr. Fleming asked the Minister for the Environment, Heritage and Local Government when he will announce the amounts available for central heating grants in 2006; and when he will notify the local authorities of their allocations. [25671/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I notified local authorities of their capital allocations for 2006 under the central heating programme in January 2006. A breakdown of the €32 million allocated is set out in the following table.

<table>
<thead>
<tr>
<th>Local Authority</th>
<th>2006 Allocation</th>
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<tbody>
<tr>
<td>Carlow County Council</td>
<td>252,000</td>
</tr>
<tr>
<td>Carlow Town Council</td>
<td>310,000</td>
</tr>
<tr>
<td>Cavan County Council</td>
<td>392,000</td>
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<tr>
<td>Cavan Town Council</td>
<td>168,000</td>
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<tr>
<td>Clare County Council</td>
<td>560,000</td>
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<tr>
<td>Ennis Town Council</td>
<td>196,000</td>
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<tr>
<td>Cork City Council</td>
<td>2,800,000</td>
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<tr>
<td>Cork (North) County Council</td>
<td>1,120,000</td>
</tr>
<tr>
<td>Fermoy Town Council</td>
<td>106,400</td>
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<tr>
<td>Macroom Town Council</td>
<td>112,000</td>
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<tr>
<td>Mallow Town Council</td>
<td>369,600</td>
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<tr>
<td>Cork (South) County Council</td>
<td>1,433,600</td>
</tr>
<tr>
<td>Kinsale Town Council</td>
<td>84,000</td>
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<td>Midleton Town Council</td>
<td>283,200</td>
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<td>Youghal Town Council</td>
<td>150,000</td>
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<td>Cork (West) County Council</td>
<td>520,800</td>
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<td>Cobh Town Council</td>
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<td>Dún Laoghaire-Rathdown</td>
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<td>Tralee Town Council</td>
<td>448,000</td>
</tr>
<tr>
<td>Kildare County Council</td>
<td>225,000</td>
</tr>
<tr>
<td>Athy Town Council</td>
<td>94,500</td>
</tr>
<tr>
<td>Kilkenny County Council</td>
<td>280,000</td>
</tr>
<tr>
<td>Kilkenny Borough Council</td>
<td>270,000</td>
</tr>
<tr>
<td>Laois County Council</td>
<td>280,000</td>
</tr>
<tr>
<td>Leitrim County Council</td>
<td>225,000</td>
</tr>
<tr>
<td>Limerick City Council</td>
<td>675,000</td>
</tr>
<tr>
<td>Limerick County Council</td>
<td>1,120,000</td>
</tr>
</tbody>
</table>
Local Authority Housing.

824. Mr. Fleming asked the Minister for the Environment, Heritage and Local Government his views in relation to whether or not people who purchase houses under the shared ownership scheme should have the option to purchase same under a variable interest rate or a fixed interest rate; and if he will take action to deal with this matter. [25672/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 824 and 825 together.

Under the terms of the Affordable Housing Scheme, a person may opt for a variable rate of interest or a fixed rate for a period of five years from the date of the loan advance. At the end of the fixed rate period, a borrower may fix for a further five years or change to a variable rate. The terms of the Shared Ownership Scheme provide that the rate of interest is variable for the mortgage term. Borrowers with local authority affordable housing or shared ownership loans have the option of redeeming the loans and refinancing them in the private sector with fixed or variable rate mortgages.

While I am satisfied that the terms available to local authority borrowers are satisfactory and that the rates of interest are favourable in comparison to standard market variable or fixed rates, I will keep the arrangements for both schemes under review in consultation with local authorities and the Housing Finance Agency.

Local Authority Funding.

825. Mr. Fleming asked the Minister for the Environment, Heritage and Local Government the amount of funding allocated in 2006 to each community and voluntary forum broken down by each local authority area; and if he will make a statement on the matter. [25673/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Allocations made by my Department to local authorities in 2006, to support the work of the Community and Voluntary Fora in their respective areas, are set out in the table below. To date allocations have been made to 30 of the 34 County and City Councils. Allocations to the remaining four local authorities will be made following receipt and consideration of additional information sought from the authorities concerned.

<table>
<thead>
<tr>
<th>Local Authority — County / City Council</th>
<th>Allocation 2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carlow</td>
<td>€ 25,750</td>
</tr>
<tr>
<td>Cavan</td>
<td>€ 31,200</td>
</tr>
<tr>
<td>Clare</td>
<td>€ 31,200</td>
</tr>
</tbody>
</table>
Local Authority — County / City Allocation 2006

<table>
<thead>
<tr>
<th>Local Authority — County / City Council</th>
<th>Allocation 2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cork City</td>
<td>42,060</td>
</tr>
<tr>
<td>Cork County</td>
<td>68,300</td>
</tr>
<tr>
<td>Donegal</td>
<td>42,060</td>
</tr>
<tr>
<td>Dublin City</td>
<td>112,060</td>
</tr>
<tr>
<td>Dún Laoghaire/Rathdown</td>
<td>53,650</td>
</tr>
<tr>
<td>Fingal</td>
<td>53,650</td>
</tr>
<tr>
<td>Galway City</td>
<td>31,200</td>
</tr>
<tr>
<td>Galway County</td>
<td>42,060</td>
</tr>
<tr>
<td>Kerry</td>
<td>42,060</td>
</tr>
<tr>
<td>Kildare</td>
<td>42,060</td>
</tr>
<tr>
<td>Kilkenny</td>
<td>31,200</td>
</tr>
<tr>
<td>Laois</td>
<td>31,200</td>
</tr>
<tr>
<td>Leitrim</td>
<td>25,750</td>
</tr>
<tr>
<td>Limerick City</td>
<td>31,200</td>
</tr>
<tr>
<td>Limerick County</td>
<td>42,060</td>
</tr>
<tr>
<td>Longford</td>
<td>22,250</td>
</tr>
<tr>
<td>Mayo</td>
<td>42,060</td>
</tr>
<tr>
<td>Meath</td>
<td>42,060</td>
</tr>
<tr>
<td>Monaghan</td>
<td>31,200</td>
</tr>
<tr>
<td>North Tipperary</td>
<td>31,200</td>
</tr>
<tr>
<td>Offaly</td>
<td>31,200</td>
</tr>
<tr>
<td>South Tipperary</td>
<td>31,200</td>
</tr>
<tr>
<td>Waterford City</td>
<td>25,750</td>
</tr>
<tr>
<td>Waterford County</td>
<td>31,200</td>
</tr>
<tr>
<td>Westmeath</td>
<td>31,200</td>
</tr>
<tr>
<td>Wexford</td>
<td>42,060</td>
</tr>
<tr>
<td>Wicklow</td>
<td>42,060</td>
</tr>
</tbody>
</table>

In order to facilitate an early start to the local authority campaigns in respect of the 2007/8 Register, my Department has distributed stocks of registration forms to the authorities and they have been asked to proceed with their campaigns as soon as possible.

Local Authority Housing.

828. Mr. Gilmore asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that many couples who cannot afford to buy a home on the open market are deemed as being ineligible for affordable housing schemes due to the way the income test is calculated for duel-income families; if his attention has further been drawn to the fact that this is creating a particular group of people with incomes that fall between being eligible for affordable housing and earning enough to get a mortgage which will allow them to buy on the open market. [25716/06]

829. Mr. Gilmore asked the Minister for the Environment, Heritage and Local Government if he intends to review the way in which the income test for the affordable housing schemes is calculated for two-income households. [25717/06]

830. Mr. Gilmore asked the Minister for the Environment, Heritage and Local Government if he intends to review earnings limits for eligibility under affordable housing schemes in view of the continuing escalation of house prices. [25718/06]

831. Mr. Gilmore asked the Minister for the Environment, Heritage and Local Government if he intends to set down higher limits for the income test for those who wish to buy in areas such as Dublin and its surrounds under the affordable housing schemes. [25719/06]

Register of Electors.

827. Ms O. Mitchell asked the Minister for the Environment, Heritage and Local Government the additional resources which are being given to local authorities to ensure the electoral registers are up to date, in view of the increase in population in building and in mobility generally; when the promised work to improve the quality of the register will commence; and if he will make a statement on the matter. [25703/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In law, the preparation of the Register of Electors is a matter for each local registration authority. It is their duty to ensure, as far as possible and with the co-operation of the public, the accuracy and comprehensiveness of the Register. I recently announced a package of measures, to be implemented over the coming months, aimed at assisting local authorities improve the Register. The measures include the use of Census enumerators or other temporary personnel to support local authorities in preparing the next Register. I am also prepared to make increased, ring fenced financial resources available to local authorities this year to update the Register; the details involved are being examined at present.

In order to facilitate an early start to the local authority campaigns in respect of the 2007/8 Register, my Department has distributed stocks of registration forms to the authorities and they have been asked to proceed with their campaigns as soon as possible.

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 828 to 831, inclusive, together.

The income eligibility and loan limits for the Shared Ownership and 1999 Affordable Housing Schemes were reviewed and increased with effect from 1 January 2006. The maximum loan that can be advanced by local authorities for the acquisition or construction of a house irrespective of location increased to €185,000 while the income eligibility for a single income household increased to €40,000 and to €100,000 for a two-income household. The formula used in the case of a two-income household treats borrowers’ incomes in much the same way as commercial lending agencies do when assessing loan affordability. This approach has operated effectively and equitably since its introduction and is designed to meet the needs of clients.
Those with incomes greater than the limits mentioned above may be eligible for affordable housing provided under Part V of the Planning and Development Act 2000-2004 or the Affordable Housing Initiative. Eligibility for these schemes is determined on the basis that a person’s income is insufficient to meet the mortgage repayments on a house suitable to their needs. In addition, a number of commercial lending agencies provide mortgage finance for affordable applicants. These mortgages may be in excess of €185,000 where this is warranted. Accordingly, the housing needs of couples referred to in the Questions can be met through these schemes. I have no proposals to introduce changes to the loan and income limits but will continue to keep all aspects of both under review to ensure they are meeting the needs of prospective clients.

Vehicle Registration.

832. Ms Shortall asked the Minister for the Environment, Heritage and Local Government the number of vehicles under licence in 2005 with a breakdown for the number of private cars, motor cycles and goods vehicles. [25720/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The information requested is set out in the following table:

<table>
<thead>
<tr>
<th>Taxation Class</th>
<th>Number of vehicles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Cars</td>
<td>1,662,157</td>
</tr>
<tr>
<td>Motor Cycles</td>
<td>34,300</td>
</tr>
<tr>
<td>Goods Vehicles</td>
<td>286,548</td>
</tr>
<tr>
<td>Other Vehicles</td>
<td>155,675</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2,138,680</strong></td>
</tr>
</tbody>
</table>

Local Authority Funding.

833. Mr. Wall asked the Minister for the Environment, Heritage and Local Government if local authorities can make applications to his Department for funding for skate board facilities; if not, his plans to re-introduce such funding; and if he will make a statement on the matter. [25813/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In May 2005, I introduced a new initiative for the provision of skateboard facilities by local authorities. Each City and County Council was invited to submit expressions of interest for grant assistance towards the provision of a skateboard park in its area. Applications were assessed in my Department in conjunction with the National Children’s Office and some 21 projects in 21 different local authority areas were recommended for grant aid. A sum of €1 million had initially been earmarked for the scheme in 2005 but, in light of the number and quality of submissions received, I approved all 21 projects in November 2005 and increased the funding allocation to over €2 million which is expected to be spent over a two year period.

The position regarding the provision of the 21 approved projects is being monitored by my Department and the question of inviting further proposals from local authorities will be kept under review in the light of progress with the 2005 scheme.

Water and Sewerage Schemes.

834. Mr. Eoin Ryan asked the Minister for the Environment, Heritage and Local Government if he has received an update on the smell emanating from the sewage works in Dublin South-East; and if he will make a statement on the matter. [25894/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The operation of the regional wastewater treatment plant in Ringsend is the responsibility of Dublin City Council and my Department has no direct function in the matter. However, I understand that remedial measures to deal with odour issues are being carried out by the plant operators on behalf of the City Council.

Factory Closures.

835. Mr. Wall asked the Minister for the Environment, Heritage and Local Government if he has been notified of environmental difficulties arising from the closure of Mallow and Carlow sugar factories; and if he will make a statement on the matter. [25894/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I am not aware of any particular environmental problems arising from the closure of the factories concerned. As the manufacture of sugar is an activity to which the Integrated Prevention and Pollution Control system applies, the necessary environmental controls will be catered for by IPPC licensing or in the context of an application for the surrender of a licence.

Decentralisation Programme.

836. Mr. O’Shea asked the Minister for the Environment, Heritage and Local Government the position regarding the decentralisation of a section of his Department; and if he will make a statement on the matter. [25900/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Under the Government’s decentralisation programme all Dublin based operations of my Department are being decentralised, with the exception of Met Éireann, ENFO, the Private Rented Tenancies
Board and a small co-ordination section which it is proposed to retain in Dublin to assist with the Department’s Dáil and other business. The programme involves the relocation of my Department’s operations to four locations in the South East: Wexford, Waterford, New Ross and Kilkenny.

Implementation plans, setting out the issues to be addressed in implementing the Decentralisation Programme for this Department, have been submitted to the Decentralisation Implementation Group. These plans are also published on my Department’s website at www.environ.ie. At this stage a total of 228 staff, in respect of 661 posts to be decentralised and which are fillable through the CAF, have confirmed their availability to decentralise to the South East. 101 of these are now in the Department and the process of agreeing arrangements for the early transfer of the others to the Department has commenced. My Department is continuing the process of contacting other staff who applied for one of the four locations as a second or subsequent choice or who applied after 7 September 2004 — the date for receipt of priority applications.

In relation to property requirements I announced earlier this year that my Department had reached agreement with OPW on the site for its headquarters in Wexford, which will be acquired from Wexford Borough Council. The OPW has also identified a suitable site in Waterford City for the Department’s offices and purchase terms have been agreed with Waterford City Council, subject to the approval of the elected members. The indicative timescale provided for the completion of the headquarters is Quarter 3 2008 and mid 2009 for offices in Waterford. As regards the remaining two locations the OPW is evaluating site options at present.

Urban Renewal Schemes.

837. Mr. Durkan asked the Minister for the Environment, Heritage and Local Government if proper car parking will be provided for in Kilcock in the context of the urban renewal works having particular regard to the needs of those who use train or bus to commute; and if he will make a statement on the matter. [25949/06]

Departmental Expenditure.

838. Mr. Kenny asked the Minister for the Environment, Heritage and Local Government the proposed spending envelopes approved and set out by his Department for the foreseeable future; the broad objectives to be achieved by spending of such financial envelopes; the timescale set out for achievement of targets; and if he will make a statement on the matter. [25976/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Since 2004, the Capital Investment Framework Agreement between my Department and the Department of Finance sets out aggregate capital provisions for the Department for rolling five-year periods. The most recent envelope covering the period 2006 to 2010 was announced in Budget 2006 and is valued at €10.33 billion. Under the Agreement my Department can operate a carryover facility of up to 10 per cent of the current year’s voted capital allocation (€189m in the case of DoEHHLG for 2006) and also has the latitude, in consultation with the Department of Finance, to change the composition of the capital provision where necessary.

The approved capital envelope will underpin the objectives of my Department’s various capital programmes including Housing, Water Services and Non-national Roads, as set out in its published Statement of Strategy 2005-2007. In turn this is focused on the continuing goal of promoting sustainable development and improving the quality of life through protection of the environment and heritage, infrastructure provision, balanced regional development and good local government.

The introduction of capital envelopes is a welcome advance in the estimates process, enabling my Department to take a longer-term view of its capital programmes and to address the needs of these programmes on a considered and structured multi-annual basis.

Minister for the Environment, Heritage and Local Government (Mr. Roche): Under Part 8 of the Planning and Development Regulations 2001 my Department must be notified by a local authority where it appears that a proposed development by the authority would impact on such items as a protected structure, features of ecological or historical interest, a national monument, etc. or have significant effects in relation to nature conservation. My Department has been consulted by

Special Areas of Conservation.

839. Dr. Cowley asked the Minister for the Environment, Heritage and Local Government the reason Ballina Urban District Council has encroached upon a special area of conservation (details supplied) for a car park; his views on whether this is acceptable; and if he will make a statement on the matter. [26002/06]
Ballina Town Council in this case and is preparing a response.

**Coastal Protection.**

840. **Mr. F. McGrath** asked the Minister for the Environment, Heritage and Local Government if he will protect and care for the health and management of the greater coastal area of Dublin Bay by including (details supplied). [26003/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I refer to the reply to Question No. 987 of 25 April 2006. The waters of Dublin Bay, along with the rivers that drain into it and the associated coastal waters and groundwaters, form part of the Eastern River Basin District for the purposes of the Water Framework Directive. Dublin City Council is the coordinating authority for the preparation of a single river basin management plan which must be prepared and adopted in relation to the District by 2009 by all the relevant local authorities.

Dublin City Council has a policy objective in its development plan to prepare a plan for part of Dublin Bay which will identify and determine the Bay’s role as an economic, amenity, recreational, environmental and ecological resource. The City Council, in conjunction with the steering group, intend to commission a wide-ranging study of Dublin Bay, including the Port area, with the aim of identifying and agreeing with key stakeholders a guiding framework for its future overall development. The tender process for the study has commenced, with expressions of interest invited by 10 July.

I also understand that the Dublin Regional Authority is proposing to establish a Dublin Bay Association with a view to producing a Masterplan for Dublin Bay, including the Port area. As an initial step in the process, the Dublin Regional Authority recently organised a series of discussion fora for consideration of the various issues involved. The City Council and Regional Authority will coordinate activities in this regard. My Department will continue to liaise with other relevant Government Departments, agencies, local authorities and regional authorities in this matter.

**Water and Sewerage Schemes.**

841. **Mr. Timmins** asked the Minister for the Environment, Heritage and Local Government the situation regarding an application by Wicklow County Council for funding for a new water sewage scheme at Dunlavin, County Wicklow; if he will provide this Deputy with a copy of all correspondence between the council and his Department on the matter; and if he will make a statement on the matter. [26026/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** The Dunlavin Sewerage Scheme is included in my Department’s Water Services Investment Programme 2005-2007 as a scheme to advance through planning, at an estimated cost of €5.1m. My Department is awaiting a report from Wicklow County Council on the outcome of a review of the Preliminary Report for the scheme that the Council was asked to undertake in September 2005. Copies of the correspondence requested will be forwarded to the Deputy as soon as possible.

**Information Technology.**

842. **Mr. Quinn** asked the Minister for the Environment, Heritage and Local Government the information technology purchasing requirements, for both hardware and software, in his Department for the second half of 2006; the requirements for which tender requests have been issued; and if he will make a statement on the matter. [26046/06]

843. **Mr. Quinn** asked the Minister for the Environment, Heritage and Local Government if he will protect and care for the health and management of the greater coastal area of Dublin Bay by including (details supplied). [26003/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Question Nos. 842 and 843 together.

In accordance with Government decision S180/20/10/0839 of 2nd November 2005 on the Abridged Estimates Volume for 2006, I can confirm that I have reviewed the estimates for consultancy expenditure, including ICT expenditure, in my Department in 2006. All procurement will be undertaken in full compliance with the Department of Finance guidelines. Purchasing requirements that do not fall into the category of external support, are also carried out in compliance with both Department of Finance guidelines on procurement, and internal controls for purchasing and procurement.

The majority of information technology expenditure for the second half of 2006 will be on systems, software, equipment and services that have already been tendered for or are as a result of existing contracts and framework agreements.

844. **Mr. Quinn** asked the Minister for the Environment, Heritage and Local Government the percentage of information technology spend in his Department that went to Irish SMEs in each year from 2002 to date in 2006; the percentage for European Union and European Economic Area SMEs; if systems are in place in his Department’s procurement procedures to give preference to SMEs, such as the weighting system in place in the Local Government Computer Services Board; and if he will make a statement on the matter. [26076/06]
846. Mr. Quinn asked the Minister for the Environment, Heritage and Local Government the steps he is taking to support the development of the indigenous software industry through his Department’s public procurement process; and if he will make a statement on the matter. [26106/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 844 and 846 together.

The detailed breakdown requested is not available in my Department, as information on the status of suppliers is not supplied by them in the format specified in the Question. The majority of my Department’s information technology contracts would not be of an order of magnitude that would be likely to discourage interest from SMEs. Even in larger contracts, my Department generally accommodates subcontracting arrangements and consortia bids as long as all parties and their roles are clearly identified in tender responses. However, in line with public procurement requirements, marks in the evaluation system operated by my Department for IT contracts are potentially available to all participants in the tendering process.

845. Mr. Quinn asked the Minister for the Environment, Heritage and Local Government the average size of information technology procurement contracts in his Department; the median size of such contracts; and if he will make a statement on the matter. [26091/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Based on contracts for hardware and software supply and external support, as well as IT development contracts entered into by my Department over the last 12 months, the average size of information technology procurement contracts is €693,852; and the median is €60,751. All figures are inclusive of VAT. The large disparity between the median and the average is due to a small number of large contracts that relate to the National Vehicle and Driver File.

Question No. 846 answered with Question No. 844.

Registration of Title.

847. Ms Enright asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 245 of 14 June, 2006, if his Department has the correct folio and file plan; the folio number of same; when it will be supplied to the solicitor; and if he will make a statement on the matter. [26124/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I am advised that the Chief State Solicitor’s Office, on behalf of my Department, is continuing to correspond with the landowner’s solicitor and is hopeful of an early resolution to this case.

National Parks and Wildlife Service.

848. Mr. P. Breen asked the Minister for the Environment, Heritage and Local Government the position in regard to communications between the parks and wildlife section and persons (details supplied) in County Clare whose home has been continually flooded since 1994; and if he will make a statement on the matter. [26167/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I understand that there are no outstanding issues between the National Parks and Wildlife Service of my Department and the persons named. My Department is not primarily competent for issues which have been of concern to these persons.

Waste Disposal.

849. Mr. Sargent asked the Minister for the Environment, Heritage and Local Government if he will confirm that the decision has been taken to build a new waste treatment plant for the counties of Limerick, Kerry and Clare; and when this incinerator will commence operation. [26209/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The making of a regional waste management plan, including in regard to the provision of waste management infrastructure, is a matter for the local authorities concerned. While the plan for the Limerick, Clare and Kerry region provides for thermal treatment with energy recovery as part of its waste management strategy, I understand that a proposal has yet to be developed in relation to the provision of a specific facility at any particular location.

Local Government Elections.

850. Mr. Sargent asked the Minister for the Environment, Heritage and Local Government the plans he has or guidelines available regarding the increase in membership of various town and city authorities and the revision of boundaries; and if he will make a statement on the matter. [26212/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The current local electoral areas and the number of members of each county council assigned to each such area derive from the Electoral Area Boundary Committee Reports of 1998. The 2004 local elections took place on the basis of the existing local electoral areas.

The next local elections are due to take place in 2009. Consideration can be given to reviewing
local electoral areas in the light of the Census results when they become available and other relevant factors. There are no proposals at this time to alter the numbers of members of local authorities.

Water and Sewerage Schemes.

851. Mr. McHugh asked the Minister for the Environment, Heritage and Local Government if the treatment plants for two schemes in County Galway which were allowed to proceed to tender can proceed to construction without further reference to his Department in accordance with the new streamlined procurement procedures; and if he will make a statement on the matter. [26226/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): These schemes are part of a grouped project that also includes Leenane and are approved for funding in my Department’s Water Services Investment Programme 2005-2007 under the Rural Towns and Villages Initiative at an estimated cost of €6.67m. I approved Galway County Council’s Tender Documents for the treatment plants last month. Accordingly, it is now open to the Council to invite tenders from a panel of short-listed contractors already in place. My Department’s approval will be required to the award of the contract and the Council’s recommendation in that regard will be dealt with as quickly as possible on receipt.

Waste Disposal.

852. Mr. Kenny asked the Minister for the Environment, Heritage and Local Government the revenue collected to date from charges levied as a result of his implementation of the Waste Electronic and Electrical Equipment regulations; and if he will make a statement on the matter. [26227/06]

853. Mr. Kenny asked the Minister for the Environment, Heritage and Local Government the companies which have been paid to collect, treat and dispose of waste electronic and electrical equipment in an environmentally sound manner; the amount paid to each company; and if he will make a statement on the matter. [26228/06]

854. Mr. Kenny asked the Minister for the Environment, Heritage and Local Government the total amount of waste electronic and electrical equipment; and if he will make a statement on the matter. [26229/06]

855. Mr. Kenny asked the Minister for the Environment, Heritage and Local Government the way in which revenue raised by waste electronic and electrical equipment charges has been spent; and if he will make a statement on the matter. [26230/06]

856. Mr. Kenny asked the Minister for the Environment, Heritage and Local Government if he will make a statement on the implementation of Waste Electronic and Electrical Equipment regulations. [26231/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 852 to 856, inclusive, together.

The United Nations has labelled electrical and electronic waste as one of the world’s fastest growing and most hazardous waste streams. The European Union has enacted the Waste Electrical and Electronic Equipment Directive aimed at bringing the problem under control. On 13 August 2005, Ireland became one of only 3 EU Member States to implement this Directive fully when the Waste Electrical and Electronic Equipment Regulations came into effect.

The arrangements introduced by these Regulations have been hugely successful. In less than 7 months 14,500 tonnes of Waste Electrical & Electronic Equipment were collected for recycling. This included 11,000 tonnes of fridges and freezers and over 1,000 tonnes of old TVs. An annual collection rate of 6.7Kg per person of this problematic waste has been achieved in Ireland, far ahead of our EU target of 4Kg per person by 2008.

As a result of this Government initiative, Ireland is to the fore in terms of recycling waste electrical and electronic equipment and we are now seeing major investments being made in a whole new recycling industry.

There is no levy on electrical and electronic products placed on the market. The WEEE Directive allows producers to show the cost of recovering and recycling “historic” waste i.e. waste arising from electric and electronic products put on the market before 13 August 2005. These costs are referred to as Environmental Management Costs — or EMCs. They are not imposed by, or remitted to, the Government, but are paid by producers to the two collective compliance schemes operating in Ireland, WEEE Ireland and the European Recycling Platform. As schemes are operating under the responsibility of the producers, information on the revenue collected to date is not available in my Department.

The purpose of the EMCs is to enable the schemes to pay for the environmentally sound management of all “historic” household WEEE taken back by retailers or deposited by members of the public at local authority civic amenity sites. The procurement of services to for the collection, treatment and disposal of WEEE in an environmentally sound manner is a matter for the collective compliance schemes concerned. Consequently, information on companies contracted by
the collective compliance schemes and amounts paid to them is not available in my Department.

**European Council Meetings.**

857. Mr. Gilmore asked the Minister for the Environment, Heritage and Local Government his views on the conclusions on waste regulations (details supplied) which were adopted at the EU Environment Council on 27 June 2006; and the meaning of these conclusions in the Irish context. [26232/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I welcome the conclusions adopted at the recent EU Environment Council which build on earlier conclusions adopted during the Irish Presidency in June 2004. The use of economic and market-based instruments such as landfill taxes, environmental levies and pay-by-use is widespread throughout Europe. Their use has been encouraged by the EU and OECD who see this as an important mechanism in tackling pollution.

Where economic instruments are well designed and targeted, case studies show that even quite small changes in price/cost can send strong signals as to desired behaviour. The operation of the plastic bags levy is an excellent example of the impact which such instruments can have in achieving such behavioural change. Under national policy, economic instruments form part of an integrated range of measures — comprising legislation, producer responsibility initiatives, awareness campaigns and the provision of infrastructure — to support the achievement of environmental objectives in terms of promoting waste prevention and facilitating materials recovery and recycling.

In Ireland, the plastic bag and landfill levies have been in place since March 2002 and Pay-by-Use was rolled out nationwide during 2005. These measures have contributed to the success achieved in recent years in the growth in recycling and to a decline in the degree of reliance on landfill. It is a matter for the individual Member States to decide on the extent to which such measures are used.

Significant strides have also been made in recent years in ensuring that the price of waste management activities reflects the costs associated with such activities. Problematic individual waste streams such as packaging, electrical and electronic equipment and farm plastics have been tackled through producer responsibility initiatives which are based on the polluter pays principle and which are now operating successfully in Ireland. Further progress to expand producer responsibility to other waste streams is continuing and my Department is working with the relevant sectors of industry in developing similar initiatives for other waste streams such as tyres, newspaper and batteries.

The overriding environmental aim of these measures is to promote the sustainable use of natural resources, reduce negative environmental impacts and reverse trends in waste generation.

**Water and Sewerage Schemes.**

858. Mr. English asked the Minister for the Environment, Heritage and Local Government when construction work will start on the new reservoir at Castlepollard, County Westmeath; the planned completion dates; and the costing afforded to this scheme. [26273/06]

859. Mr. English asked the Minister for the Environment, Heritage and Local Government when it envisaged that the sewerage treatment plant at Castlepollard, County Westmeath will be upgraded; and if he will make a statement on the matter. [26274/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 858 and 859 together.

The Castlepollard reservoir was twenty-seventh and the Castlepollard Sewerage Treatment Plant was nineteenth on the list of water and sewerage schemes submitted by Westmeath County Council in response to my Department’s request to all local authorities in 2003 to undertake assessments of needs for capital works in their areas and to prioritise their proposals on the basis of the assessments. The priority lists were taken into account in the framing of subsequent phases of the Water Services Investment Programme. Given the rating afforded to these schemes by the Council, it was not possible to include them in the current Programme.

Local authorities have, however, recently been asked to carry out new assessments of needs and to review their water and waste water infrastructural priorities in light of economic, demographic and other developments that have taken place since the previous assessments were completed. New priorities emerging from this process will inform future phases of the Water Services Investment Programme.

860. Mr. English asked the Minister for the Environment, Heritage and Local Government whether a new filtration system will be completed for the water originating from Lough Lene in County Westmeath; and if he will make a statement on the matter. [26275/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Lough Lene Water Supply Scheme is included in my Department’s Water Services Investment Programme 2005 -2007 as a scheme to advance through planning. My Department is awaiting submission by Westmeath County Council of a brief for the appointment of consultants to produce a Preliminary Report for the scheme.

861. Mr. English asked the Minister for the Environment, Heritage and Local Government when contract documents will be prepared for the serviced land initiative in Delvin so that a continuity of water and sewerage services can be
[Mr. English.] guaranteed for these areas in County Westmeath. [26276/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Delvin Sewage Treatment Plant has been approved for funding in my Department’s Water Services Investment Programme 2005 -2007 under the Serviced Land Initiative. I approved Westmeath County Council’s Preliminary Report for the scheme in July 2005 and it is a matter for the Council to complete the preparation of Contract Documents.

Local Authority Funding.

862. Mr. English asked the Minister for the Environment, Heritage and Local Government if he will allocate Meath County Council additional funding to reduce the current spending deficit, especially in the view of the low rate base in Meath; and if he will make a statement on the matter. [26293/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The general purpose grant from the Local Government Fund allocated to Meath County Council for 2006 is some €26 million. This is an increase of 9% over the corresponding grant for 2005 which is well ahead of inflation, is greater than the average increase nationally and is double the amount provided to the Council in 2000. In terms of its net effective valuation, Meath County Council has the eighth largest rate base of all the 29 county councils and in 2006, enjoyed a 15.6% increase in that base over 2005 or a 57% increase over 2000 which is the fourth largest increase of all county councils.

I am satisfied that with these resources, in addition to income available from other sources, the Council has substantial funding to address the service needs of its customers. It is, of course, a matter for the Council itself in the context of its annual budget process to set expenditure priorities and ensure that its finances are in balance.

Grant Payments.

863. Mr. English asked the Minister for the Environment, Heritage and Local Government the grant programmes available from his Department and from agencies under his responsibility; and the deadlines for each programme. [26305/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department administers a small number of grant schemes under which grant assistance is provided directly to applicants and information on these is set out in the table.

My Department provides funding or partial funding for a number of other schemes which are operated directly by local authorities and other agencies under its aegis and to which the public have access. The approval of grants under these schemes, including deadlines for the receipt of application, is a matter for the bodies concerned.

<table>
<thead>
<tr>
<th>Grant Programme Available</th>
<th>Deadlines applicable to programme</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social and Community Facilities Capital Scheme 2006</td>
<td>19 May 2006</td>
</tr>
<tr>
<td>INTERREG IIIA Programme 2000-2006</td>
<td>31 December 2003</td>
</tr>
<tr>
<td>Measure 2.2 — Environmental Protection and Management</td>
<td>No application deadlines</td>
</tr>
<tr>
<td>Thatching Grant</td>
<td>No application deadlines</td>
</tr>
<tr>
<td>Grants to bodies for the provision of advice on housing</td>
<td></td>
</tr>
</tbody>
</table>

Waste Management.

864. Mr. English asked the Minister for the Environment, Heritage and Local Government the plans he has to introduce additional recycling bring centres to the Johnstown, Beechmount, Windtown, Blackcastle areas of Navan in County Meath; and if he will make a statement on the matter. [26312/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The determination of waste management infrastructure requirements is a matter for local authorities in the context of the preparation of the statutory waste management plans provided for in the Waste Management Acts. My Department operates a capital grants scheme in support of certain recycling infrastructure. It is a matter for the local authorities concerned to seek such funding in respect of particular facilities in response to the periodic call for such proposals.

Social and Affordable Housing.

865. Mr. English asked the Minister for the Environment, Heritage and Local Government the number of affordable housing units and affordable sites that will be made available in County Meath within each electoral area for the remainder of 2006; the location of each; the numbers on the list for such schemes; the number of sites and houses that will become available in 2007; and if he will make a statement on the matter. [26313/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Information on planned future activity under the various affordable housing schemes in each local authority area is published in my Department’s Housing Statistics Bulletins, copies of which are available in the Oireachtas Library and also on the Department’s website at www.environ.ie. It is envisaged that many of these
units will become available during 2006 and 2007. However, the detailed information sought in the Question, including data on affordable sites, is not available in advance to my Department.

Disabled Persons Grant Scheme.

866. Mr. English asked the Minister for the Environment, Heritage and Local Government the amount of funding made available to Meath County Council in each of the years 2002 to date in 2006 for the disabled persons grant scheme; the amount of unspent money returned by Meath County Council for the same periods; the reason for this unspent money being returned; and if he will make a statement on the matter. [26314/06]

867. Mr. English asked the Minister for the Environment, Heritage and Local Government the number of applications received for the disabled person grant scheme by Meath County Council in each of the years 2002 to date in 2006; the number of applications granted and refused; and if he will make a statement on the matter. [26315/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 866 and 867 together.

The tabular statement gives details of the combined capital allocation for disabled persons and essential repairs grants notified to Meath County Council annually from 2002 to 2005, the combined expenditure on the schemes in each of those years by the local authority, and the combined capital allocations for both schemes notified to the local authority in 2006. Details of the numbers of disabled persons and essential repair grant applications received, approvals issued, and grants paid over the same period are also indicated.

Over the period 2002 to 2005 the capital allocation to Meath County Council for these schemes was €7,707,000 and actual expenditure notified to the Department by the local authority was €7,786,237. This represents 1,042 projects completed, which allow that number of disabled and elderly persons to remain in their own homes and enjoy improved housing conditions which many of them would otherwise have been unable to afford. The capital allocation notified to Meath County Council for 2006 is €2,043,000 and details of activity on the schemes this year will not be available until early 2007.

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 one-third contribution from the revenue resources of the local authority. The administration of the disabled persons grant scheme is a matter for the local authority concerned within the framework laid down in the regulations, which as far as is practicable, is designed to give an appropriate degree of flexibility at local level.

My Department requests that each local authority examines the level of payments and approvals on both schemes throughout the year with a view to establishing the adequacy or otherwise of their allocations. Requests for increases from authorities whose allocations are proving inadequate are dealt with in the context of the surplus funding available from authorities whose allocation may be surplus to their requirements. Initial requests for funding from local authorities, on which allocations are based, represent the authorities best estimate of the likely level of grant approvals during the year. However, some grant approvals may not subsequently be taken up by applicants. In addition, if there are delays in completing the approved works, either due to a delay in getting contractors or for other reasons, the ultimate spend may arise in later years.

My Department has emphasised to local authorities that they should satisfy themselves that their approved applications are at a sufficiently high level to ensure that payments maturing during the course of the year are adequate to absorb the allocation requested. We will also continue to monitor expenditure patterns for the schemes with the aim of ensuring the maximum utilisation of available resources.

Table: Disabled Persons and Essential Repairs Grants applications received, approvals issued, grants paid, allocations and expenditure for Meath County Council 2002-2006

<table>
<thead>
<tr>
<th>Year</th>
<th>Applications Received</th>
<th>Approvals issued</th>
<th>Grants paid</th>
<th>Allocation €</th>
<th>Expenditure €</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002</td>
<td>396</td>
<td>361</td>
<td>447</td>
<td>2,400,000*</td>
<td>3,086,120</td>
</tr>
<tr>
<td>2003</td>
<td>290</td>
<td>18</td>
<td>279</td>
<td>1,227,000</td>
<td>1,905,703</td>
</tr>
<tr>
<td>2004</td>
<td>329</td>
<td>129</td>
<td>112</td>
<td>1,200,000</td>
<td>1,046,095</td>
</tr>
<tr>
<td>2005**</td>
<td>281</td>
<td>250</td>
<td>204</td>
<td>2,880,000</td>
<td>1,748,319</td>
</tr>
<tr>
<td>2006**</td>
<td></td>
<td></td>
<td></td>
<td>2,043,000</td>
<td></td>
</tr>
</tbody>
</table>

*The allocation for 2002 referred to house purchase and reconstruction loans along with disabled persons and essential repairs grants. All other figures supplied relate to disabled persons and essential repairs grants only.

**Figures supplied for 2005 and 2006 refer to private houses only.
Local Authority Funding.

868. Mr. English asked the Minister for the Environment, Heritage and Local Government if he will provide additional funding to Meath County Council for road speed reduction measures on regional approach roads in Kells, County Meath; and if he will make a statement on the matter. [26324/06]

869. Mr. English asked the Minister for the Environment, Heritage and Local Government if he will provide additional funding to Meath County Council for road speed reduction measures on regional approach roads in Navan, County Meath; and if he will make a statement on the matter. [26325/06]

870. Mr. English asked the Minister for the Environment, Heritage and Local Government if he will provide additional funding to Meath County Council for road speed reduction measures on regional approach roads in Trim, County Meath; and if he will make a statement on the matter. [26326/06]

871. Mr. English asked the Minister for the Environment, Heritage and Local Government if he will provide additional funding to Meath County Council for road speed reduction measures on regional approach roads in Athboy, County Meath; and if he will make a statement on the matter. [26327/06]

872. Mr. English asked the Minister for the Environment, Heritage and Local Government if he will provide additional funding to Meath County Council for road speed reduction measures on regional approach roads in Oldcastle, County Meath; and if he will make a statement on the matter. [26328/06]

873. Mr. English asked the Minister for the Environment, Heritage and Local Government if he will provide additional funding to Meath County Council for road speed reduction measures on regional approach roads in Enfield, County Meath; and if he will make a statement on the matter. [26329/06]

874. Mr. English asked the Minister for the Environment, Heritage and Local Government if he will provide additional funding to Meath County Council for road speed reduction measures on regional approach roads in Summerhill, County Meath; and if he will make a statement on the matter. [26330/06]

875. Mr. English asked the Minister for the Environment, Heritage and Local Government if he will provide additional funding to Meath County Council for road speed reduction measures on regional approach roads in Kilmes- san, County Meath; and if he will make a statement on the matter. [26331/06]

876. Mr. English asked the Minister for the Environment, Heritage and Local Government if he will provide additional funding to Meath County Council for road speed reduction measures on regional approach roads in Dromone, County Meath; and if he will make a statement on the matter. [26332/06]

877. Mr. English asked the Minister for the Environment, Heritage and Local Government if he will provide additional funding to Meath County Council for road speed reduction measures on regional approach roads in Ballivor, County Meath; and if he will make a statement on the matter. [26333/06]

878. Mr. English asked the Minister for the Environment, Heritage and Local Government if he will provide additional funding to Meath County Council for road speed reduction measures on regional approach roads in Longwood, County Meath; and if he will make a statement on the matter. [26334/06]

879. Mr. English asked the Minister for the Environment, Heritage and Local Government if he will provide additional funding to Meath County Council for road speed reduction measures on regional approach roads in Bohernmeen, County Meath; and if he will make a statement on the matter. [26335/06]

880. Mr. English asked the Minister for the Environment, Heritage and Local Government if he will provide additional funding to Meath County Council for road speed reduction measures on regional approach roads in Robinstown, County Meath; and if he will make a statement on the matter. [26336/06]

881. Mr. English asked the Minister for the Environment, Heritage and Local Government if he will provide additional funding to Meath County Council for road speed reduction measures on regional approach roads in Dunderry, County Meath; and if he will make a statement on the matter. [26337/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 868 to 881, inclusive, together.

The carrying out of improvements to non-national roads, including road speed reduction measures, is a matter for the relevant local authority to be funded from its own resources supplemented by State grants provided by my Department.

The Low Cost Safety Improvement Works scheme of grants for non-national roads was...
introduced by my Department in 2000 as an extension of the scheme operated on national roads under the auspices of the National Roads Authority (NRA). The NRA assesses applications for grant assistance under the non-national roads scheme on behalf of my Department. The criteria for grant approval are based on accident data, inspection of sites, locations showing demonstrable hazard and discussions between the local authority and the NRA. Meath County Council submitted seven applications to my Department for consideration for funding under this scheme in 2006, but these did not include any of the locations referred to in the Question. Four of the seven applications submitted by the Council have received grants totalling €133,919 in 2006.

My Department will again be seeking applications under the Low Cost Safety Improvement Works scheme of grants later this year and it will be open to Meath Council to submit applications for consideration for funding under this scheme in 2007.

Local authorities may also use their own resources, as supplemented by my Department's Discretionary Improvement grant, to fund speed reduction measures. In 2006 the total Discretionary Improvement grant allocation to Meath County Council is €798,000. The prioritisation of works to be funded from this grant allocation is a matter for Meath County Council.

Local Authority Funding.

882. Mr. English asked the Minister for the Environment, Heritage and Local Government if he will provide emergency funding to Westmeath County Council to carry out remedial works at the five dangerous narrow bridges on the R395 from Delvin to Castlepollard on health and safety grounds; and if he will make a statement on the matter. [26352/06]

Details of the amending planning scheme may be accessed on the Authority’s website, www.docklands.ie.

Planning Issues.

883. Mr. Gregory asked the Minister for the Environment, Heritage and Local Government if his Department has received a request or communication from the Dublin Docklands Development Authority requesting changes in the planning scheme for the north docklands; if so, the details of a request to increase the height or density for future developments in the docklands area; and if he will make a statement on the matter. [26393/06]
Local Authority Funding.

884. Mr. Sargent asked the Minister for the Environment, Heritage and Local Government the budget he allocates annually by county for the implementation of the European Charter of Pedestrian Rights which has been adopted by various local authorities; and if he will make a statement on the matter. [26394/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The European Charter of Pedestrian Rights refers to various issues relating to the rights of pedestrians, many of which come under the aegis of my colleague, the Minister for Transport.

In so far as roads are concerned, responsibility for national roads is a matter for the relevant local authority in conjunction with the National Roads Authority. My Department has no responsibility for funding national roads. The improvement and maintenance of non-national roads, which would include the provision and maintenance of pedestrian facilities on such roads, is a matter for the relevant local authorities to be funded from their own resources supplemented by State grants provided by my Department.

State aid in 2006 for non-national roads, at almost €558 million, is the highest ever level of funding available and represents a very substantial increase of 13% on last year’s record allocation, or an increase of almost €62.5 million. The 2006 allocation also represents an increase of 313% on the 1994 allocation and an increase of 154% on the 1997 allocation.

While my Department does not provide specific funding to road authorities for the implementation of the European Charter of Pedestrian Rights, the authorities may use a number of the non-national road grant allocations notified to them annually for the provision, improvement and maintenance of facilities for pedestrians on non-national roads. This includes traffic management measures, low cost safety measures, the provision of pedestrian crossings and road traffic signs, and new and improved footpaths. The initial selection and prioritisation of projects to be funded from non-national road grants from my Department is a matter for individual road authorities.

Water and Sewerage Schemes.

885. Mr. Crawford asked the Minister for the Environment, Heritage and Local Government if sufficient funds will be available to Monaghan County Council to provide or upgrade the sewerage facilities in all of the villages and hamlets that are being rezoned in the new County Development Plan for County Monaghan; his views on whether proper sewerage facilities will be necessary if these development plans are to be successful; and if he will make a statement on the matter. [26396/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Details of water schemes in County Monaghan that have approved for funding by my Department are set out in the Water Services Investment Programme 2005 –2007 which is available in the Oireachtas Library. The schemes included in the Programme are derived mainly from regular assessments of needs undertaken by local authorities, at my Department’s request, as an input to the overall strategy for meeting wastewater treatment and collection requirements. Local authorities have recently been requested to carry out fresh assessments of needs and to submit these to my Department by end July 2006. Any new priorities identified by these latest assessments will inform scheme selection under future phases of the Water Services Investment Programme.

My Department’s draft Guidelines for Planning Authorities on Development Plans, which were issued for public consultation in April 2006, are explicit in enjoining regard for the existing and future availability of, or the capacity to provide, infrastructure. The draft guidelines emphasise that while services are not available, zoning for development should only be contemplated where there is a reasonable expectation of the services being provided in the development plan period. Land should not be zoned if there is no reliable prospect of providing key physical infrastructure, such as improved roads, footpaths, drainage and lighting to serve likely future development, within the plan development period or a reasonable time period thereafter.

886. Mr. Crawford asked the Minister for the Environment, Heritage and Local Government the progress towards improved sewerage facilities in each of the towns of Castleblayney, Ballybay and Clones in County Monaghan; when such works will commence; and if he will make a statement on the matter. [26397/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Ballybay, Castleblaney and Clones Sewerage Schemes have been approved for funding in my Department’s Water Services Investment Programme 2005-2007 and are being procured as a grouped project. It is envisaged that construction will commence in 2007.

My Department approved Monaghan County Council’s brief for the appointment of consultants to prepare a Preliminary Report for the three schemes in February 2006. Following receipt and approval of the Preliminary Report in my Department, the Council will be in a position to draw up the Tender Documents for this project.
Non-National Roads.

887. Mr. Crawford asked the Minister for the Environment, Heritage and Local Government the discussions he has had in recent times with his counterpart in Northern Ireland regarding the cross-Border road structures; his views on whether some of these link roads across the border are in need of significant upgrading to accommodate the increased traffic brought about by the change in Border controls and the peace process; and if he will make a statement on the matter. [26398/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The improvement of non-national roads in its area is a statutory function of each road authority in accordance with the provisions of Section 13 of the Roads Act 1993. Accordingly, the improvement of non-national roads in border counties is a matter for the relevant road authority, to be funded from its own resources supplemented by State grants provided by my Department. The initial selection and prioritisation of projects to be funded from non-national road grants from my Department is a matter for individual local authorities.

While I have not had any recent discussions with my counterpart in Northern Ireland on cross-Border road structures, my Department is currently developing a cross-Border collaborative framework between the National Spatial Strategy and the Regional Development Strategy for Northern Ireland. This should facilitate further co-operation on spatial planning and infrastructure provision, including road networks in the Border region.

Water and Sewerage Works.

888. Mr. Naughten asked the Minister for the Environment, Heritage and Local Government the status of the application for funding to upgrade the north-east Roscommon regional water supply; and if he will make a statement on the matter. [26492/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Question No. 243 of 8 June 2006. The Preliminary Report for the scheme is now being examined in my Department in light of the additional information since then submitted by Roscommon County Council. A decision will be conveyed to the Council as soon as possible.

Community Development.

889. Mr. Naughten asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 242 of 8 June 2006, if he will approve funding for the project; and if he will make a statement on the matter. [26495/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): All eligible projects submitted under the Social and Community Facilities Capital Scheme are currently being appraised against the assessment criteria which are set out in guidelines issued to local authorities. When this appraisal process is complete a number of projects will be selected for grant aid. It is envisaged that allocations will be made to successful projects shortly.

Fire Service.

890. Mr. S. Ryan asked the Minister for the Environment, Heritage and Local Government the number of incidents necessitating a call-out by the full-time or retained fire service at Dublin Airport in 2003, 2004 and 2005. [26607/06]

891. Mr. S. Ryan asked the Minister for the Environment, Heritage and Local Government the number of incidents attended by the retained fire service in Malahide, Swords, Skerries and Balbriggan during 2003, 2004 and 2005 attended. [26608/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 890 and 891 together.

The information sought in relation to incidents attended by the Balbriggan, Malahide, Skerries and Swords fire brigades is set out in the table. This information is based on statistics provided by Dublin City Council; my Department does not have information in relation to attendances at specific incidents or at specific locations such as Dublin Airport.

<table>
<thead>
<tr>
<th>Station</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Malahide</td>
<td>199</td>
<td>203</td>
<td>250</td>
</tr>
<tr>
<td>Swords</td>
<td>416</td>
<td>456</td>
<td>452</td>
</tr>
<tr>
<td>Skerries</td>
<td>131</td>
<td>173</td>
<td>193</td>
</tr>
<tr>
<td>Balbriggan</td>
<td>140</td>
<td>197</td>
<td>182</td>
</tr>
</tbody>
</table>

Water Pollution.

892. Mr. Kehoe asked the Minister for the Environment, Heritage and Local Government the way in which the assimilative capacities or rivers are to be determined in relation to new developments with respect to the Local Government (Water Pollution) Act 1977 (Water quality for Phosphorus) Regulations 1998 (S.I. 258 of 1998); if it is on the basis that the prescribed ortho-phosphate levels are never to be exceeded even at low summer flows or if it is the case that the ortho-phosphate levels are not to be exceeded on the basis of the entire annual flow; and if he will make a statement on the matter. [26609/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Local
Government (Water Pollution) Act 1977 (Water Quality Standards for Phosphorus) Regulations 1998 require local authorities and the EPA to take all such steps as may be appropriate to secure compliance by 2007 with prescribed standards of water quality in relation to rivers and lakes. The measures to be taken to meet these standards are determined by local authorities and the EPA acting in accordance with the relevant statutes.

Where the Regulations require the achievement of improved water quality in a river, the prescribed target standard can be achieved on the basis of improved biological quality or median concentration of phosphate. The median concentration is to be determined generally using a minimum of ten samples taken at intervals of four weeks or longer in a 12 month period. The Regulations do not require that the prescribed phosphate concentration levels be achieved on every sampling occasion.

EU Regulations.

893. Mr. Deenihan asked the Minister for the Environment, Heritage and Local Government if the proposals for amendments to Part (3) of the Regulations dealing with nutrient management sent to the Commission on 18 May 2006 have been approved; and if he will make a statement on the matter. [26610/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Representatives of my Department, the Department of Agriculture and Food and Teagasc met with EU Commission officials on 30 May 2006 to discuss the proposals for amending Regulations and significant progress was made at this meeting. Further information was subsequently been forwarded to the Commission and while consultations are ongoing I am hopeful that these can be brought to a successful conclusion shortly.