



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Wednesday, 27 September 2006.

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TUAIRISC OIFIGIÚIL OFFICIAL REPORT

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*Dé Céadaoin, 27 Meán Fómhair 2006.
Wednesday, 27 September 2006.*

Chuaigh an Leas-Cheann Comhairle i gceannas ar 2.30 p.m.

*Paidir.
Prayer.*

Ceisteanna — Questions.

Priority Questions.

Care of the Elderly.

107. **Dr. Twomey** asked the Minister for Health and Children her plans to publish the report of the interdepartmental working group on long-term care; and if she will make a statement on the matter. [29757/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The interdepartmental working group was established to review a number of complex and fundamental policy issues pertaining to long-term care for older people. Some of these issues were the subject of the Mercer report on financing long-term care and the O'Shea review of the nursing home subvention scheme. Following consideration of the group's report, a series of key principles to inform policy was endorsed by the Government and incorporated into the new social partnership agreement, Towards 2016.

These principles include, for example, that there should be one standardised national needs assessment for older people needing care. The use of community and home-based care should be maximised. Sheltered housing options will be encouraged. Where residential care is required, it should be quality care and there should be appropriate and equitable levels of co-payment by care recipients based on a national standardised financial assessment. The level of support for residential care should be indifferent as to whether that care is in a public or private facility. The financial model to support any new arrangements must also be financially sustainable.

That agreement also notes the steps which have already been taken by the Government to improve services for older people this year, including the special funding package of €150 million announced in budget 2006. Reflecting the new emphasis on home and day care, almost three quarters of this funding is being invested in community care supports, such as home care packages, home helps and day and respite care.

The interdepartmental group has continued to meet to help draw up proposals for a new policy on long-term care based on the principles endorsed by Government and the social partners. I plan to bring proposals to Government as soon

[Mr. S. Power.]

as possible. When the Government has finished its consideration, I expect to be in a position to publish the report of the group.

Dr. Twomey: I wish the Minister for Health and Children, Deputy Harney, well for the future. This is her first public appearance since giving up leadership of the Progressive Democrats. It will take a while to get used to addressing her simply as “Minister”. Some people might still consider her the real Tánaiste.

On the question of funding long-term care, the problem is that we have been waiting so long for this report. What is the problem? It was part of the health strategy in 2001, and we have had the Mercer and O’Shea reports since 2003. An inter-departmental group has been working with the Cabinet for the past 12 months, yet the Government still has no policy on funding long-term care. The Minister’s reply was generic, covering various aspects of funding care of the elderly rather than simply long-term care. There is a sense that the Department is all at sea when it comes to looking after the elderly, and that is why we ask what is going on today.

This morning, at a meeting of the Select Committee on Health and Children, the Minister of State, Deputy Seán Power, brought forward legislation on funding services for the elderly. The legislation was full of holes, and discussion on it was unbelievable. The Bill as presented is essentially incapable of being implemented.

The same is true with regard to protecting the elderly. We now learn that the Health Information and Quality Authority, HIQA, legislation also promised for this session will not arrive until next year. That means we do not have a social services inspectorate to protect elderly patients or any clear Government policy on how to look after elderly patients or fund their long-term care. There is a sense that the Department is totally lost and has no idea what is happening.

When the Minister of State stands up, he cannot speak of “complex and fundamental” problems. They must be very complex and fundamental if, after five years of thinking and talking about them, he cannot formulate even the most basic policy. When he produces one, I hope it is nothing like the legislation he presented to the Select Committee on Health and Children this morning.

An Leas-Cheann Comhairle: This is Question Time, and the Deputy should ask a question.

Dr. Twomey: We deserve to see this report and learn what is happening in this regard. If this is being discussed as part of a partnership approach and nothing is coming from the Oireachtas on Government thinking on funding care of the elderly, that is wrong in itself. Has the Minister of State any idea what is going on?

Mr. S. Power: We have plenty of ideas, and the notion that we are all at sea on this could not be further from the truth. It is obvious that we have given the matter extremely serious consideration and that the entire issue has been through the social partnership process. That is one reason it has been delayed to some degree. However, it gives one an understanding of the priority we have accorded the matter. I stated to the Deputy what extra moneys were provided in last year’s budget, particularly for services for older people, and that is having a major impact.

The Deputy mentioned the nursing home subvention scheme that we discussed this morning. People have difficulties, and there are problems regarding the relationship between public and private providers. Several issues were discussed by the group, which has reported to the Government on progress. In turn, the Government has agreed that several principles should inform the next stage of that work. They will include providing an equitable level of State support for residential care, whether it be provided by a public or private facility. We have made a great deal of progress on it, and I hope to report on that within a few weeks.

Dr. Twomey: What we need is progress. We have no social services inspectorate or eligibility legislation, and major problems are being reported daily regarding care of the elderly. If the Minister of State has policy ideas, perhaps he might share them with us. If he has difficulty working them out, Fine Gael will do its best to help him overcome his problems. However, he should share them with the House and not simply the social partners.

Mr. S. Power: We will certainly share our proposals, and if the Deputy has any views or suggestions he wishes to put forward, we will be more than happy to take them on board. He mentioned standards, and it is intended that the Health Bill 2006, whose heads were published for consultation some months ago, should establish the Health Information and Quality Authority. This Bill will also put the social services inspectorate on a statutory basis and will contain provisions to underpin a much more robust inspection system. The chief inspector of social services will be required to monitor against standards set by the Health, Information and Quality Authority for residential services provided to older people, among other categories. We are making considerable progress in the area and providing extra funds to improve existing services.

PPARS Review.

108. **Ms McManus** asked the Minister for Health and Children the status of the review of PPARS; the reasons it is under review; the reasons the date for completion of this review extends beyond the date of the next general elec-

tion; the cost of this review; in view of an ongoing review of this project, her views on the call for tenders on the Government's tenders website for consultants to roll out the PPARS system; and if she will make a statement on the matter.
[29760/06]

Minister for Health and Children (Ms Harney):

I have sought the up to date position on PPARS from the Health Service Executive and it has informed me as follows:

The PPARS system is currently used for recording human resource data for 70,000 HSE staff and is used to pay 30,000 staff each week. The HSE's PPARS project review committee has completed its review. Arising from that, the HSE has decided on a set of actions aimed basically at meeting the requirements of the new unified health service with a single management, rather than those of separate health boards working on an IT project together, which is how the PPARS project started in 1995. These actions involve defining precisely the HSE's human resource, payroll and employee services requirements and maximising the efficiency of the project from its current situation.

This plan of action follows an update to the HSE board from the PPARS review committee, which highlighted that while the project is delivering many benefits, some business issues remain to be resolved. These include the major and ongoing changes since 1995 to the business environment in which the project operates; the need to further standardise processing systems and the need to clarify the project's objectives and scope within the new single structure. It is envisaged that this work will take several months to complete and I am anxious for it to be completed as quickly as possible.

The timing of this work has nothing to do with the general election taking place next summer. To suggest or speculate otherwise is wholly without foundation and an injustice to the HSE board and its management. The estimated costs of the work will have to be determined by the project group being established to progress these actions.

The recent request on the Government's e-tender website related to the HSE's request for assistance with the definition of its information and reporting needs to meet its requirements and obligations under the new unified HSE structure. The assistance being requested does not relate to the further roll-out of the PPARS project, the decision on which is being deferred until the necessary work has been completed.

Ms McManus: This really is a right old mess. It is now generally accepted in the public mind that we have a tax and waste Government. We have seen the waste of money on e-voting and on PPARS, which already is about €130 million. We find that some 30,000 people are being paid using this system at the moment. Does the Minister yet know how many people are employed by the

HSE and what the precise number is? This review follows after a ten-month period of review within the HSE. Why do we need another nine-month review period? I did not create that timescale. The HSE is telling us it will take up to nine months, which takes us beyond the next general election. How much will it cost? Will consultants be employed to carry out this work? At the end of the day what is the benefit in terms of ensuring we have a system, which has already cost the taxpayer enormous sums of money without any significant results?

It seems incredible, after years of PPARS, that the Minister is now reaching a point where a review is to be carried out in the context of a unified system. The HSE is a unified system. We have had a national health executive since 1 January 2005. How is it that at this point we are now facing another review? The Minister will not tell us how much it will cost, but I ask her to say what the budget for it is and whether yet more consultants are to be employed. It seems to me private consultants have made enough money out of this cash cow without shovelling more money at them. Who will do it? How much will it cost? How long will it take? How many people are working within the health service, which is the responsibility of the Minister?

Ms Harney: It was decided to pursue this course in 1995. I do not wish to make a political point, but nobody on this side of the House was in office when this decision was made. It has recently come to light that the money was not appropriately spent at the time. There was a system for the 11 different health boards. The HSE employed outside consultants to conduct its internal review, which cost £99,227 for 94 hours consultancy. In light of that review, it was decided it should not be rolled out until it appropriately specifies what it wants for a unified organisation. The HSE pay 30,000 staff using the system and it has the human resource records of about 70,000 staff. In total, the HSE has about 102,000 staff, when hospital staff are included. That figure can vary from time to time.

Ms McManus: The Minister has not answered the question. We still do not know how many people are employed. She has not told us how much the review will cost. I am talking about the review and the plan to which the Minister referred. Will she employ consultants to carry out that work? We have already spent money on consultants for the review since last November. I remind the Minister that the only reason PPARS was halted was because Professor Drumm took action.

Ms Harney: He appropriately took action. Professor Drumm is the CEO and Accounting Officer of the HSE. I said in my reply that the HSE had gone to tender on this matter, so I cannot speculate on what it will cost until we see

[Ms Harney.]

the outcome of the tender. Even if we had an idea, we would not want to influence the tender by suggesting what it might be. The roll-out of IT is fundamental to reform of the health system, at both hospital level and in community services. We will have to spend a considerable amount of money updating our technology to deliver the health system that everyone expects.

Public Private Partnerships.

109. **Mr. Gormley** asked the Minister for Health and Children if her attention has been drawn to the background of companies involved in public private partnerships; and if she has satisfied herself that the taxpayer will receive value for money from the co-location projects.
[30010/06]

Ms Harney: I presume the question refers to allegations published in a number of newspapers regarding a company which has expressed an interest in operating private hospitals on the sites of public hospitals. The company in question has refuted the charges made in the newspaper articles.

The Health Service Executive is currently engaged in a public procurement process for the co-location of private hospitals on the sites of public hospitals. In view of this, I am not in a position to say anything further about any particular company which may be involved in bidding to build a private hospital on the site of a public hospital. However, I assure the House that bids will be subject to a thorough evaluation by the HSE. There will be a rigorous value for money assessment of any proposal and this will take account of the value of the public site and the cost of any tax expenditure. Any transaction will be on a commercial basis and will fully protect the public interest. In addition, there will be full adherence to public procurement law and best practice. This initiative is designed for one purpose, namely, to achieve up to 1,000 additional public beds at less than half the traditional capital cost. I am fully confident it will achieve this objective and our health services will be enhanced as a result.

Mr. Gormley: I thank the Minister for her reply. She has correctly identified the company in question as Triad, one of the bidders for six co-located hospitals and which is also managing the Beacon Hospital. This company is a subsidiary of an American corporation that pleaded guilty to criminal fraud. This hospital chain, Columbia/HCA, paid a total of €1.7 billion to settle US Government fraud charges. Triad is currently under contract to its parent company for services that include patient accounting, which was the nub of the fraud case taken by the US Government against it. Does this information set off alarm bells for the Minister? In light of this information, does the Minister believe that pro-

viding massive inducements in the form of giving public land to such American companies is the right way forward? Instead of cutting costs, could they increase inordinately if the same pattern occurs here? Hence, while I am aware the Minister believes us to be closer to Boston than Berlin, do we really wish to Americanise our health system so health becomes a commodity to be traded in the market place? The Minister must realise that health is much more than that. It concerns people's well-being and using the market model may be ill-advised.

Ms Harney: Members must be careful not to abuse their privileged rights. The company in question has vehemently denied the Deputy's suggestions. I understand many newspapers, on receiving correspondence from the company, did not continue to report on the story. I am not an advocate for any company. Any company that might be awarded a contract by the Health Service Executive would be obliged to be subjected to a robust due diligence process.

As for co-location, on which another question has been raised, there has been significant expression of interest. On average, there have been approximately six bidders per site, many of which are Irish companies. The entire purpose of that initiative is to provide additional public bed capacity at less than half the cost of using traditional methods. Furthermore, currently the State pays 100% of the capital cost of private beds in public hospitals and staffs them. It pays all the revenue costs while the insurance or self-payers only contribute approximately 45% to 50% of the cost of those beds. From a patient perspective, this does not make sense.

Health care pertains to the provision of high quality services and I do not believe we should have any ideological blinkers as to how that might happen. We have public provision, not-for-profit provision and for-profit provision. For example, the Bon Secours group is a not-for-profit organisation that provides outstanding health care. Hence, it is not the case that we must go exclusively one way or the other. The different methods of funding health services should complement one another provided the criteria are based on quality of service. Quality of service to patients is my only interest.

Mr. Gormley: Does the Minister agree that leaving health care aside, our experience with public private partnerships has been far from rosy and the customer has not benefitted? One needs only to consider the toll roads or the M50 and in my constituency, a public private partnership built a so-called state-of-the-art sewage treatment plant. These projects have not gone to plan and are costing the consumer far more than anticipated. Hence, there is no such thing as a free lunch and the idea that public private partnerships can work out cheaper is a myth. The indisputable evidence regarding this company is that

it is a spin-off from Columbia/HCA, which was forced to sell some of its hospitals to pay its fraud bill. By 2003, Triad Hospital's parent company, if it can be so described, had paid the United States Department of Justice a total of \$1.7 billion, a great deal of money.

Members have already heard references to other projects such as PPARs and I have raised the question of iSoft. We appear to have got off on the wrong foot from the outset. In light of this information, I ask the Minister to remain vigilant. I also ask her to respond to the initial point, namely, that our experience with public private partnerships has not been good.

Ms Harney: We have hardly any experience of public private partnerships. We have experience of public projects being constructed by the private sector. Public private partnerships are about transferring the risk from the public to the private sector, thereby allowing taxpayers' money to be used where one might not attract that kind of interest. As I have frequently noted, the idea that we should fund 100% of the capital cost of private beds in public hospitals and subsequently run them does not make any sense from the perspective of patients in the health care system.

I hold no brief for any company. As for the company in question, I understand the HSE has proceeded to expressions of interest and has not yet awarded any tenders for any co-locations. Obviously, a strict due diligence process is required. However, for fairness, I note the company in question has strongly refuted the allegations made by the Deputy.

Medical Inquiries.

110. **Dr. Twomey** asked the Minister for Health and Children her views on the report into the death of PJ Walsh in Monaghan Hospital; and if she will make a statement on the matter.
[29758/06]

Ms Harney: At the outset, I wish to convey again my sincere sympathy to the Walsh family on the death of Mr. Patrick J. Walsh. Following his death in Monaghan General Hospital on 14 October 2005, the Health Service Executive commissioned Mr. Declan Carey, a consultant surgeon at Belfast City Hospital and an honorary senior lecturer at Queen's University, and Professor John Monson, professor of surgery University of Hull, to carry out an independent and external review.

The HSE published the report of the independent inquiry on 7 September. The report details the difficulties that arose in trying to secure Mr. Walsh's transfer from Monaghan to either Our Lady of Lourdes Hospital, Drogheda or Cavan General Hospital. It also exposes a failure in communications between clinicians and hospitals in the region.

The reviewers considered that making the changes would definitively remove the risk of similar clinical incidents occurring again in the region. Since the death of Mr. Walsh, a new protocol for patient transfer has been put in place. It provides that all requests for transfer from Monaghan General Hospital to Cavan General Hospital or Our Lady of Lourdes Hospital, Drogheda should be granted and processed immediately. The HSE recently established a steering group and a north-east project group to oversee a programme to improve safety and standards across the acute hospital network in the region.

The Teamwork report makes a number of short, medium and long-term recommendations. It concludes that the present system, where five local hospitals deliver acute care to a relatively small population, is exposing patients to increased risks and creating additional professional risks for staff. The report highlights the need to develop a high quality and responsive emergency and planned service, in line with international standards, by developing local services within existing hospitals and other local centres supported by a new regional hospital.

Led by the HSE's National Hospitals Office, a steering group has representation from key stakeholders such as clinicians and primary care providers. The project group is being led by a consultant surgeon from outside the region, Dr. Eilis McGovern. The HSE has given me an assurance that, in progressing the implementation of these reports, there will be no discontinuation of existing services until suitable alternative arrangements have been put in place.

Dr. Twomey: The events leading up to the death of Mr. Walsh were tragic, but what is emerging from the report into his death is equally damning of the Government. The report states that the events that led to Mr. Walsh's death still occur daily in the Monaghan Hospital region. The report also states that the consistent theme that emerged was that neither Cavan Hospital nor Our Lady of Lourdes Hospital has sufficient capacity to deal with current patient demands.

On the basis of those findings, I would like the Minister to answer a number of questions. As matters stand, who is responsible for highlighting new or existing protocols? A failure in making known to people the existing protocols contributed to Mr. Walsh's death. Does the Minister know who is responsible for making new or existing protocols known to all staff working in all these hospitals in the area?

Does the Minister know if all the acute hospitals in the country have a programme of clinical governance and who is responsible for clinical governance? Is Professor Drumm ultimately responsible for making sure every hospital has a programme of clinical governance in place to ensure that such an incident will not occur in another hospital? It is important for the Minister

[Dr. Twomey.]

to explain to the House whether such a programme is ongoing.

I have two further concerns. On the basis of the Teamwork report, Our Lady of Lourdes Hospital is expected to take all critically ill patients from the north east, but it has received no additional funding to care for these additional very sick patients. It is fine for the Minister to say what she said in her reply and we all fully sympathise with the family of Mr. Walsh, but as a member of the Government, the Minister is doing nothing to stop a similar incident occurring, unless she ensures that additional funding is made available to Our Lady of Lourdes Hospital.

Another matter of concern that reached my attention is that the proposed extension of Our Lady of Lourdes Hospital under the capital building programme has been suspended.

An Leas-Cheann Comhairle: The Deputy should confine himself to asking questions and not make statements.

Dr. Twomey: I ask the Minister if that is true. Is she aware the capital building project for Our Lady of Lourdes Hospital has been put on hold? Talking about a new hospital for the north east is along the lines of building castles in the sky, when there are currently huge deficiencies in services in the north east. Talking about doing something for them in 15 years' time is absolute nonsense, when there are problems now in Our Lady of Lourdes Hospital and Cavan General Hospital.

I will put a very important question to the Minister. I do not know if she is aware that Cavan General Hospital is subject to an absolute obligation to receive surgical transfers from Monaghan General Hospital. A problem which arose in the case of the death of Mr. Walsh was that nobody took responsibility for his transfer. If Cavan General Hospital is told it must now take every single patient from Monaghan, does the Minister know if restrictions still apply to surgeons in Cavan which preclude them from carrying out major GI surgery? There is no point in a patient having an absolute right to be transferred from Monaghan to Cavan when, upon arrival, he or she will not be operated on and no intensive care services will be available for them. That is the reality on the ground and those are the key questions I would like the Minister to answer.

Ms Harney: A new protocol for patient transfer has been put in place. It is the responsibility of the HSE to oversee what happens in the different hospitals in the region. We already know that approximately half of the patients in the region attend not local hospitals but hospitals in Dublin. That is the largest ratio of all the regions in the country for people attending Dublin hospitals rather than those in their own region.

Mr. English: They have no choice.

Mr. Crawford: Then close them.

Mr. English: They have no choice, tell the truth.

Ms Harney: Cavan General Hospital has the same number of beds as Mullingar General Hospital. When comparing inpatient activity, day care or accident and emergency activity, there is a huge difference between what is done in Cavan and what is done in Mullingar, and I have said so on the public record on a number of occasions. The authorities in Cavan have visited Mullingar and I welcome that. It is good that hospitals work with each other to improve performance.

The report was produced by clinicians, not politicians, administrators or bureaucrats. Clinicians made the recommendations therein. One of the most worrying aspects of the report was that attention was drawn to a situation in the region where interpersonal relationships among clinicians interfere with patient care.

Mr. Crawford: That is not new. We did not need a report for that.

Ms Harney: I only refer to what is in the report. I am not inventing it. It is a huge concern to me as Minister for Health and Children.

Mr. Crawford: It has been known for years.

Ms Harney: It is of huge concern if interpersonal relationships interfere with patient safety and care. That is why, as a matter of priority, the HSE has appointed a group, headed by Dr. Eilis McGovern, who is a well-known heart surgeon and well-respected clinician, to oversee the implementation of the recommendations for the region. Clearly there will be difficulties implementing the recommendations because change is never easy but we will ensure that what happens at each hospital is founded on patient safety. Whatever can safely be done in a particular hospital will continue to be done.

There are issues around clinical governance nationally but normally it is the responsibility of the medical board of a hospital. In the context of a new contract of employment we want to move to the clinical directorate model, currently operating very successfully in St James's Hospital in Dublin and representing best practice norms around the world. On foot of the Harding-Clark report the Department of Health and Children has done some work on these issues. There are still huge deficiencies in what happens on the ground and legislation may be necessary for the future.

An Leas-Cheann Comhairle: We must move on to Question No. 111.

Dr. Twomey: Very little of what I asked was answered by the Minister.

An Leas-Cheann Comhairle: I ask the Deputy to be brief.

Dr. Twomey: The question related to matters over which the Minister has control, namely, the current day-to-day spending increase for Our Lady of Lourdes Hospital, which is to look after critically ill patients, and whether the capital project for Our Lady of Lourdes Hospital has been stopped. When the Minister said there were problems in Cavan and Mullingar did she, on seeing such glaring problems, make herself aware as to the reason for them? What are those problems? I have an idea why they exist but if I were Minister for Health and Children, I would try to do something about them rather than just highlight them as though I were a disinterested party. If she knows what the problems are between those two hospitals, she should inform the House why they exist and explain the difference between Cavan and Mullingar so that we can do something about it, not just point out that there is a difference.

One of the problems with Cavan General Hospital is that the surgeons are restricted in the work they can do. There is no point sending seriously ill people to Cavan General Hospital if the surgeons there cannot operate on them. Having a protocol insisting that every surgical patient from Monaghan goes to Cavan is nonsensical. It does not take a medical professional, administrator or bureaucrat to work that out. It is daft.

Ms Harney: I have substantially increased the capital funding available to the Health Service Executive this year. Once I approve a capital programme, I do not try to find out how it is spent every week. In light of the Teamwork report and given the decision made and endorsed by the Government that we will have a new, state-of-the-art hospital for the region, any decisions made about spending on capital projects or otherwise should fit in with that overall approach. The region merits and has long deserved a state-of-the-art hospital. In particular, the urgent developments that need to take place in Monaghan, Cavan, Drogheda and Navan will happen and the HSE will ensure they do so quickly. Professor Brendan Drumm and his team are committed to making that happen quickly.

When we examine budgets and bed numbers in Mullingar and Cavan hospitals, the outputs are different. This may be because of some of the issues raised by Deputy Twomey. However, throughout the country we see wide variations and the purpose of reform is to try to have every hospital performing to the highest level of efficiency and effectiveness. Mr. John O'Brien and his team at the National Hospitals Office are working hospital by hospital to try to bring that about. The more hospitals learn from each other

and work together, the sooner we will achieve that target.

Hospitals Building Programme.

111. **Ms McManus** asked the Minister for Health and Children her views on an independent, international, expert peer review of the decision to site the new children's hospital on the campus of the Mater Hospital; her further views on the fact that a commitment was given to the Mater Hospital that a new children's hospital would be developed on its campus; her views on whether this throws serious doubts over the independent, non-political nature of the decision; if she or the Health Service Executive received any submission from Our Lady's Hospital for Sick Children, Crumlin on this issue; if so, the contents of this submission and her response; and if she will make a statement on the matter. [29761/06]

Ms Harney: A review of tertiary paediatric services carried out by McKinsey & Company on behalf of the Health Service Executive recommended the establishment of a single tertiary paediatric hospital in Dublin, co-located with a leading adult academic hospital. Subsequently, a joint HSE-Department of Health and Children task group was established to advise on the optimum location of the proposed new hospital. The task group's report was submitted to the board of the HSE on 1 June last, and its recommendation that the new paediatric hospital be developed as an independent hospital on a site to be made available by the Mater Hospital was endorsed by the board. At its meeting on 8 June, the Government also strongly endorsed the recommendation.

Neither the Taoiseach, I nor any other members of the Government had meetings or discussions with the task group during the course of its work. I am satisfied that the task group undertook a rigorous and robust examination of the key issues in arriving at its recommendation. To suggest that the decision was influenced by political considerations is an affront to the integrity of the members of the group.

A joint HSE-Department of Health and Children transition group has since been established to advance the development of the new hospital. Among the key items to be addressed are the definition of a high level framework brief for the new hospital and the determination of the scope and location of the urgent care centres. I understand that the group intends to retain outside expertise to assist it in its work.

I recently met representatives from Our Lady's Hospital for Sick Children and was informed that the hospital has commissioned its own report on the issues relating to the location of the national paediatric hospital. I understand that the joint transition group received a copy of the report in recent days and that it is being examined. A further meeting with the Crumlin representatives will take place when this process is complete. The

[Ms Harney.]

decision about the site for the new hospital has now been made and it is essential that all those involved focus on implementing that decision. This is in the best interests of the children of this country.

Ms McManus: Does the Minister accept that there is a concern that the decision to locate the hospital on this site was politically influenced and that having looked at the site, there are serious questions over it? For example, Our Lady's Hospital for Sick Children would transfer its services from a 15-acre site to one restricted to less than four acres to include all paediatric services. The deal offered to the hospital will be on a flying leasehold under which the hospital would have no ownership or charge of anything underground, including the carparking. Access is difficult and serious concerns have been raised in the report from Our Lady's Hospital for Sick Children, which I thought the Minister would have made it her business to see.

Is the Minister saying she has not seen the report, or that neither she nor the Health Service Executive has received it?

Ms Harney: I thought I said I had received it in the past few days.

Ms McManus: Has the Minister had a chance to look at it?

Ms Harney: I have read only the summary. I intend to read it over the next few days. It is a technical report and I am not a building expert who knows about land size and so on but I will read it.

Ms McManus: It will be important for the Minister to comment on it because the indications are that there are serious technical problems in terms of the leasehold, the site, access and services. Is the Minister stating that Government policy is to have only one hospital and that the idea of two hospitals, north and south of the Liffey, is not, and will not be, Government policy?

Ms Harney: Before I became Minister for Health and Children I had given little consideration to paediatric services and knew little about them. Since then, virtually every paediatrician I met in this city and around the country said we should bring the services together and have a state-of-the-art hospital. We were planning to build a new hospital in Crumlin, probably on-site, and a new hospital for Temple Street Children's Hospital, and we have facilities in Beaumont, Tallaght and St. James's hospitals.

McKinsey was commissioned to examine best practice around the world. It studied approximately 17 countries and concluded the child population here merited only one tertiary facility bringing all the expertise together. Furthermore,

it said that because of the relatively small number of children who would require certain specialists these would have to be shared with adult services.

When the McKinsey report was published last Christmas everybody signed up to it. Our Lady's Hospital for Sick Children, Temple Street Children's Hospital and Tallaght Hospital all regarded it as a good report and were optimistic. The difficulty arose when the site selection began. Several sites were examined. I am not an expert in construction or hospitals but I have visited hospitals in the United States which are on small sites. There are several in Manhattan and I recently saw one in Toronto.

Although Our Lady's Hospital for Sick Children in Crumlin is on a large site it does not fill the site. Obviously the site must accommodate the hospital but the most important factor is what happens in the hospital. I hope everyone will work to make the hospital a state-of-the-art, world class facility for children.

The intention is to have one hospital for the country, not just Dublin. Urgent care centres will be provided in at least one, if not more locations, and the group has been asked to examine how many of these centres are required. Thankfully, these deal with 95% of the reasons children go to hospital in the first instance.

All those who tendered to have the hospital co-located, including St. James's, St. Vincent's, Beaumont, Tallaght and the Mater hospitals, offered sites. That was the basis on which the decision was made and no problems arose about the site. No ethos issues arose because this will be a State hospital. It will not belong to the Mater Hospital, although there seems to be some confusion about that. We will introduce legislation to ensure it is owned by the State.

Ms McManus: That is not strictly true because the Mater Hospital will own the car park. That is a significant factor for access for parents and children. Does the Minister not accept that grave and serious concerns are being expressed by the authorities at St. James's Hospital, Our Lady's Hospital for Sick Children in Crumlin and Tallaght Hospital about the decision that has been made? The Minister is saying she is not in a position to judge those concerns, but is she prepared to establish an independent review to assess the difficulties which have been highlighted and exposed in the analysis carried out by the hospitals? It is important that we get this right. It is quite clear there are concerns about political interference. It is believed that problems will arise which will have a significant impact on patients.

Ms Harney: I assure the Deputy there was no political interference — that is certain. The group that has been established to make progress with this initiative, which comprises officials from the Health Service Executive and the Department of Health and Children, will examine the submission

made by Our Lady's Hospital for Sick Children in Crumlin. I accept there is disappointment in certain quarters. When I met representatives of St. James's Hospital yesterday, they acknowledged during our very positive meeting that the decision has been made. It is clear they want to work with those in the new hospital. Many clinicians from St. James's Hospital are also working at Crumlin at present. There is a great deal of expertise, for example in the burns unit. Some specialist cancer services are based at St. James's Hospital. It is important that those who work in such areas co-operate with the new hospital, as they want to do. I do not want a situation of permanent review to develop because people are not happy with the decision that has been taken. If there are real issues which make it physically impossible for the hospital to be located in the intended location, for whatever reason, that will be a different matter. It is clear that it cannot happen in such circumstances. I have been advised that is not the case, however. The technical expertise available to me in the Department and to the HSE strongly suggests that is not the position. We will certainly give some consideration to the submission that has been made by Our Lady's Hospital for Sick Children in Crumlin.

Other Questions.

Hospital Staff.

112. **Mr. Cuffe** asked the Minister for Health and Children if her attention has been drawn to the pay demands of consultants and junior doctors; her views on whether such demands should be linked to negotiations on their respective contracts; and if she will make a statement on the matter. [29561/06]

Ms Harney: I am aware the Irish Medical Organisation has, on behalf of junior hospital doctors, submitted a claim to the Public Service Benchmarking Body for a 20% pay increase. The benchmarking body, which is independent, examines and reports on the pay of public service grades with reference to pay rates for similar types of employment in the private sector. A media report has suggested that a similar claim may be submitted to the Review Body on Higher Remuneration in the Public Sector on behalf of consultants. The review body, which is independent, examines and reports upon the remuneration of consultants and other senior public service grades. In making its report, the review body is expected to have regard to the desirability of encouraging a high level of efficiency and effectiveness in the relevant areas. The Health Service Executive and I are keen to ensure that any pay increases awarded by either body will reflect the level of co-operation by medical grades with the health reform programme. A new

contract for consultants and junior hospital doctors is a central element of that programme.

Mr. Gormley: When I attended the recent People of the Year awards, at which the Minister, Deputy Harney, spoke eloquently, I spoke to a consultant who expressed his view that the Minister's long-term aim is to introduce what he called "yellow pack" consultants, who would not be as well qualified as Irish consultants. I ask the Minister to comment on that. The consultant made the point that some young consultants who have returned from the United States are having difficulties in finding houses in Dublin and living in Dublin. I ask the Minister to comment on his suggestion that media reports of consultants' huge salaries are often exaggerated. Is the Minister aware of the interesting RTE documentary series, "Junior Doctors", which highlights the excessive hours worked by such doctors? They work even harder than we do, which is saying a lot. When we have been working for many hours we can go on auto pilot, but junior doctors have to make decisions of life and death in such circumstances. Does the Minister agree they should be remunerated properly for all their work and responsibility? Does she believe their hours should be cut, for the sake of patients?

Ms Harney: I want to refute the term "yellow pack consultants". I do not know what that is supposed to mean. I will not be appointing consultants; they will be appointed on the basis of their expertise. In many countries, after a doctor is trained as a consultant, he or she then takes up a consulting position. In Ireland one could be training for 20 years and never, unfortunately, be given a consulting position. I am not suggesting that every junior hospital doctor or non-consulting doctor should become a consultant. That is a decision I am not qualified to make nor should I make.

A consultant's basic pay begins at €139,000, rising to €181,000. On top of that, he or she will have allowances of about €22,000. That is not an inconsiderable salary. An academic consultant will be paid €222,000. There is not much private practice for many consultants in specialties such as geriatrics and paediatrics. In other areas, the opportunity for private practice, on top of the existing salary, exists. The intention with the working time directive is to reduce working time for a junior doctor from 77 hours to 55 hours per week. A junior hospital doctor receives almost the same pay as a consultant, particularly when one factors in overtime. On a 55 hour week, the earnings of a senior house officer stand at €104,000 while those on the special register stand at €152,000. We want fewer junior doctors in the health service. We have 2,000 consultants but 4,000 is the figure we need to achieve in the next few years. I hope we can have a new contract of employment that delivers flexibility and teamwork.

[Ms Harney.]

I referred earlier to the clinical directorate. Doctors are among the brightest and best educated of our graduates. Their remuneration must reflect that, as it does in other countries. This is not a question of saving money but of having flexibility and a contract of employment that suits our health care needs. It cannot be a one-size-fits-all solution. I want a range of different contracts that suit different circumstances.

In many countries, a doctor working in a peripheral location will be offered a more lucrative salary than if working in a large centre of population. I acknowledge the Deputy's comments on house prices. There is no doubt, particularly in Dublin, Cork and some of the larger cities, it is a factor in attracting people home.

Caoimhghín Ó Caoláin: Is it acceptable that five years after the Government's health strategy which promised a new consultants' contract talks leading to it have not even begun? What is the Tánaiste's view on this? Gabh mo leithscéal, I meant former Tánaiste. Will she acknowledge that this Government, of which she is an integral part, and a succession of other Governments, have allowed an elite in the medical profession to enjoy a position of privilege unrivalled by any other sector in society? Will she accept that her initiative of private hospitals being developed in public lands adjacent to existing public hospital sites is undermining the Government's negotiating position with the consultants' representatives? Only yesterday, this was demonstrated by a spokesperson from the Irish Medical Organisation, Mr. George McNeice. He asked why the Government will proceed to deal with category 2 contracts while allowing for the development of new private facilities adjacent to public hospital sites.

What are the Minister's plans to stand up to these vested interests which perpetuate a piggy-backing off our public health care system for their personal greed? The people want to know what she intends to do about it.

Ms Harney: The Deputy need not apologise for calling me Tánaiste. For the first two months when I had the job, I always thought it was Dick Spring was being referred to when the title was used. It does get confusing. I also remember the Taoiseach, on this side of the House, referring to John Bruton as Taoiseach.

I do not share the Deputy's perspective on consultants. What is needed with the consultant contract is flexibility and teamwork. It may sound clichéd but we want consultants to deliver the services because they are the most experienced and competent in the business. The category 1 contract allows doctors to engage in public and private practice in a public hospital. Category 2 allows a doctor to have a private practice off-site in several hospitals. I want doctors to be kept on hospital sites. If a co-location facility exists on a

hospital site and it fits in with a current category 1 contract, a doctor will be on-site and working in the facility.

I am concerned that particular arrangements are in place for a public practice in a public hospital and to which a consultant will be committed. It must also be measured and monitored so we get what we are paying for. We get an excess of what we pay for from many doctors who work beyond the 11 sessions or 33 hours a week. There are many difficulties with the current contracts and we could never negotiate such contracts again.

I agree with the Deputy that it is disappointing new contracts have not been agreed. The talks began and collapsed on two occasions. I understand Mr. Connaughton, SC, the chairperson of these talks, is talking with both sides. I hope this will have a successful outcome. I saw many positives in Mr. McNeice's article yesterday. I got the impression the IMO wants to return to the negotiating table. I would welcome that and like to see it happen as soon as possible.

Mr. Gormley: The Minister said that with overtime, a junior doctor could earn considerable amounts. How much of the 77 hours a week is overtime or is it on top of that figure? How confident is the Minister that the working time directive will be introduced? When will junior doctors be working a 55 hour week?

Ms Harney: It should be 58 hours. I was wrong when I said 55 hours. Agreement has been reached on nine pilot sites where this working time structure will be implemented. It is, however, on hold pending the talks at the LRC and I cannot say when these will be completed. The sooner, the better because no one wants junior hospital doctors working the hours they have to now. It is neither good for them nor their patients. The only way this can be reorganised is through agreement. We cannot, however, be expected to pay 20% more for a substantially reduced working week.

Mr. Gormley: How much of the 77 hours is overtime?

Ms Harney: I do not know the breakdown.

Care of the Elderly.

113. **Dr. Cowley** asked the Minister for Health and Children if the system of VAT being added on to the care services provided by commercial companies to older people will be removed; her views on whether the Government is adequately providing essential care services for older people; and if she will make a statement on the matter. [29555/06]

Mr. S. Power: Home care packages for older people deliver a wide range of services. They are delivered through the Health Service Executive

by a range of providers, including the Health Service Executive, voluntary groups and the private sector. They consist of a mixture of grants, contracted care services, therapeutic input and equipment and other such community services to facilitate the older person to remain living in his or her home.

Home care services provided directly by the Health Service Executive do not generally come within the scope of VAT, as public bodies are not regarded as taxable persons. It does not charge VAT on the services it provides and cannot recover VAT incurred on its input costs.

Where home care services are provided by private companies for a consideration in the course or furtherance of business, the provider may be obliged to register and account for VAT at the appropriate rate depending on the type of service provided. Home care provided to individuals consists of services which may be liable to VAT at different rates. The current VAT treatment of such services is in accordance with the EU Sixth VAT Directive, with which Irish VAT law must comply.

Officials from the Department of Health and Children, the Revenue Commissioners, the Department of Finance and the Health Service Executive are examining VAT liability for home care services provided by private companies to older people. In particular, they are trying to ensure the home care services provided under home care packages are exempt from VAT in a manner that complies with EU law.

The Government has made services for older people a priority. This means supporting older people in dignity, to live in their own communities, for as long as possible. Additional funding for services for older people and palliative care, amounting to €150 million, has been allocated in the 2006 budget. This is the largest ever increase in funding for services for older people. It is important to have a high quality of residential care available for those who require it and additional funding was also made available in the 2006 budget for the subvention scheme.

Dr. Cowley: It is a national scandal that the State is failing to provide necessary services for older people. Even though some must scrimp and save to support themselves in their homes, the Government cruelly imposes VAT on the companies providing care services. These companies inevitably pass on this charge to the person who must pay to keep an elderly relative at home. Such people are being unfairly doubly charged. This points to the duplicity of the Government which, on one hand, encourages the private sector to provide services for older people which are its responsibility to provide, while, on the other hand, making it more difficult for older people to buy the service they are compelled to buy because the Government will not do so. It is absolutely ludicrous.

I am encouraged by the Minister of State's reply that he is reviewing the situation. Will he remove this inequity immediately? It is a crippling charge. The Government is not providing adequate home care for people who require that service. The available home care packages are limited. In particular, those who are trying their best to keep older relatives at home must not only provide the cost of paying a private company to do what the State will not do but also face the further cost of the VAT that is cruelly taken by the Government on that charge.

The Minister, Deputy Harney, encouraged these companies to provide these services, no doubt to satisfy the Progressive Democrats' private profit agenda. No mention was initially made that VAT at 13.5% would be charged for those services. Only those who are registered for VAT and have a VAT number, which is not the case for most of those looking after elderly relatives, can get that money back. "Liveline" listeners were lining up to talk about this issue and they have a strong case. I ask the Minister of State not merely to talk about reviewing the situation but to tell us whether the Government is committed to removing this inequitable charge.

Mr. S. Power: Will the Deputy let us know if he has a magic wand or is doing something we are not? As I explained, the Government must comply with the relevant EU directive. Officials from the Department and the HSE are working with the Revenue Commissioners and officials from the Department of Finance to see if there is some way to overcome the issue.

We appreciate the value of home care packages and the wonderful work that is being done in this area. In last year's budget, the amount of money available for this service was almost trebled. This resulted in an increase in the number of packages available from 1,100 in 2005 to 3,000 this year. These services keep people out of hospitals and facilitate the early discharge of elderly patients. They are provided by several providers, including the HSE. We are keen to see a situation where this service could be provided VAT free, which would make it more affordable for families. It would also mean the Government will be in a position to provide more home care packages.

We showed our commitment in last year's budget which included a major investment in this service. That investment will continue.

Dr. Cowley: Does the Minister of State not agree this burden is too great for many people? How can VAT be charged on this service when there are civil servants and others employed by the Government in the service who should be able to recognise the inequity of this charge? The system is supposed to serve the people but seems rather to serve those who are making profits. The interests of the latter appear to have the upper hand over the needs of the public. It is wrong that a situation can arise whereby people are trying

[Dr. Cowley.]

their best to pay for a service and must then face a second charge imposed by the Government. How did such a situation come about, especially given the Government's encouragement of private companies to provide this service? Is it part and parcel of the Government's role to act in this way or will we ever see a situation where people are put before profit?

Mr. S. Power: It is not a matter of putting people before profit. As I explained, home care packages are provided by several different bodies, some of which are private and one of which is the HSE. The current VAT treatment of such services is in accordance with the EU's sixth VAT directive, with which we must comply.

Ms C. Murphy: The Minister of State is correct that we will all benefit from the home care packages if they serve to reduce the dependence on hospital beds. It is important that people are confident that this is a solution for which they may opt. Given that 13.5% of €150 million is in the region of €20 million, is the Department of Health and Children seeking to reclaim this money from the Department of Finance? If not, this charge serves to reduce the funding that should be directed towards the home care package. It is desirable that this amount should be further increased and the most important issue is that it covers the costs of the service.

I am aware there are delays in payments under this scheme. I have dealt with several people who have had to get loans to cover the first two months before the payment comes through. This is a particular difficulty for persons on the low end of the income scale. These problems must be resolved if this service is to be an option for people across the spectrum. The VAT charge should be repaid from the Department of Finance to the Department of Health and Children so that the funding of €150 million is not reduced by 13.5%.

Mr. S. Power: We are developing a much more flexible approach in dealing with home care packages. In some instances, people are given the money when they can provide the required service themselves. We have entered into discussions, as I outlined already, with the view to reaching a situation where this service can be provided without VAT. If we can do so, we will be in a position to provide a far greater number of home care packages throughout the country. As I mentioned, we have already increased the availability from 1,100 last year to 3,000 in 2006. In the first six months of this year, an additional 1,800 clients became in receipt of home care packages.

I will investigate what Deputy Murphy said about delays in payments and respond to those concerns at a later date. I appreciate the difficulty such delays would cause.

Dr. Twomey: It is obvious patients are not getting a fair deal on this issue. From the perspective of the taxpayer, if the Government is spending this amount of money, a cost benefit analysis should have been done. Does the Minister of State know how much it costs the HSE to provide each home care package? Taking into consideration a 25% premium, which comprises the VAT and the profit of the private company at a minimum, is the Minister of State saying private companies can deliver the same quality and type of service at a lower rate than what it would cost the HSE to hire home helps to provide exactly the same service? According to the Government's value for money audits, there is an obligation on the Department to undertake such an analysis to ensure it is getting the best value for the taxpayers' money. Has this been done or is there an intention to do so?

There is no way around the VAT issue because its imposition is necessitated by an EU directive. The Minister for Finance, Mr. Cowen, has not managed to do it when answering parliamentary questions in this House and it is highly unlikely anybody else will come up with a solution. Has the Minister of State at the Department of Health and Children, Mr. Seán Power, ever done a cost benefit analysis on this issue comparing private sector delivery of this service with that of the Health Service Executive?

Mr. S. Power: We had a number of pilot projects throughout the country providing these home care packages and the feedback suggested they worked exceptionally well. We decided, on that basis, to increase our investment from 1,100 to 3,000 home care packages throughout the country.

The Health Service Executive and also the private sector provide this service and competition must be welcomed in this area. In some cases the private sector may provide a more flexible service. It is important that we continue to invest in this and if we reach a point where this service can be provided VAT free, all the better and all the more money we will have to spend to provide home care packages for more people throughout the country.

An Ceann Comhairle: We must proceed to Question No. 114.

Dr. Twomey: If the VAT issue fails, does that mean this initiative may be withdrawn?

Mr. S. Power: We have not reached a conclusion on it. We are seeking a solution and our experts in different areas are examining it to see if it can be overcome.

Departmental Expenditure.

114. **Mr. Rabbitte** asked the Minister for Health and Children her views on the current situation with a company (details supplied) in

relation to its recent financial difficulties; if she will provide an update of her understanding of the difficulties faced by the company and its effect on the software roll-out here; if she will provide an update on the Health Service Executive's payment terms with the company; the systems that are provided by the company; where these systems are in place; the timeframe of any further roll-out; the cost so far and expected total cost involved; and if she will make a statement on the matter. [29550/06]

Ms Harney: The Health Service Executive has confirmed the position in relation to the company in question to be as follows. The company is a major supplier of information technology systems to the health services in Ireland, the UK and several other countries. Financial difficulties at the company, combined with changes at senior management level and staff lay-offs in the UK have been widely reported during the course of this year. Although the company's latest financial results for the year ended April 2006 reported a significant net loss, it made an operating profit on revenues for the year. The net loss was primarily attributable to a substantial goodwill impairment charge associated with the goodwill valuation attributed to a company it merged with three years ago.

The company's difficulties in the UK have not impacted on services to Irish customers. The company has met its contractual obligations to the HSE and has advised that it will continue to do so. The company supports many IT systems that have been in place for years in various hospitals in Ireland.

The HSE awarded the national contract for new hospital systems to the company in 2005. The total ten-year value of the contract is €56 million plus VAT. Under this contract, phase one of the roll-out of the company's existing hospital software, which will meet HSE requirements for the short to medium term, is under way. The system has been successfully deployed in Cork and Kerry and is expected to be implemented in hospitals in the north west and north east over the next few months. A total of €11.6 million, including VAT, has been paid to date.

The national contract also entitles the HSE to deploy the new software that the company will develop over the coming years. Further engagement with the company is planned in the near future to determine the implications for the HSE of the company's revised software development programme arising from the difficulties the company has experienced in the UK.

The HSE is confident that the contract protects its position appropriately against poor performance and non-delivery of software and services. The contract was prepared by the HSE's legal advisers and explicit provision was made to protect the HSE against a series of eventualities. Payments to the company under the contract are dependent upon the receipt of identified deliver-

ables. The contract also provides for financial remedies in the form of payments to the HSE to deal with possible problems with quality, performance and-or availability of software or with the quality, responsiveness and availability of support services.

Ms McManus: Is the Minister for Health and Children not concerned that the UK company we are discussing has declared a net loss of €500 million? Is she suggesting that not only has this company been paid for services, she intends to complete the contract with a €59 million payment without expressing concerns about the current situation? The company's chief executive officer has resigned and there has been a late declaration of an enormous loss. There are major concerns in Britain's National Health Service regarding the possibility of this company delivering services.

I acknowledge the change of status of the Minister for Health and Children and acknowledge also that she is one of the very few women Members of the House and is unique in having led a political party and having been Tánaiste.

Ms Harney: I thank Deputy McManus for her kind comments. One would be concerned when we have contractual arrangements with any company that gets into difficulties, but the banks, in the case of this company, have reconfirmed the borrowings and that is encouraging. The HSE believes that its legal position is protected. As the company has a major contract with the NHS, we therefore believe that if it were not in a position to continue, its products would be taken over by a competitor and the services would continue to be supplied. The HSE remains confident that the company can continue its contractual obligations.

Leaders' Questions.

An Ceann Comhairle: In anticipation that Leaders' Questions may deal with current issues arising from disclosures concerning the Mahon tribunal, I am allowing questions today on the same basis as 10 February 2004. I will make a brief statement on the application of Standing Order 56 which deals with matters *sub judice* and sets out, as far as the Dáil is concerned, the delicate balance between this House and the courts and judicial tribunals in their respective functions. The relevant part of the Standing Order states: "a matter shall not be raised in such an overt manner that it appears to be an attempt by the Dáil to encroach on the functions of the Courts or a Judicial Tribunal".

On 10 February 2004 I made a ruling allowing matters relating to the Mahon tribunal to be discussed on the basis of the then particular circumstances. That application of the Standing Order depends, to some degree, on timing and the type of Dáil discussion. The House finds itself in a somewhat similar situation today and I am allowing the matter be discussed in the given cir-

[An Ceann Comhairle.]

circumstances without prejudice to any decision the Chair may be required to make in the future. However, in doing so, Members should bear in mind when contributing that while these matters are now in the public domain, the Mahon tribunal saw fit to correspond with the media concerning issues surrounding confidentiality.

In addition, the normal rules of debate shall apply. Serious allegations against a Member can only be made by way of substantive motion and references should not be made to the private family matters of another Member. I ask for Members' co-operation in these matters.

Mr. Kenny: I will abide by the Ceann Comhairle's ruling. The House meets today in extraordinary circumstances following an admission by the Taoiseach yesterday on national television that when he was Minister for Finance, he accepted €50,000 in donations.

The Office of Taoiseach is the most powerful political office in the land. It is one that should be respected by, have the confidence of and exercise its authority in the interests of the people. Its occupant should be above suspicion and the people expect his or her honour to be absolutely above reproach.

In the past week, the Office of Taoiseach has been damaged. It is wrong that a litany of the Taoiseach's colleagues at ministerial level have sought to deflect from the fundamental issue by drawing in emotional and traumatic circumstances the Taoiseach went through a number of years ago. Around 100,000 men and women have gone through the same traumatic experience. No Member on this side of the House has sought, by comment or otherwise, to draw any of the implications of this into this debate. Yesterday was a difficult day for the Taoiseach and I appreciate that. As I said, there are 100,000 others who have had similar experiences. The issue involved in last night's interview is not simply matter of ethics, morality, codes or legislation. It is a fundamental principle, the simple issue of right and wrong. It is what we try to teach and instil in our children.

I wish to ask the Taoiseach two very simple questions. When he looks at the acceptance of €50,000 in cash donations, the appointments and the statements he made in this House about probity, perspective and not being beholden to business people financially, can the Taoiseach explain to me and to the nation how he is prepared to apply standards to himself that he is not prepared to apply to everybody else? Why is the standard applied to himself lower than it is for anybody else?

In view of the Taoiseach's interview yesterday, is he prepared to stand in this House, from the honoured seat he occupies, and admit that what he did in accepting €50,000 in cash donations was wrong? Is he prepared to say to the people, "Yes, I was wrong"?

The Taoiseach: I thank the Ceann Comhairle and will try to be as brief as I can.

I come to the House with the belief that the truth is certainly more powerful than the most baseless of political attacks. I intend to address private issues here today, frankly and fully, even though I believe they have nothing to do with my public responsibilities, have never influenced me on any public policy and represent absolutely no conflict of interest. I will answer charges which were made, based on what I believe were calculated and scurrilous leaks of material given to a tribunal in confidence. I will talk plainly about what are personal, sensitive matters that properly concern my family and my private life. I acknowledge what Deputy Kenny has said in that regard. I do all this because a person, or persons, accessed confidential material before a tribunal and twisted and turned that material into a political smear campaign with no regard for the truth or the institutions that govern our society. I do it, in the end, to protect the rights of every citizen.

Before I deal with the facts at hand, I want everyone in this House and all the people of this nation to understand one truth above all else. Never, in all the time I have served in public life, have I taken a bribe or in any way put my personal interest ahead of the public good. I have served this State honestly and I defy anyone to prove otherwise. For many years I have endured all sorts of allegations that have proven to be false. Perhaps this is part of the price one must pay for the honour of standing in the House as Taoiseach and of serving in Government and I understand that. I have never dishonoured any office in my responsibility, in answer to Deputy Kenny's question. While I will be the first to admit I have made mistakes in my life and career, one mistake I have never made, and never will make, is to enrich myself by abusing or misusing the trust the people of this nation have placed in me. The Flood — now Mahon — and Moriarty tribunals were set up to investigate corruption in our planning and political processes. Following on from the McCracken tribunal and its revelations, the Government, of which I was Taoiseach and on my insistence, determined to get to the bottom of controversies in our planning and political processes. Our resolve was clear and our policy was plain. A thorough investigation would purge our system of wrongdoing. Nine years on, the Moriarty tribunal is coming to a conclusion and its report is imminent. The Mahon tribunal continues with its work. I have supported and assisted both tribunals at all times. I have provided all documentation requested, sworn affidavits, given statements of evidence and had no difficulty with this. It is my duty. I see it as my duty to co-operate and have done so. I have willingly contributed to inquiries that helped to end the corrupt practices of the past which damaged confidence and trust in our political system.

In setting up the tribunals, I do not believe any of us foresaw that some would debase their roles by deploying them as instruments for making false, malicious and baseless allegations. That kind of cynical manipulation and smear campaigning can be as damaging to our political system as actual corruption. It creates an atmosphere where all politicians are tarnished and trust in our institutions is eroded. I personally have been the subject of a series of lurid allegations, which somebody referred to today as being "very colourful". They might be colourful, but I gave all the facts about my life, including my personal life, in order to prove that these allegations were untrue. Other issues arose and I accept that but allegations were made that I took a bribe of €50,000 from Denis 'Starry' O'Brien.

An Ceann Comhairle: If the House is agreeable, I propose to give the Taoiseach the time necessary to——

The Taoiseach: I do not want much time.

An Ceann Comhairle: Is that agreed? Agreed.

The Taoiseach: The Denis 'Starry' O'Brien allegation is well known. It was also alleged that I received a further bribe of €30,000 from Owen O'Callaghan in 1992, that I had bank accounts in the Netherlands Antilles, Liechtenstein and Jersey, England, that I had €15 million in onshore accounts and had taken steps to open a bank account in Mauritius. There were other similar, unfounded, allegations made against me which have not yet been made public. Each and every one of these charges is baseless. They are false and no more than a tissue of lies. However, the allegations have been made and the tribunal is required to investigate them, in so far as they fall within its terms of reference.

Those who have made the allegations have gone to extraordinary lengths to set me up. For example, a forged letter purporting to show that I had taken steps to open a bank account in Mauritius was sent to the Moriarty tribunal. I can confirm that correspondence was subsequently forwarded to the tribunal which demonstrates the letter to be a forgery. In any view of the situation, the forwarding of the forgery is a sinister event. Likewise, the recent leaking of confidential details about my finances, family and marital life are also very sinister and has been done in a calculated way in order to damage me.

Deputy Kenny asked me about the issues of 1993 and 1994. I gave the full details of those yesterday. They did not break any law. They did not break any tax law. The Deputy asked if I should have left the loans the way I had them and not listened to friends who were trying to be helpful. I suppose if hindsight was foresight, one would never make any mistakes at all. I did accept them but they were loans given to me in good faith, to be of assistance to me at the time. If the Deputy

asked me if it were today, after all that has happened over the years, and I was in a similar position, the answer to his question is no. But the reality is that at the time, I was in a difficult position. They put pressure on me to accept these donations and I did. I only accepted them, after some considerable time, as loans with interest. I knew what the position was and what the law is and that is why I accepted them. I gave the full details yesterday. I can go through all of that again if the Deputy wishes.

Mr. Kenny: That is precisely what is wrong with Irish politics and what breeds the cynicism we have. I did not make any lurid allegations against the Taoiseach. I did not ask him about any of the details of 1993 or 1994. I asked him two fundamental questions, neither of which he has answered. Can he explain to the Irish people how he applies a different standard to everybody else than he applies to himself? He stood up and quite rightly accepted the McCracken tribunal report. He spoke, knowing in his heart, mind and soul that he was the recipient of €50,000 in cash donations. He told everybody in the nation at large that this should not apply in the case of public representatives. How can he explain that he applies a standard to himself that is different to that applied to everyone else?

Is the Taoiseach not man enough to stand up and say, "Yes, I was wrong"? Double standards were applied here. He knew he was in receipt of those donations but did not regularise the position after he became Taoiseach, the most powerful office in the land. One does not need legislation on a matter of conscience. One knows it is either right or wrong. One does not need any code of morality or ethics. Is the Taoiseach prepared to admit that the acceptance of €50,000 in cash donations by him was wrong?

I listened to a number of Ministers — Deputies Hanafin, O'Dea, O'Donoghue, Roche and Brennan — all refuse to answer the question as to whether they considered the Taoiseach was wrong. Nobody on that side of the House is prepared to accept any responsibility. Nobody is prepared to say, "Yes, this was wrong" or "I admit I was wrong" and from the new Tánaiste, the silence is deafening. Nobody accepts responsibility or accountability and that is what diminishes the status of the Taoiseach's office, the highest in the land.

The Taoiseach spoke last night about receiving "€8,000" at a function in Manchester. As I understand the green book that applies to ministerial responsibility, it is strictly and completely forbidden to accept any donations or pecuniary reward for personal use, as a Minister. It seems as if, in that confused statement, the Taoiseach was using the office — if he was a Minister at the time — as some kind of nixer for reward and that should not be. In that respect, was that money paid in sterling, punts or euro? Was the Taoiseach a Minister

4 o'clock

[Mr. Kenny.]

in Cabinet at the time? Did he pay tax on this money and were any of the Cabinet rules breached by virtue of the fact that he received it?

There are three fundamental issues. How does the Taoiseach apply different standards to himself than to everybody else? Is he prepared to admit that what he did was wrong? Will he deal with the issue of the moneys received by him at the Manchester function?

The Taoiseach: On the first question, Deputy Kenny has it wrong. He used the term “cash donations” but I did not receive any cash donations. I accepted money reluctantly on the basis that it was a loan to be repaid with interest. It would have been entirely wrong to accept a donation and I did not accept the money as a donation. I took it as a loan to be paid back and I said I would have to pay interest on it.

I would have paid the money back a number of years ago because I had accumulated certain moneys and my adviser had told me how I should do it, but, as I believe the Deputy will know, it is a number of years since some of these issues were raised with me. I assume that if I had paid them back, I would have been accused of doing so only because the matter had been raised, although I never believed these issues would become public matters because I was assured of confidentiality. However, one should remember that if I had been assured someone would say I paid back the moneys only because the issue had been raised, I would not have been in a position to do so almost until these issues became known. However, the moneys were loans to be paid back with interest and it was on that basis that I took them. That was the position throughout the entire period. There was no other issue and that has been well documented with the tribunal and with the people involved.

My friends had asked to have a function to raise the money for me. There is no tax implication because it was a loan to be repaid with interest. That was the very clear position I had established with my colleagues.

Deputy Kenny's second question was whether it is wise for a politician, in any circumstances and under any skies, to take any kind of money on any basis from anyone. The laws provide distinctly for one to do so. They provide for one's friends or one's family. There are many ways to do that. There are benefits applied to people's families for a range of reasons. There are benefits if one lives on the land and a range of other benefits and that is why the legislation is written the way it is. There is nothing wrong with that. Of course it can be made look wrong, as demonstrated by the carefully calculated leaks a week before the Dáil resumed which placed me in my current position.

It was not wrong and I gave freely the information not to prove that the transaction was right or wrong but to prove that other accusations

about me, such as my having money in certain locations, were unfounded. I will not go back over them. That was the purpose of what I was doing.

I believe it is well known in the House that I have, for many years, been very closely associated with a number of organisations in Manchester. I have attended functions and spoken there. While in Government, out of Government and as a backbencher, I been involved with St. Patrick's Day events, charity groups, the Dublin Association and the Irish World Heritage Centre. I have spoken at many functions. There are a good few business groups in Manchester and I believe I have spoken to them all.

What I said yesterday was for completeness. When some of these issues arose, I went through my records dating back to 1977. I did not go back to the period of the tribunals. I went through all my personal records dating back to 1977, in addition to my wife's and children's personal records. I am not saying this to elicit sympathy — it is a fact that I was asked to do it. I had to do it and I went back even further.

The only other time I was in receipt of anything was when I was given a sum of money by a group in Manchester on a particular occasion attended by about 25 people. I dealt with this properly in terms of taxes. It had nothing in particular to do with the present matter at all but I did not want somebody to come out again and say I had got this particular sum of money. That was the only point I made on that particular issue. That was in 1994. I checked the date and believe it was the 1994-95 season. Subject to correction, I believe I was Minister at the time. That is what that was about — there was no other issue. When I went through all my other records dating from 1977, I noted that was the only other donation I was not able to account for out of literally hundreds of cheques and records dating back 29 years.

These issues with the tribunal, pertaining to me, have now gone on for seven years. I have carefully gone back through and taken advice on all of these records over seven years. That is the context and it has nothing in particular to do with these issues. I believe that answers Deputy Kenny's three questions.

Mr. Rabbitte: I am sure the Ceann Comhairle will agree it was difficult to watch the interview last night and it must have been particularly difficult for the Taoiseach to give it. Nobody wants to intrude into the domestic or family affairs of any member of the House and nobody on these benches has ever mentioned the Taoiseach's personal life, let alone probed it. It would be helpful in clarifying the matter if this were acknowledged. It would be helpful if we could set it aside because we are not interested in the Taoiseach's private life.

The leak may well have been for the vindictive motivation that the Taoiseach says it was for. All I can say is that nobody on these benches is

responsible for it. We did not know the information.

It would also be helpful in achieving clarity if there were a little less of the common man routine. It is a long time since the Taoiseach was a common man. He has been driven around this country since 1987 and he never put his hand in his pocket at a forecourt to fill the car with petrol. He is earning more than €250,000 per annum and therefore there is no point in comparing himself to the man on Hill 16 who got into a bit of trouble and had a whip-round. Mr. Haughey's collection started with a whip-round also and it was purely an accident that the matter entered the public domain.

The issue in question is the Taoiseach's acceptance, for personal use, of €50,000. He said *The Irish Times* was off the wall but it was not in that it referred to a figure between €50,000 to €100,000. It is important that the Taoiseach now take this opportunity to clarify whether there is any more money.

We now have standards in law and practice. The Taoiseach himself has interpreted them before this House for officeholders and Members. He said no Member of the House and certainly no officeholder should accept money that places him or her under any financial obligation. Why does the Taoiseach believe he can articulate standards for the rest of the Members of this House while not having to comply with them himself? He said that moneys he accepted in 1993, amounting to €50,000 and which have not been paid back 13 years later, and on which no interest was discharged, comprise a loan. However, when it was suggested during the Deputy Lowry affair that the money in question might have been a loan, the Taoiseach said he would require incontrovertible written evidence of that arrangement and the amount of the repayments at the time. Why would the Taoiseach apply this standard to Deputy Lowry and not to himself? Is he telling the House that he, as a former Minister for Finance and accountant, committed no aspect of the arrangement in question to paper?

Is there any written evidence that the people in question gave the Taoiseach the money? Was the arrangement scribbled on the back of a beer mat when the transaction transpired? Why is it that standards the Taoiseach articulated in the House at the time of the McCracken report and the Haughey, Ray Burke, and Michael Lowry affairs, as well as in the case of the former junior Minister, Deputy Callely, are articulated for others, but he now comes in here to tell us, that he, the most senior office-holder in the land does not have to comply with those same standards?

The Taoiseach: These events took place some years before publication of the McCracken report. However, the procedures I followed, the actions I have now taken and what I have told the tribunal and the public yesterday and today breach neither the ethics code, the tax code, nor

legislation. I am sure Deputy Rabbitte, like others, has examined the position very carefully and has not found that to be the case. As I said to Deputy Kenny, I accepted those moneys on the basis that they were loans to be repaid with interest. They would have been repaid before now but I had some difficulty in getting friends to accept that. However, they realise that it has created more difficulty for me now than if they had accepted repayment.

The help I received from personal friends on the basis that loans would be repaid with interest was no more than that. They came to my aid at a certain point in my life. They were friends, and I had known each individual for many years. At no time did I do them any favours; nor was I beholden to them in any fashion. I do not wish to draw distinctions between my actions and those of another Member, but I had no business connections with any of those people. None of my businesses had any association with any of theirs, something fairly evident, since I have never had any businesses. However, the cases are different, since I could not have benefited or gained in any way from any of those individuals. I do not say that to point up others' difficulties. The loans were based on the understanding that I would repay them.

The standards Members are obliged to meet are those in the very tight legislation we drew up over several years. Even today, nothing of what I have put into the public domain or told the tribunals over the years breached any of those guidelines. I ask no one to be purer than legislative guidelines placed before this House. I did not break the rules of the Standards in Public Office Act 2001. I checked the matter with senior counsel and the tax authorities long ago, since I was involved in such issues.

On Deputy Rabbitte's first two points, I do not want to take issue with *The Irish Times*, which is a newspaper of high standing. I served it well on every publication day from Thursday to Wednesday, being able to fill headlines, as I will probably also do tomorrow. I have no reason to get into a row with it that I would probably lose. I have checked the text and what its eminent journalists said. On the first morning, when I was in Clare, it very precisely stated that four people had given me between IR£50,000 and IR£100,000 in December 1993. Yesterday I proved that the sum was IR£22,500. That is my only point, but its comparison was with that figure. I put all the other issues into the public domain.

I accept Deputy Rabbitte's point about his party having had nothing to do with the leaks and or anything to do with making my personal life more difficult. No one in politics or among the public, other than a few organisations gave me a rough time when my wife and I first separated. I do not suggest that anyone in this House has ever been unfair to me in that regard and I appreciate that.

Mr. Rabbitte: The Taoiseach, as Minister for Finance, was the boss of the Revenue at the time. Did he seek and receive clearance from the Revenue that he can say that he has no tax liability? A loan not repaid after 13 years, with an express refusal to accept repayment in the case of certain donors, is a gift with tax implications. Did he get clearance? If the payments constituted loans, what does the Taoiseach calculate that he now owes? What was the rate of compound interest, and how much is now outstanding?

On the question of accepting €50,000, surely that breached the ministerial code of conduct even then. The Taoiseach has spoken of Mauritius and other outrageous allegations made against him that I am certain are entirely baseless. It reminds me of his statement last night that he had no bank account between 1987 and 1994. Is he telling the House that when he was Minister for Finance and responsible for running the country's Exchequer he had no bank account in the jurisdiction? Did he have one outside the jurisdiction, or was there no bank account during that entire period?

Perhaps the Taoiseach might be specific about the Manchester event. Was there a series of such events but a single payment? He referred in the interview to his having paid capital gains and gift tax, but he did not say on what he had paid it or why it was liable.

The Taoiseach: I know the law, although I am not an expert on every aspect. However, many years ago my tax advisers checked the issues in detail on the basis that it was a loan with interest. Subject to correction, I believe that the rate throughout the loan period was 3% — the interest rate that a person would have received on a deposit from 1993 or 1994. It was calculated yearly, and the total interest would be more than €20,000. I receive an annual figure from my tax adviser. It was calculated over the entire period on that basis. I paid capital gains tax and gift tax. It is not appropriate for me to spell out what I paid, but I assure the Deputy that I did so following advice.

I do not think Deputy Rabbitte means me to answer this question, but I must respond factually, since it is a fair question. I was involved in separation proceedings at the beginning of 1987, and they did not conclude until the end of 1993 in the High Court. Over that period, my wife and I had joint accounts in our names. For obvious reasons, I did not use our joint account. I used cheques separately to deal with issues, and I did not open an account in my own name until afterwards. I hope that is clear. The question was asked, so I have to answer it. In Manchester, as I said, I dealt with a range of issues, but that was the particular one, namely, my taxes.

Mr. J. Higgins: This very morning the Government has thrown thousands of Aer Lingus workers to the multinational wolves, on stock

exchanges around the world. Yesterday, the Government had gardaí pushing the decent people of Rossport around the place at the behest of the Shell Oil corporation.

Mr. F. McGrath: Hear, hear.

Mr. J. Higgins: At every hand's turn the Taoiseach has facilitated the powerful and the very wealthy. Therefore it is no surprise that wealthy businessmen should cough up €50,000 to him. What is shocking is that the Taoiseach still apparently does not see that a Minister for Finance taking large amounts of cash from businessmen is by any objective yardstick a massive conflict of interest. The Taoiseach minimises the amount of money, but in 1993 the average industrial wage was €13,416 per year, so that three times that amount, by any ordinary worker's standard, would be colossal. By coincidence, two years after that I bought a semi-detached home for €47,000 with a mortgage that goes on until I am 65. At no stage should the Taoiseach have brought his personal life or difficulties into this issue. It is not relevant.

Again last night, deliberately, he cast RTE's Brian Dobson in the role of agony aunt in order to divert attention from the critical issues which he is refusing to answer. The Taoiseach's personal circumstances are irrelevant because he said, last night, that he had already got a bank loan to pay off pressing bills, that they were taken care of. Presumably he had a schedule of repayments to the bank. He then used what he says were personal loans to pay off the bank loan. Can he explain that conundrum to the House?

When the Taoiseach was in the Dáil in 1997 setting up tribunals on payments to politicians, it beggars belief that the alarm bells that should have been going off in his head were not so deafening as—

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

Mr. J. Higgins: —to tell him to pay back the €50,000. It was at the very least a catastrophic failure of political judgment. It further beggars belief that he could not give it back. Did the Taoiseach ever hear of a bank draft? This morning it took me two minutes to draft the letter the Taoiseach could send with it:

Ah Jaysus lads, you'll have me in huge trouble if you don't take back the €50,000. My circumstances are improved and I'll have 50 reporters traipsing after me for the rest of my life if this comes out. Bertie.

It was as simple as that. Perhaps he might have said: "P.S. Tell Paddy the plasterer to steer clear of Callely's house. He is in enough trouble with the painter already."

A senior Minister gets substantial amounts of money from wealthy people. Half of them are

subsequently lifted into influential positions on prestigious State bodies. What would any objective assessment of that be in any jurisdiction? That was nauseous patronage and cronyism. Incredibly, the Taoiseach blocked it out last night: the appointments were not because they gave him money but because they were his friends. That is just as bad. Can he not understand that appointing cronies to State boards because they are friends is the most despicable abuse of the State and of public bodies?

An Ceann Comhairle: The Deputy's time has concluded. He must give way to the Taoiseach.

Mr. J. Higgins: Finally, we had the hapless Deputy Callely. A businessman gave his house a slap of paint.

An Ceann Comhairle: I ask the Deputy to please give way to the Taoiseach.

Mr. J. Higgins: That caused the Taoiseach to show him the door, while he walked away with the whole house. By those standards, should the Taoiseach not go after the former Minister of State, Deputy Callely?

The Taoiseach: As I said earlier, these were loans with interest, not from businessmen but friends. My friends have been described as businessmen but the impression given that they are captains of industry is far from the truth. They are people who assisted me at a particular time because they knew the circumstances. I accepted that only on the basis these were loans with interest. That is the position.

Every person appointed to a State board whether by myself or my colleagues is someone we believe is qualified for such an appointment. They are appointments based on merit taking into account the particular combination of skills, qualifications, background and life experience that each person has. Over a long political career I know a great many people who have been appointed to key boards. I knew these people. They had relevant skills and experience. Three of the five had served on State boards long before they gave me any loan. The other two could be considered under any fair examination to be outstanding people who served the State well on these boards. I do not accept the position outlined.

Deputy Joe Higgins can make the point that all of this is a bit of fun. I do not see it as a bit of fun but as a serious issue. As regards paying them back and how, he could be right in saying that I should have paid them back. Perhaps I should have just paid them back and not worried how it would be interpreted, although I had taken the initiative of giving documentation to the tribunals. I should have been able to say that I had paid them back over several years. I did not do it that way because I thought that would be seen as

just doing it at that particular time. I followed the advice I got to the effect that these matters could not come out, and that I should keep the interest and the paperwork up to date.

Deputy Rabbitte asked me earlier whether there was documentation on the circumstances of these loans from the individuals concerned. There is comprehensive documentation and it is with the tribunal as well. On the issue of the Deutsche Bank and the forgery, the tribunals, I believe, have finished with that matter. I mention it because again, it was a sinister act to try to set me up by suggesting I had extensive accounts. I am not making a point about it, however it shows the things one has to try and deal with. That is why I dealt with the tribunals so comprehensively.

Mr. J. Higgins: I do not think it is a bit of fun, but sometimes one has to resort to ridicule to show the untenable position the Taoiseach is holding onto with his explanations. The Taoiseach is not the only person who has to offer an explanation to the House. In the face of patronage, cronyism and double standards we have the Trappist-like silence from the Tánaiste and leader of the Progressive Democrats. In a previous life in Opposition, one can only imagine the fulminations that would rain down from on high on the Taoiseach's head from Deputy McDowell as regards these issues. To say he would become beetroot red is really only a pallid description of the shade of crimson verging on purple which would describe the glow irradiating from the indignant persona of Deputy McDowell.

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

Mr. J. Higgins: Far from standing up for standards, he is sitting neatly beside the Taoiseach today. Admittedly, his demeanour is rather tombstone like, without the moonlight even. However, since his appointment two weeks ago, Deputy McDowell is trying to work hard to have us believe he has no previous history in Government, that he has not been in Government for ten years, and that he has no responsibility for the billions of euro in stamp duty and the rest. He wants us to believe he is a political newborn, dropped by a stork, perhaps, into a basket outside Government Buildings two weeks ago, with Deputy O'Donnell playing along as the besotted nurse fetchingly referring to him as Michael, if one does not mind. That is somewhat different from the name she was spitting out two months ago from behind clenched teeth, when Michael was trying to take the PD rattler from Mary. What has the Tánaiste said to the Taoiseach about this and will he make a statement?

The image which Fianna Fáil has carefully cultivated of the Taoiseach, who is on €250,000 per annum, is that of an ordinary, struggling man like

[Mr. J. Higgins.]

the rest of the ordinary people out there. This image has taken a fierce battering. Ordinary people do not have wealthy friends to do a whip around and the myth that Fianna Fáil is somehow the ordinary working person's party will hopefully end with this episode, where rich people come to the assistance of senior politicians.

Deputies: Hear, hear.

The Taoiseach: As I said a number of times, these people are friends. If the Deputy wants to categorise people who are friends, that is his entitlement, but it is not an offence to get loans from friends at times. I did that one time in my 55 years on this earth. If in hindsight that was not the wisest thing to do, so be it, but I think there are few of us in this House who have not benefited from friendship at times, particularly in times of difficulty. I have broken no laws and have violated no ethical codes. I have co-operated fully with tribunals that are there to make findings of fact. Other circumstances are used to put out half-truths, exaggerations and claims. I made it very clear what I did and did not do, and I did so many years ago under the confidentiality of tribunals to show that I had nothing to do with any of the issues that I was accused of doing. People are well aware of what has been stated about me over a number of years. I would not wish that people in this House would have to go through the same process I have had to go through in the past eight or nine years to prove that I had no hand, act or part in any of the serious allegations that have been pressed against me, but time will see that right.

Deputies: Hear, hear.

Ms Shortall: The tribunals will see that right.

Ceisteanna — Questions (Resumed).

Northern Ireland Issues.

1. **Mr. Kenny** asked the Taoiseach if he will report on his meeting with the Northern Ireland political parties in Belfast on 29 June 2006; and if he will make a statement on the matter. [25543/06]

2. **Mr. Kenny** asked the Taoiseach when he next intends to visit the United States; and if he will make a statement on the matter. [25549/06]

3. **Caoimhghín Ó Caoláin** asked the Taoiseach the meetings or contacts he has scheduled with the British Prime Minister in relation to the Irish peace process before the resumption of Dáil Éireann in September 2006; and if he will make a statement on the matter. [25991/06]

4. **Mr. Rabbitte** asked the Taoiseach if he will make a statement on the outcome of his discussion in Northern Ireland on 29 June 2006 with the British Prime Minister, Mr. Tony Blair. [26176/06]

5. **Mr. Rabbitte** asked the Taoiseach if he will make a statement on the outcome of his meeting with political parties in Northern Ireland during his visit there on 29 June 2006. [26177/06]

6. **Mr. Rabbitte** asked the Taoiseach if he will provide an assessment of the prospects for political progress in Northern Ireland in view of his meetings there on 29 June 2006. [26178/06]

7. **Mr. J. Higgins** asked the Taoiseach if he will report on his recent contacts with the parties in Northern Ireland. [28157/06]

8. **Mr. J. Higgins** asked the Taoiseach if he will report on his recent meeting with the British Prime Minister, Mr. Tony Blair. [28158/06]

9. **Mr. F. McGrath** asked the Taoiseach the position regarding the Northern talks and his meeting with Prime Minister, Mr. Tony Blair; and if he will make a statement on the matter. [28159/06]

10. **Mr. Kenny** asked the Taoiseach if he will report on recent developments in the Northern Ireland peace process; and if he will make a statement on the matter. [28178/06]

11. **Mr. Kenny** asked the Taoiseach if he will report on his recent contacts with the political parties in Northern Ireland; and if he will make a statement on the matter. [28179/06]

12. **Mr. Kenny** asked the Taoiseach if he will report on his recent contacts with the British Government; and if he will make a statement on the matter. [28180/06]

13. **Mr. Kenny** asked the Taoiseach when he next expects to meet the British Prime Minister, Mr. Tony Blair; and if he will make a statement on the matter. [28181/06]

14. **Mr. Kenny** asked the Taoiseach when the Forum on Peace and Reconciliation will next meet; and if he will make a statement on the matter. [28186/06]

15. **Mr. Kenny** asked the Taoiseach when he next expects to visit the United States; and if he will make a statement on the matter. [28187/06]

16. **Mr. Kenny** asked the Taoiseach if he will convene a meeting of the Ireland-America Economic Advisory Board during his next visit to the United States; and if he will make a statement on the matter. [28188/06]

17. **Mr. Kenny** asked the Taoiseach the arrangements in place within his Department for maintaining contact with the Ireland-America Advisory Board; and if he will make a statement on the matter. [28189/06]

18. **Mr. Rabbitte** asked the Taoiseach if he will make a statement on the outcome of his meeting on 13 July 2006 with representatives of the Ulster Political Research Group. [28235/06]

19. **Mr. Rabbitte** asked the Taoiseach when he next expects to meet the British Prime Minister to discuss the situation in Northern Ireland. [28236/06]

20. **Mr. Rabbitte** asked the Taoiseach if he will report on his most recent contact with the political parties in Northern Ireland; his assessment of the prospects of a political breakthrough prior to the 24 November 2006 deadline in view of these contacts; and if he will make a statement on the matter. [28237/06]

21. **Mr. Rabbitte** asked the Taoiseach if he will report on his most recent contacts with the United States Administration; and if he will make a statement on the matter. [28246/06]

22. **Caoimhghín Ó Caoláin** asked the Taoiseach the outcome of meetings he or his officials have held with representatives of loyalism; and if he will make a statement on the matter. [28282/06]

23. **Caoimhghín Ó Caoláin** asked the Taoiseach the contacts he has had with the British Prime Minister about the Irish peace process since the adjournment of Dáil Éireann in July 2006; and if he will make a statement on the matter. [28283/06]

24. **Caoimhghín Ó Caoláin** asked the Taoiseach if his Department uses the services of economic advisers; and if such advisers are engaged to advise on economic issues in relation to the Six Counties and all-Ireland matters. [28284/06]

25. **Mr. Rabbitte** asked the Taoiseach if he will make a statement on the outcome of his meeting with the British Prime Minister, Mr. Tony Blair, in Chequers on 16 September 2006. [28892/06]

26. **Mr. Rabbitte** asked the Taoiseach the proposals he has agreed with the British Prime Minister for talks to be held in Scotland between the two Governments and the parties in Northern Ireland; and if he will make a statement on the matter. [28893/06]

27. **Mr. J. Higgins** asked the Taoiseach if he will report on his recent contacts with the parties in Northern Ireland. [29211/06]

28. **Mr. J. Higgins** asked the Taoiseach when he next expects to meet the President of the United States of America, Mr. George W. Bush; and if he will make a statement on the matter. [29213/06]

29. **Mr. J. Higgins** asked the Taoiseach if he will report on his meeting with the British Prime Minister, Mr. Tony Blair. [29214/06]

30. **Mr. J. Higgins** asked the Taoiseach if he will report on his recent contacts with the US Administration. [29215/06]

31. **Mr. J. Higgins** asked the Taoiseach if he will report on his meeting with the Governor of Florida, Mr. Jeb Bush. [29217/06]

32. **Mr. Sargent** asked the Taoiseach if he will report on recent developments in the Northern Ireland peace process; and if he will make a statement on the matter [29601/06]

The Taoiseach: I propose to take Questions Nos. 1 to 32, inclusive, together.

On 29 June 2006, the British Prime Minister and I met at Stormont with the Northern Ireland political parties to discuss plans to restore the democratic institutions of the Good Friday Agreement. This meeting allowed a timely opportunity to assess the work done since the recall of the Assembly on 15 May. The two Governments emphasised the need for intensified and accelerated engagement between the parties in view of the deadline of 24 November. The work plan which we published following the meeting set out an indicative timescale for full restoration of the institutions. We urged the parties to use the summer to consult with their members and communities on the way forward and to weigh in the balance any outstanding issues and any lingering mistrust against the prospect of losing devolution for another generation.

I welcome the work done since then by the Preparation for Government committee, which continued to meet over the summer. I hope the committee's work can provide the basis for reaching agreement on a range of issues relevant to the restoration of the institutions. The two Governments want to see restoration of all the institutions created by the Good Friday Agreement as soon as possible and in any event by 24 November. This is a considered, reasonable and fixed deadline. We will do everything in our power to help achieve this. There are ongoing contacts with the Northern Ireland political parties and I expect these to intensify over the coming period.

A continuing absence of the Executive and Assembly is not sustainable. It is time for elected politicians to take responsibility and they will have the opportunity to do so over the coming weeks. I believe that if the political will is there, it should be possible to address satisfactorily all outstanding issues in the time available, for

[The Taoiseach.]

Northern Ireland to settle down and for its parties to share power on the basis of the Good Friday Agreement.

The close partnership and engagement between the two Governments continues to be a vital part of the process and I welcomed the opportunity to meet again with the Prime Minister on 15 September at Chequers. We availed of this meeting to review our joint strategy for the restoration of the institutions. In this context, we agreed that we would meet together with the parties in Scotland from 11 to 13 October. In the meantime, we expect to receive a further report from the IMC in the near future. This report is due to be published next week. The most recent report from the IMC on normalisation, published earlier this month, was very encouraging and I hope that its October report will enhance confidence further. I hope the peaceful and calm marching season will also give a boost to constructive political engagement and agreement in the coming weeks.

At our meeting on 6 April, we made it clear that we would work on new British-Irish partnership arrangements to ensure our effective joint stewardship of the Good Friday Agreement in the event that devolution does not take place by 24 November. This work is ongoing. In our statement at the end of the meeting with the parties in June, Prime Minister Blair and I indicated that we would meet in December to announce details of these arrangements, should this be necessary.

We remain in close contact with the United States Administration, whose ongoing support for the process is deeply appreciated and remains invaluable. I expect that my next visit to the United States will be in March 2007 to mark St. Patrick's Day. It has been the practice in recent years to meet the Ireland-America Economic Advisory Board over the St. Patrick's Day period and I expect to do so again next year. My Department maintains contact with the board primarily through our embassy in Washington, as well as through annual visits and meetings. As the House will be aware, board members give voluntarily of their time and expertise in a number of ways. I welcome and greatly appreciate their ongoing advice and support. I received a courtesy call from the Governor of Florida, Mr. Jeb Bush, on 21 July. Our discussion covered a range of topics, including business issues, tourism and the peace process.

On 13 July 2006, I met representatives of the Ulster Political Research Group. They outlined their proposal for a conflict transformation initiative in loyalist areas. The meeting was positive and focused. I welcome the ongoing efforts to bring about a genuine transformation in loyalism. The British Government recently approved funding for a pilot project to develop this initiative. I assured the group that the focus and priority of the Irish Government, whatever the outcome of

the forthcoming talks, was the full implementation of the Good Friday Agreement.

With the exception of the better regulation unit, which currently has a contract with Goodbody economic consultants to provide economic support and advice to Departments in the preparation of regulatory impact analyses, my Department does not use economic advisers. A small team of consultants is assisting in a comprehensive study on the all-island economy which is being undertaken at the request of the British-Irish Intergovernmental Conference chaired by the Minister for Foreign Affairs and the Northern Ireland Secretary of State. That study is likely to be completed in October.

The question of further sessions of the Forum for Peace and Reconciliation will be kept under review. As of now, there are no plans for a further meeting.

Mr. Kenny: The Taoiseach will meet the British Prime Minister before the 24 November deadline. Is it his view that the parties in Northern Ireland will get together to enable a restoration of the Northern Ireland Assembly? How fair is the recent announcement about making administrative structures available for those who were previously involved in loyalism? Will they be able to resolve their problems through democratic principles? Is the Taoiseach hopeful that this will happen? In view of the fact that Mr. Blair may not be Prime Minister in 12 months' time, there may be forces at work among some elements of Northern Irish politics who might not want this to proceed. What is the Taoiseach's view on this?

When he meets the Prime Minister, will he pursue the issue of a public inquiry into the Pat Finucane case? This House unanimously called for such an inquiry some time ago.

In respect of the Taoiseach's contacts with the United States, what is the present status of Shannon Airport's business regarding troop transits? I understand a decision was made to transfer such business to Germany. Has the Taoiseach discussed this with American interests?

Recently, I saw a report stating that the Government intends to set up a forum for conflict resolution. In this House a couple of years ago, Deputy Gay Mitchell made a proposal for a European centre for transatlantic conflict resolution, which would be based at Shannon and would be funded in part by the European Union and by the American Administration with a number of conditions applied. Is this what the Taoiseach has in mind? Does he consider that to be a realistic proposal, given Ireland's capacity to negotiate and make headway in many conflicts around the world?

The Taoiseach: On the general position, the recall of the Assembly on 15 May has proved to be important milestone. While the process was slow at the outset, progress has been made subsequently and continues to be made. The engage-

ment which has taken place among all the parties in the forum has been extremely helpful. It is jointly chaired by Sinn Féin and the DUP and a considerable amount of effort has gone into dealing with and teasing out important substantive issues.

However, I regret the continuing absence of direct engagement between the DUP and the leading Nationalist party, namely, Sinn Féin. Clearly, this is unhelpful to the process of getting agreement. Throughout the year, I have urged the DUP to engage directly with Sinn Féin. That would be helpful. I still wish it would happen because it would help to make progress before what is a definitive deadline of 24 November.

We have seen the DUP in the same room as Sinn Féin and other parties at the Preparation for Government Committee which is jointly chaired. It has been examining a range of issues, including policing, how the institutions will operate, the important economic issues that will face an incoming executive and there has been agreement on a number of issues to date. Others, obviously the most difficult ones, have yet to be resolved and will be the subject of further discussion when we meet in Scotland next month.

The deadline is entirely realistic. More than a year has elapsed since IRA decommissioning and the IRA statement announcing the end of its activities. It is now a matter of leadership and political will. We overcame most of the difficult issues in recent years and there is no reason the remaining few issues cannot now be resolved. Hence, 24 November is a real and fixed deadline. Our aim is to secure agreement for the restoration of the devolved institutions of the Good Friday Agreement by that date.

While good progress has been made, the continued failure of the two parties that are to be in the Executive together to engage worries me greatly, as it is time for progress on that issue. However, this is a matter for the DUP. As I understand it, Sinn Féin are ready to have such a meeting at any time.

On the payment to loyalist groups and the recent announcements, I met the Ulster Political Research Group, UPRG, on 13 July. The meeting was extremely positive and focussed and that group is trying hard. During the meeting, its representatives briefed me on the conflict transformation initiative they have prepared. The initiative aims to bring about a genuine transformation in loyalism and is an extremely welcome development. Like all such matters, this will not happen overnight. It will take time. However, they have assembled a good plan to move away from paramilitarism and into community activity and working within their neighbourhoods. This is similar to the activities of many community partnerships, development companies and groups in the Republic. We have helped them in recent years and organisations have helped them by showing how such groups operate.

I informed the UPRG that the two Governments were committed to the restoration of the Assembly. I also said that if the Northern Ireland political parties fail to reach agreement, the two Governments will initiate a partnership arrangement to implement and protect the Good Friday Agreement.

I welcome the British Government's intention to fund a conflict transformation initiative in Loyalist areas. It is important to do so and while I have always called on it to fund initiatives in Nationalist areas, it is equally important to call on it to help in this respect. Many within loyalism wish to break from the past and are genuinely engaged in efforts to move the organisation away from paramilitary activity and criminality. Such work should be supported and while the Government will not fund it, it has stated that any arm of the State or of community activity in the Republic will be glad to provide help. They have built up a number of ties, which is important.

I have stated a number of times that the British Government should extend practical assistance to those leaders within loyalism who work for transformation within their communities. We are extending practical assistance in several ways. We also give small grants from the Department of Foreign Affairs' reconciliation fund to groups in deprived loyalist communities and engage with a number of them. I hope such initiatives can assist in delivering transformation in loyalist areas and I hope we will see further progress in this respect. While I cannot say everything is perfect, we have had an extraordinary summer. It has probably been the best summer since the early 1960s. Even before the Troubles officially started in 1968, the North had been tense for several years. As for other work, a comprehensive all-island economic study is being undertaken which is intended to try to induce both business and trade union interests to work on the all-island economy and to try to help in its transformation.

As for the issue regarding the United States, discussions are under way. While I am not completely up to date with matters pertaining to the Department of Transport, the United States indicated that, as they did some years ago, they would move more and more of their activities to their bases in Germany. To the best of my knowledge, some larger aircraft already go directly to Germany. While a substantial number of flights still come here, this trend will increase, for American logistical reasons. Moreover, the American relationship with the German Administration is probably far stronger than was the case at the start of the conflict, which is probably also relevant. However, while it is not a question of them ceasing, they are certainly down-sizing their involvement in Shannon.

Caoimhghín Ó Caoláin: Is the Taoiseach aware that the continued participation of Sinn Féin in the Hain approach at the Assembly is geared solely towards the full restoration of the Good

[Caoimhghín Ó Caoláin.]

Friday Agreement? Is the Taoiseach aware there are real concerns, both within Sinn Féin and across Nationalist and republican opinion within the North of Ireland and throughout this island, that many Unionist representatives clearly are using the current arrangement in the Assembly to divert attention away from the main task at hand? Is he aware there is also real concern within broad republican opinion that the major initiative taken by the IRA last year is not being matched by even a broadening of minds within significant sections of Unionist representation? Can the Taoiseach assure Members that the 24 November deadline is absolute and that if the DUP does not agree to enter into power sharing before that date, the Irish and British Governments will move on immediately? Will the Taoiseach assure us that the first priority, which I stress and believe the Taoiseach and I share, is the full restoration of the Executive and the all-Ireland Ministerial Council, and that the two Governments will move forward with the implementation of the Agreement to the maximum extent possible in that situation? It is not a position at which we want, nor do we believe the Taoiseach wants, to arrive. There is a responsibility on all involved to try to ensure the DUP, those who are primarily opposed to real momentum and progress at this time, faces up to its collective responsibilities.

Will the steps the Taoiseach considers taking also include co-operation and integration on an all-Ireland basis of a whole raft of new areas of social and economic co-operation? That must also be a part of what the Taoiseach envisages post 24 November if the worse case scenario presents itself.

Is the Taoiseach aware that at a meeting of a Sub-Committee on the Barron Report of the Joint Committee on Justice, Equality, Defence and Women's Rights a former senior Garda officer, who had responsibility for the Border region, advised the Members of this House in attendance and others who were before that committee that the Garda had knowledge of the farm at Glenanne prior to the Dublin and Monaghan bombings of 17 May 1974, which had been infiltrated by British intelligence and that it was from that farm that the bombings of Dublin and Monaghan were planned and executed? Will the Taoiseach agree this is major information? Will he accept that the evidence of the former senior Garda officer today before a committee of the Oireachtas—

An Ceann Comhairle: The Deputy's question is outside the context of the questions submitted.

Caoimhghín Ó Caoláin: No.

An Ceann Comhairle: Yes, Deputy. The Chair has ruled on the matter.

Caoimhghín Ó Caoláin: The Ceann Comhairle is welcome back from Monaghan. In light of the evidence given today, will the Taoiseach recognise that the call I made to him previously to seek a special summit with the British Prime Minister on the whole area of collusion has been given greater impetus? Over the summer period did the Taoiseach ask the British Prime Minister to accede to such a request for a special summit on collusion? Did he also ask the British Prime Minister to move to ensure the putting in place of a full independent inquiry into the murder of Mr. Pat Finucane? I request that he tell us what he said to the British Prime Minister during recent months and inform us as to what he and the British Prime Minister intend to do about these important matters.

The Taoiseach: As I said, there is no need for a special summit because at every meeting we stress these important matters, in particular the Finucane case, collusion and issues from the past involving a number of cases with which we have been dealing from the historical position. We raise these continually with the British Government. The Minister for Foreign Affairs, Deputy Dermot Ahern, also raised them with the Secretary of State, Mr. Peter Hain, and I raised them again at our recent meetings.

On the Pat Finucane inquiry in particular, it is always a source of difference between us. We continue to fully support the holding of an independent public inquiry into this case. We have made clear that we want to the standard agreed at Weston Park and set by Judge Cory adhered to. We continue to share the concern of the Finucane family and Judge Cory, a point I have continually made, that the new Inquiries Act, under which the British Government intends to have the Finucane case investigated, will not meet these standards. We continue to raise these issues with the British Government and we continue to support the Finucane family 100%.

We have been involved and engaged on behalf of families and support groups in a number of other cases in raising the issues concerned. I assure Deputy Ó Caoláin that I do that at all times.

On the issue of the date, I have already answered that question. The date in November is real and fixed. Our aim is to secure the restoration of the devolved institutions and the implementation of the Good Friday Agreement. Deputy Ó Caoláin and other Members know I do not want to move away from the full implementation of the Good Friday Agreement. However, if forced to do so, we will have to operate a new partnership arrangement with the British Government, but I would prefer not to do that, and I have made that clear. If forced to do so, we will have no alternative but to secure the Agreement as best we can. I have told the loyalist groups, the political groups, all the parties, the British Government and the Americans that the

Irish Government's position is full implementation of the Agreement, as the people voted for and as was negotiated. The alternative is definitely a plan B, as far as we are concerned. If we have to move to plan B we will do so, and will be ready to do that post-haste if that is what we face.

As I said, it would be far better if the Democratic Unionist Party and Sinn Féin were to have meetings. Good progress has been made, the joint chair arrangement has worked and substantive agreements have also worked, but there are outstanding issues. It is a year since decommissioning and even longer since the IRA statement on ending all its activities. I take this first opportunity of Question Time when answering questions of the North to urge the parties to engage positively over the coming period. They should not be tempted to play for time. We are serious about the deadline. It is fixed. I hope no party will make the mistake of underestimating the seriousness of the Governments' intent. We have given the parties more than enough time. We gave this deadline at the beginning of April, it was not a case of stating it in the middle of the summer or in the autumn. We must move the process forward. We need to know whether people want to govern together or not. There is an enormous responsibility on all the partners, but particularly on the largest parties, to move forward.

Deputy Ó Caoláin knows my view on a point where I believe he can also help. It is that Sinn Féin will have to commit completely to policing in the context of an agreement. Any right thinking person should understand the significance of this. Northern Ireland would be an entirely different place in a context where agreement on government and policing were finally achieved. This obviously is an issue that must be resolved. I accept it must be resolved as part of an overall agreement, but it is a very important issue. The best way of making progress on this in the short term is for the DUP and Sinn Féin in particular to engage — all the parties are engaging — and sit down and deal with this issue.

Caoimhghín Ó Caoláin: The Taoiseach did not reply to my question on the evidence given today by a senior Garda officer at a meeting of the Sub-Committee on the Barron Report of the Joint Committee on Justice, Equality, Defence and Women's Rights.

The Taoiseach: I am not aware of what happened at a meeting of a committee of the Houses today. As the Deputy is aware from the inquiry and the reports of it by Mr. Justice Barron, it is clear throughout them that there is an identified location where activities were going on and that was highlighted a number of times. Mr. Justice Barron definitely wrote a considerable amount about that in his first report. It is a serious matter.

As the Deputy is aware, I have raised previously that after the Dublin and Monaghan bom-

dings not a great deal of activity seems to have happened around that issue for whatever reason. It is through the work we had done here, the groups I got together and through the work of the late Mr. Justice Hamilton and Mr. Justice Barron that much of this information was uncovered. The Garda investigations into these matters closed in August 1974, which I have always said was extraordinary. It would be more extraordinary if the Deputy told me today that a senior Garda who was on duty at that time would have known that and that the inquiry was still closed in August 1974.

Caoimhghín Ó Caoláin: That information was known prior to the event.

An Ceann Comhairle: We cannot have a debate on the matter. I call Deputy Rabbitte.

The Taoiseach: That is significant. The newer investigation being undertaken by senior counsel is looking at those aspects. That work continues and co-operation with the British Government has continued over the summer months.

Mr. Rabbitte: I take it from what the Taoiseach has said that there is no backing away from the 24 November on the part of the two Governments. Has he thought about what would be the correct course of action if there were no progress from the talks in Scotland? Is there any point in persisting until 24 November if there is none? Would it not be better to call it a day at that stage?

Do I misinterpret the comments of the preparation for Government committee of the DUP as suggesting it is not ready to share power? If I do not, is the best way to test the DUP's mettle for Sinn Féin to declare its support for policing in Northern Ireland? Has there been any progress in the summer months in respect of the likelihood of Sinn Féin taking its seats on the policing board?

If things do not proceed as we hope they will, what is the Taoiseach's expectation of what will happen to the North-South bodies in any new dispensation? Will it be possible for them to continue in existence and will it be possible to expand their role?

How does the Taoiseach respond to statements, made during private discussions a number of us have held with senior members of the DUP, to the effect that they have come to grips with many issues in recent times and are prepared to see a form of democracy return to Northern Ireland in the form of devolved institutions but are damned if they are going to co-operate with an arbitrary date set by the two Governments? They say that is not the way to make progress and that they will do so in their own time rather than respond to the fixing of an arbitrary date by the British and Irish Governments.

The Taoiseach: The Deputy asked a number of questions and I will answer the last one first. I know the arguments the DUP makes but they cannot say it is an arbitrary date because it is one the British Government fixed at Cabinet level and enshrined in legislation which was passed by the House of Lords and the House of Commons. They cannot blame the Irish Government if it is a date embedded in their own legislation via a legislative assembly in which they have considerable participation.

We argued from January until spring this year that a reasonable amount of time should be allowed for serious dialogue with the parties in the absence of the issues which previously existed, such as the IRA being active or the International Monitoring Commission's inability to produce accurate reports on the progress of decommissioning. We suggested we leave it for the entire year so the end of the November was fixed as a suitable date and transposed into legislation. On that basis I put considerable effort into persuading parties to agree to the recommencement on 15 May of the Assembly so that dialogue could take place and committees meet. If I had not been able to say that, more than one party would have refused to enter into the Assembly to get things moving again and to stay with it for a prolonged period. That was the right call. The date is set in legislation and people cannot keep pushing it back. The British Government is as firm as the Irish on that.

The North-South bodies and other mechanisms that exist have been operating on a temporary basis and in their own way have proved satisfactory and led to some progress. However, it is nothing compared with what we should have achieved. The North-South bodies should have been much enhanced and more progress made. They have existed on a caretaker basis which has held back a number of decisions, including some legislative measures we were to deal with in this House. That is an unsatisfactory position.

Deputy Rabbitte asked what would happen if we had to move on to a plan B. We have held detailed discussions with the British Government on how to deal with new arrangements on the basis of partnership. It is not my preferred way but we have made constitutional changes and made concessions in many areas. The North-South element is very important and new partnership arrangements must embrace those issues in a very substantive way. As the Deputy pointed out to me previously, including in written form some years ago, there are legislative implications which we cannot just set aside. The Attorney General has consistently made clear that they are important issues and I made that point very clearly to the British Government at the meeting in November.

I hope it does not come to that but all the parties in Northern Ireland must decide in the next few months if they really want to share power based on the strength of their parties, which is the

basis of the Good Friday Agreement. That is the only way of governing Northern Ireland because of the unique situation there. It is not like this State or other places and the Agreement is the basis for it so people cannot stand back from it.

On policing, it is important that Sinn Féin commits completely to policing in the context of an agreement, which is necessary in Northern Ireland. There has been ongoing dialogue on that issue but I cannot be sure what Sinn Féin will do. I hope we can make progress in that area. It is essential because we will not persuade the DUP or others to agree unless that is resolved.

Mr. F. McGrath: Does the Taoiseach share my total frustration and annoyance, and that of many people on this island, at the delaying tactics of the DUP, especially in recent days? Yesterday the sub-committee on the Barron report met victims, including Stephen Travers of the Miami show-band massacre, the Dundalk families and others who gave evidence and made oral submissions. We heard of their grief and hurt and their serious allegations of collusion at the time. Will the Taoiseach strongly raise these issues with the British Government? Many of these victims are very concerned that the same mistakes will be made again whereby everybody retreats into a cushy silence and there is no movement from certain quarters in the North in respect of these talks. This is a very important issue.

I wish to raise very strongly the recent incident of the intimidation of an official of the Department of Foreign Affairs in the North, who I believe was doing much valuable work assisting people in Unionist communities. I ask the Taoiseach to point out that this is not acceptable to anybody on this island, especially when it happens to one of our own civil servants. What is the exact situation in regard to that?

I attended the sub-committee on the Barron report this morning and, as Deputy Ó Caoláin mentioned earlier, new information is coming forward about information the Garda had at the time of the Dublin-Monaghan bombings. I urge the Taoiseach to raise these issues with the Minister for Justice, Equality and Law Reform and with the British Government. If the November deadline is blocked by the DUP and not reached, will the Taoiseach consider the sensible proposal, which many Members of this House, notwithstanding some cynics, support, of allowing Northern Irish elected representatives to sit and participate in debates in this House?

Mr. Sargent: How was plan B, reported in the newspapers, formulated and is the Taoiseach satisfied there has been sufficient consultation will all parties involved to ensure it will not set back progress and make it more difficult to make an agreement? Will plan B be on the agenda of next month's multi-party talks in St. Andrew's? Following my attendance and that of other Members of this House at the British-Irish

Association conference in Oxford the Taoiseach will be aware of considerable and growing reports of the sectarian gulf in many communities, which is growing apace irrespective of the levels of violence. It seems to be ingrained and to be getting worse in the absence of political progress. Does the Taoiseach see a role for the non-sectarian parties, which find it difficult in the climate of a polarised society? Will he ensure that any consultation takes into account their importance in developing a normal society and that, regardless of their size, they are engaged to ensure that sectarian gulf is bridged at every opportunity?

The Taoiseach: I will continue to raise the issues mentioned by Deputy McGrath. I consistently engage with at least ten such groups on issues including the shooting of Mr. Pat Finucane and the Miami Showband massacre. I make the case to the British Government and to the Northern Ireland Office and my officials will continue to do so. I will return to the Deputy's point on the Civil Service.

Deputy Sargent's point about the sectarian gulf continues to be of major concern because in some of these communities overcoming these issues is difficult. We are trying, through every channel, including the Ulster Political Research Group, the reconciliation fund for North-South and Anglo-Irish co-operation, the Department of Foreign Affairs, the Ireland Fund from the United States and the economic initiative to change that position as much as possible through the education system and cooperation among religious institutions to break down those barriers of mistrust and to work with the initiative to remove graffiti and flags. The parties are working directly to build cross-party contacts and dialogue. Sinn Féin has been doing this for some time. This is important.

Deputy McGrath raised an important point about a member of our Civil Service. The PSNI informed us that it had reason to believe there was a threat against an Irish official working closely with loyalist communities. Measures were taken to ensure the officer's safety. It was a matter of concern and we went to some efforts to deal with it. Beyond that I do not propose to comment on the details of individual cases. We all join in deploring this threat. Some of the strongest condemnations came from within the loyalist communities. Several loyalist leaders underlined the importance of the work the individual had been doing to assist their communities. While the incident will not diminish our determination to do all we can to assist the process of transformation in loyalism, we had to take protective measures for the individual official.

Written Answers follow Adjournment Debate.

Adjournment Debate Matters.

An Ceann 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 Cowley — that the Minister address the crisis in Ballina, County Mayo where another 42 jobs have just been lost; (2) Deputy Healy — the need for the location of an emergency ambulance service in Carrick-on-Suir, County Tipperary; (3) Deputy Connolly — the need for a discussion on the recommendations in the report into the circumstances surrounding the death of the late Mr. Pat Joe Walsh at Monaghan General Hospital; (4) Deputy Crawford — the need for the Minister to advise the Dáil on the personal involvement she has had with the management and staff of Monaghan General Hospital; (5) Deputy Connaughton — the matter of the backlog of applications submitted by elderly people for funding under the housing for the elderly scheme; (6) Deputy Cregan — the need for the Minister to address the issue of the closure of Castlemahon Food Products Ltd, Castlemahon, County Limerick; (7) Deputy Neville — the closure of Castlemahon Food Products in County Limerick; (8) Deputy Walsh — the need for a debate on the immediate delay in commencing work on the affordable housing scheme at Clonakilty, County Cork; (9) Caoimhghín Ó Caoláin — that the Minister address the crisis in hospital services in the north-east region in the wake of the Teamwork report and the report into the death of Mr. Patrick Joseph Walsh; (10) Deputy Enright — that the Minister take steps regarding the deteriorating medical condition of a person (details supplied) awaiting an operation on their spinal cord; (11) Deputy Allen — that the Minister take steps to ensure a full United Nations peacekeeping force is dispatched to the Darfur region of Sudan; and (12) Deputy Broughan — that the Minister review his directions to the energy regulator, CER, in the light of the looming energy price hikes for gas and electricity.

The matters raised by Deputies Allen, Cowley, Cregan and Neville have been selected for discussion.

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 items under Standing Order 31.

Mr. Connolly: I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: the recently commissioned HSE report entitled *Improving Safety and Achieving Better Standards*, known as the Teamwork report, and the report on the death of Mr. Pat Joe Walsh encompassing the proposed future delivery of hospital services in the former North Eastern Health Board and the implications for Monaghan General Hospital and the four other hospitals in the north-eastern region; the failure

[Mr. Connolly.]

to consult the service users, hospital patient associations and service providers, hospital staff and GPs, and calls for an in-depth debate on those reports, which will significantly affect the quality of hospital service delivery in the north east for generations to come.

Mr. Healy: I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: the urgent necessity for the location of emergency ambulance services in Carrick-on-Suir, County Tipperary as the lives of heart attack and road accident patients are put at risk because the existing emergency ambulance services operating from Clonmel and Waterford cannot meet the required standard response times.

Mr. Crawford: Above all else I welcome the Ceann Comhairle back. We are glad to see he is safe. I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: the Teamwork and Carey reports into the death of the late Mr. Pat Joe Walsh and their implication for the services of Monaghan General Hospital if acted on as proposed by the HSE and supported by the Minister for Health and Children in her television interviews. The Minister supports the proposals in spite of the fact she has never visited Monaghan General Hospital or discussed the issue with the doctors and consultants there who have written to her through the HSE begging for the retention and upgrading of services in Monaghan General Hospital. Can this Dáil ignore the anger of 10,000 people on the streets of Monaghan?

Caoimhghín Ó Caoláin: I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: the crisis in hospital services in the north-east region in the wake of the Teamwork report and the report into the death of Mr. Pat Joe Walsh and the resulting decisions of the HSE to cut vital services at Monaghan General Hospital thus placing further pressure on hard-pressed accident and emergency and other services at Cavan General Hospital and the Lourdes Hospital, Drogheda, and the need for the Government to reject the unacceptable recommendations of the Teamwork report which have met with widespread opposition throughout the region.

Mr. Morgan: I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: that this House instructs the Minister for Health and Children to immediately lift the ban on recruitment to key positions in the health service as it is causing untold hardship to patients and staff. The Minister has demonstrated complete incompetence in this portfolio.

Aengus Ó Snodaigh: I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: the Government's failure to channel enough resources into the fight against drugs and related gun crime demonstrated by two shootings in the Dublin 12 area in 12 hours today and the failure of Operation Anvil to deliver on its purported objective of tackling gun crime as a result of under-resourcing and despite the courage of the gardaí, leaving thousands of Dublin residents at risk.

Mr. Broughan: I wish to seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance: to ask the Minister for Communications, Marine and Natural Resources if he will immediately review his directions to the Commission for Energy Regulation, CER, in advance of the imminent massive price hikes of 34% for gas from next Sunday and 19.4% for electricity early next year; if he will ensure the needs of consumers are adequately taken into account in energy pricing policy; what measures he intends to bring forward to address the increase in fuel and energy poverty as a result of the massive inflation in energy prices that has occurred during the last nine years; and if he will make a statement on the matter.

Dr. Cowley: I wish to seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance: the crisis which exists in Ballina, County Mayo with the loss of 1,000 jobs net in the past nine years; where the unemployment rate is twice the national average at 11%, more than the numbers on the live register in the entire County Roscommon; where another 42 jobs have been lost recently in Duffy's bakery, with no Government action plan in place to help this employment black spot, which is directly due to the infrastructure deficit, as proved by the €3.9 billion underspend in the BMW region and the lack of action by this Government.

Mr. Sargent: I wish to seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance: the need for the Taoiseach to explain to the Houses of the Oireachtas and to answer questions from all parties regarding the clear contradiction between his statement in 1997 that "politicians should not be under a financial obligation to anyone", friend or other, and his admission yesterday that in 1993 and 1994 he received financial assistance of around €50,000 from friends.

Mr. Gormley: I wish to seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance: the difficulties now faced by the Taoiseach and the Tánaiste in exercising any moral authority over their Ministers following revelations that the Taoiseach did not abide by his own stated standards for public office.

Mr. Boyle: I wish to seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance: the serious questions regarding the Taoiseach's tax affairs following his statement that the €50,000 given to him by friends has not been paid back, no interest has been paid on it and that it therefore appears to constitute a gift that would be liable to tax.

Mr. Cuffe: I wish to seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance: the appropriateness of the Taoiseach accepting payment for speaking at business conferences while Minister for Finance.

Mr. Eamon Ryan: I wish to seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance: the statement by the Taoiseach yesterday that he appointed friends to positions in State bodies and if he is aware of the Standards in Public Office Commission Guidelines for Office Holders which state that appointments should be made on merit.

Mr. Gogarty: I wish to seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance: to discuss the comment by the Taoiseach that claims that money paid to him in 1993 by friends amounted to between €50,000 and €100,000 were off the wall when in fact he admitted yesterday that the amounts were close to €50,000.

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

Nomination of Tánaiste: Statement.

The Taoiseach: I wish to announce for the information of the Dáil that on 13 September 2006 I nominated Deputy McDowell, Minister for Justice, Equality and Law Reform as Tánaiste.

Order of Business.

The Taoiseach: It is proposed to take No. 10, motion re referral to joint committee of proposed approval by Dáil Éireann of the sectoral plans in accordance with section 31(6) of the Disability Act 2005; No. 11, motion re referral to select committee of proposed approval by Dáil Éireann of the terms of the Protocol on Explosive Remnants of War (referred to as 'Protocol V') of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons; No. 16, National Oil Reserves Agency Bill 2006 — Second Stage resumed; and No. 17, Criminal Justice (Mutual Assistance) Bill 2005 [*Seanad*] — Second Stage resumed. It is proposed, notwithstanding anything in Standing Orders, that Nos. 10 and 11 shall be decided without debate; Private Members' business shall be No. 52,

motion re report by Professor O'Neill on matters relating to the Leas Cross Nursing Home and nursing homes inspections, which shall also take place tomorrow immediately after the Order of Business and shall be brought to a conclusion after 90 minutes on that day.

An Ceann Comhairle: There are two proposals to put to the House. Is the proposal for dealing with Nos. 10 and 11 without debate, motions re referrals to joint committee and select committee, agreed to?

Mr. Kenny: We have had an important series of Leaders' questions today dealing with matters fundamental to the operation of the Department of the Taoiseach, its status, and matters arising from the Taoiseach's television interview yesterday. I propose that we suspend the proposed Order of Business for an hour, or an hour and a half.

An Ceann Comhairle: We cannot do that. That would be out of order.

Mr. Kenny: In that case I object to the proposal.

An Ceann Comhairle: We are discussing Nos. 10 and 11, without debate.

Mr. Kenny: I understand that but they are not agreed for the following reason: I want the House to give some time to follow through on several revelations——

An Ceann Comhairle: That does not arise under these proposals. The Deputy may speak to the two issues before us.

Mr. Kenny: I will finish in 30 seconds. First, the Taoiseach has clarified that he was a Minister when he attended the Manchester function.

An Ceann Comhairle: That does not arise.

Mr. Kenny: Second, we must also be able to discuss the appointments to boards made on the basis of friendship as distinct from merit. Third, we wish to recap on complaints——

An Ceann Comhairle: The Deputy is out of order. If any other Deputy is offering I will hear him or her. If not, I will put the question. I call Deputy Rabbitte.

Mr. Kenny: I am objecting on the basis I have stated.

Mr. Rabbitte: I too oppose the taking of these two items as proposed because it would be unconscionable that when the Dáil resumes on its first day an issue of such gravity, that is being debated

[Mr. Rabbitte.]

in every forum in the country, cannot be properly debated here.

An Ceann Comhairle: That does not arise on these two proposals.

Mr. Rabbitte: There are precedents.

An Ceann Comhairle: There are no precedents for discussing issues other than the motion before us.

Mr. Rabbitte: I am telling the Ceann Comhairle why I oppose them. We made an arrangement in 1997 on the Ray Burke affair to do precisely that.

An Ceann Comhairle: That does not arise under these items. I call Deputy Sargent.

Mr. Rabbitte: I am telling the Ceann Comhairle why I oppose taking these two items.

Mr. Howlin: Deputy Rabbitte is entitled to speak.

Mr. Rabbitte: We did it for the Taoiseach in January 1999.

An Ceann Comhairle: That does not arise under these two proposals. If the Deputy does not want to speak to the proposals I will hear Deputy Sargent and if the Deputy continues to interrupt I will put the question.

Mr. Rabbitte: It would be a mistake for us to nod through No. 10, referral to joint committee, or indeed the referral to select committee on the Protocol on Explosive Remnants of War when there are explosive remnants lying around that ought properly be debated in the national Parliament.

An Ceann Comhairle: I call Deputy Sargent.

Mr. Rabbitte: I am delighted to see the Ceann Comhairle back with us, safe and well but one ought to be permitted to explain why—

An Ceann Comhairle: One ought not be allowed to drive a coach and four through Standing Orders. The rules of the House are clear. We have one motion before us.

Mr. Connaughton: We can discuss nothing.

An Ceann Comhairle: The Deputy may speak to this motion or else resume his seat and allow Deputy Sargent to speak.

Mr. Connaughton: That is what he is doing.

Mr. Kenny: Deputy Rabbitte is speaking to it.

Mr. Rabbitte: I am speaking to it. I am saying why it is not appropriate that we should proceed to dispose of these matters as is proposed.

An Ceann Comhairle: That does not arise under these two motions.

Mr. Rabbitte: The necessary procedural order to implement the precedent of 1997 and 1999 ought to be afforded the House so we have an opportunity to discuss the very serious issues to which the Taoiseach's interview yesterday give rise.

An Ceann Comhairle: The Deputy has made his point. I call Deputy Sargent.

Mr. Sargent: There were several requests under Standing Order 31 which clearly indicated there is a wish in this House for a greater level of accountability.

An Ceann Comhairle: That does not arise. We are discussing the proposal to take Nos. 10 and 11 without debate.

Mr. Sargent: The two proposals—

An Ceann Comhairle: A Member may not come in here day after day and try to drive a coach and four through Standing Orders.

Mr. Howlin: We have not been here for 12 weeks.

Mr. Sargent: I am trying to exercise democracy here.

An Ceann Comhairle: If the Deputy is not happy he should change Standing Orders.

Mr. Sargent: The Ceann Comhairle told us he believed passionately in democracy when he was being hounded by protesters.

An Ceann Comhairle: That is why I respect Standing Orders laid down by Members of this House.

Mr. Sargent: This is democracy at work. My colleagues and I put down six motions under Standing Order 31—

An Ceann Comhairle: That has nothing to do with the proposal before us.

Mr. Sargent: It has everything to do with the proposal.

An Ceann Comhairle: Deputy Ó Caoláin, are you coming in on this?

Mr. Sargent: It indicates a level of public concern, a wish for democracy to be accountable—

An Ceann Comhairle: We will put the question.

Mr. Sargent: —and a wish for this House to operate.

An Ceann Comhairle: Is the proposal for dealing with Nos. 10 and 11 without debate agreed?

Mr. Sargent: A Cheann Comhairle, it is not right for you to close down this House and to close down democracy.

Question put: “That the proposal for dealing with Nos. 10 and 11 be agreed to.”

The Dáil divided: Tá, 73; Níl, 64.

Tá

Ahern, Bertie.
 Ahern, Michael.
 Ahern, Noel.
 Andrews, Barry.
 Ardagh, Seán.
 Blaney, Niall.
 Brady, Johnny.
 Brady, Martin.
 Brennan, Seamus.
 Callanan, Joe.
 Carey, Pat.
 Cassidy, Donie.
 Collins, Michael.
 Cooper-Flynn, Beverley.
 Cowen, Brian.
 Cregan, John.
 Cullen, Martin.
 Curran, John.
 Davern, Noel.
 de Valera, Síle.
 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.
 Hanafin, Mary.
 Harney, Mary.
 Haughey, Seán.
 Hoctor, Máire.

Jacob, Joe.
 Keaveney, Cecilia.
 Kelleher, Billy.
 Kelly, Peter.
 Kirk, Seamus.
 Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.
 McDowell, Michael.
 McGuinness, John.
 Martin, Micheál.
 Moloney, John.
 Moynihan, Donal.
 Mulcahy, Michael.
 Nolan, M. J.
 Ó Cuív, Eamon.
 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'Malley, Fiona.
 O'Malley, Tim.
 Parlon, Tom.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Sexton, Mae.
 Smith, Michael.
 Treacy, Noel.
 Wallace, Dan.
 Wallace, Mary.
 Walsh, Joe.
 Wilkinson, Ollie.

Níl

Allen, Bernard.
 Boyle, Dan.
 Breen, James.
 Breen, Pat.
 Broughan, Thomas P.
 Bruton, Richard.
 Burton, Joan.
 Connaughton, Paul.
 Connolly, Paudge.
 Costello, Joe.
 Cowley, Jerry.
 Crawford, Seymour.
 Crowe, Seán.
 Cuffe, Ciarán.
 Deasy, John.
 Deenihan, Jimmy.
 Durkan, Bernard J.
 English, Damien.
 Enright, Olwyn.
 Gilmore, Eamon.
 Gogarty, Paul.
 Gormley, John.
 Gregory, Tony.
 Hayes, Tom.
 Healy, Seamus.
 Higgins, Joe.
 Higgins, Michael D.

Hogan, Phil.
 Howlin, Brendan.
 Kehoe, Paul.
 Kenny, Enda.
 Lynch, Kathleen.
 McEntee, Shane.
 McGinley, Dinny.
 McGrath, Finian.
 McGrath, Paul.
 McHugh, Paddy.
 McManus, Liz.
 Mitchell, Olivia.
 Morgan, Arthur.
 Moynihan-Cronin, Breeda.
 Murphy, Catherine.
 Murphy, Gerard.
 Neville, Dan.
 Noonan, Michael.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Dowd, Fergus.
 O'Keeffe, Jim.
 O'Shea, Brian.
 O'Sullivan, Jan.
 Pattison, Seamus.
 Perry, John.
 Rabbitte, Pat.

Níl—*continued*

Ring, Michael.
Ryan, Eamon.
Ryan, Seán.
Sargent, Trevor.
Shortall, Róisín.

Stagg, Emmet.
Stanton, David.
Timmins, Billy.
Twomey, Liam.
Wall, Jack.

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

Question declared carried.

An Ceann Comhairle: Is the proposal for dealing with Private Members' business agreed to?

Mr. Kenny: In view of the importance of the revelations that emerged during answers given by the Taoiseach earlier, some matters need to be clarified in the public interest. I suggest that the Government extend business after Private Members' business by an hour and 15 minutes to clarify the issue of the Manchester money, the definition of "gift" in tax legislation and the conflict of interests consequent to several appointments made by the Taoiseach. I suggest that the Government accept this and clarify these matters once and for all.

Mr. Rabbitte: A brief period of questions and answers after the end of a round of statements would be appropriate in the circumstances.

An Ceann Comhairle: We are discussing Private Members' business. It is a matter for the House if it wishes to agree to the arrangements for Private Members' business. Normally, Members speak against a proposal before the House. If the Deputies wish to oppose the proposal, I will put the question.

Mr. Sargent: I wish to oppose the proposal. The Green Party Whip, Deputy Boyle, wrote to the Government Chief Whip specifically asking for the same request made by the other two party leaders. That request was not to the liking of the Government Chief Whip. The House needs to make the decision. One can hear an overwhelm-

ing demand for the proposed facility. We will let—

An Ceann Comhairle: The Deputy has just said that he is opposing the question. I will, therefore, put the question.

Mr. Sargent: Yes, let us have a questions and answers session.

Mr. Gormley: Will the Ceann Comhairle let Deputy Sargent explain why he is opposing the question?

Mr. Sargent: Is the Ceann Comhairle accepting the proposal?

An Ceann Comhairle: The question is that the proposal for dealing with—

Mr. Gormley: Deputy Sargent should be allowed to speak.

A Deputy: This is not a democracy at all.

Mr. Sargent: Is the Ceann Comhairle accepting the proposal?

An Ceann Comhairle: Does the Taoiseach wish to change the proposal regarding Private Members' business?

The Taoiseach: I am not changing it. I have answered questions.

(Interruptions).

Question put: "That the proposal for dealing with Private Members' business be agreed to."

The Dáil divided: Tá, 72; Níl, 64.

Tá

Ahern, Bertie.
Ahern, Michael.
Ahern, Noel.
Andrews, Barry.
Ardagh, Seán.
Blaney, Niall.
Brady, Johnny.
Brady, Martin.
Brennan, Seamus.
Callanan, Joe.
Carey, Pat.
Cassidy, Donie.
Collins, Michael.
Cooper-Flynn, Beverley.
Cowen, Brian.
Cregan, John.

Cullen, Martin.
Curran, John.
Davern, Noel.
de Valera, Síle.
Dennehy, John.
Devins, Jimmy.
Ellis, John.
Fahey, Frank.
Finneran, Michael.
Fitzpatrick, Dermot.
Fleming, Seán.
Fox, Mildred.
Gallagher, Pat The Cope.
Glennon, Jim.
Grealish, Noel.
Hanafin, Mary.

Tá—continued

Harney, Mary.
 Haughey, Seán.
 Hoctor, Máire.
 Jacob, Joe.
 Keaveney, Cecilia.
 Kelleher, Billy.
 Kelly, Peter.
 Kirk, Seamus.
 Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.
 Martin, Micheál.
 McDowell, Michael.
 McGuinness, John.
 Moloney, John.
 Moynihan, Donal.
 Mulcahy, Michael.
 Nolan, M. J.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.

O'Connor, Charlie.
 O'Dea, Willie.
 O'Donnell, Liz.
 O'Donoghue, John.
 O'Donovan, Denis.
 O'Flynn, Noel.
 O'Keefe, Batt.
 O'Malley, Fiona.
 O'Malley, Tim.
 Parlon, Tom.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Sexton, Mae.
 Smith, Michael.
 Treacy, Noel.
 Wallace, Dan.
 Wallace, Mary.
 Walsh, Joe.
 Wilkinson, Ollie.

Níl

Allen, Bernard.
 Boyle, Dan.
 Breen, James.
 Breen, Pat.
 Broughan, Thomas P.
 Bruton, Richard.
 Burton, Joan.
 Connaughton, Paul.
 Connolly, Paudge.
 Costello, Joe.
 Cowley, Jerry.
 Crawford, Seymour.
 Crowe, Seán.
 Cuffe, Ciarán.
 Deasy, John.
 Deenihan, Jimmy.
 Durkan, Bernard J.
 English, Damien.
 Enright, Olwyn.
 Gilmore, Eamon.
 Gogarty, Paul.
 Gormley, John.
 Gregory, Tony.
 Hayes, Tom.
 Healy, Seamus.
 Higgins, Joe.
 Higgins, Michael D.
 Hogan, Phil.
 Howlin, Brendan.
 Kehoe, Paul.
 Kenny, Enda.
 Lynch, Kathleen.

McCormack, Pádraic.
 McEntee, Shane.
 McGinley, Dinny.
 McGrath, Finian.
 McGrath, Paul.
 McHugh, Paddy.
 McManus, Liz.
 Mitchell, Olivia.
 Morgan, Arthur.
 Moynihan-Cronin, Breeda.
 Murphy, Catherine.
 Murphy, Gerard.
 Neville, Dan.
 Noonan, Michael.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Dowd, Fergus.
 O'Shea, Brian.
 O'Sullivan, Jan.
 Pattison, Seamus.
 Perry, John.
 Rabbitte, Pat.
 Ring, Michael.
 Ryan, Eamon.
 Ryan, Seán.
 Sargent, Trevor.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Twomey, Liam.
 Wall, Jack.

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

Question declared carried.

Mr. Kenny: Does the Taoiseach have plans to amend the ethics legislation to allow for a situation where a business person can give a Minister €100,000 in an interest-free loan without breaching that legislation? Is it intended, in light of the public interest in this issue, that the Government will give time either tomorrow or next week to deal with some of the outstanding matters arising from the Taoiseach's full statement last night in terms of ethics, State board appointments, public service obligations, taxation

issues and definitions of the term "gift" under the tax law?

The Taoiseach: There is no plan to amend the ethics legislation. The issues are set out clearly in that legislation and in the codes. I spent half an hour on Leaders' Questions dealing with the issues. I thank the Ceann Comhairle for giving us that time.

Mr. Rabbitte: When there is a resignation from high office but the Minister continues to serve in the Department of Health and Children, it is not

[Mr. Rabbitte.]

easy to respond to it. I thank the former Tánaiste for her courtesy during her time there and for her service. The new Tánaiste has an eye to history and he has an opportunity to be the shortest lived Tánaiste in the history of the State.

Is it proposed to proceed with the Privacy Bill as published?

The Taoiseach: This Bill is before the Seanad.

Mr. Sargent: I take this opportunity to wish the former Tánaiste well and the new Tánaiste an enjoyable short tenure.

Can the long overdue criminal justice (UN convention against corruption) Bill be brought forward any quicker than is proposed? We have moved from position 12 down to position 19 on the international corruption perceptions index. This is something we must address. Will the Taoiseach endorse the calls from my party to abolish corporate donations in the political system in the interests of better transparency, accountability and fairness?

The Government has little credibility in regard to the citizen's information Bill, which has apparently been renamed and the imminent publication of which has been promised every Monday for the last several weeks. Will the latest postponement to 6 October be the final announcement in regard to this legislation or will it continue to be denied the light of day? Who was consulted in regard to the name of the Bill? Was this change a product of the imagination of the Minister or somebody in his office?

The Taoiseach: The citizen's information Bill will be published in October and will be taken in this session. The criminal justice (UN convention against corruption) Bill will be taken next year.

Mr. Durkan: I welcome the publication of the proposed legislative programme for this session. I notice, however, a number of casualties, including the GSI Bill and the postal communications Bill. The omission of the latter, removed from a previous legislative programme and not reinstated, comes at a time when the surreptitious closure of post offices continues. Will the single electricity market Bill be brought to the House earlier than anticipated to give the Minister an opportunity to rescind the decision to increase gas and electricity prices?

The Taoiseach: The purpose of the single electricity market Bill is to facilitate the establishment of a wholesale electricity market on the island of Ireland. The heads of the Bill have been approved but, as a North-South initiative, it will require a joint approach. It will be dealt with during this session.

Mr. Howlin: The Tánaiste and Minister for Justice, Equality and Law Reform has promul-

gated what is purported to be a new immigration and residence Bill, although the Bill itself is on the C list and is not supposed to be published until next year. Have the contents of this Bill been approved by the Government, when will it be published and is it intended to enact it before the end of this Dáil?

The Taoiseach: The heads of this Bill were approved some weeks ago and it has been sent for drafting. It will be brought forward next year.

Mr. Howlin: Will it be enacted?

The Taoiseach: It is expected to be. The difficulty is that there are always so many Bills in the Department of Justice, Equality and Law Reform.

Caoimhghín Ó Caoláin: Given the recent reports of housing developers refusing to build social and affordable housing under Part V of the Planning and Development Act, will the Taoiseach bring forward the housing (miscellaneous provisions) Bill and include in it the reinstatement in full of Part V, which the Government gutted at the behest of developers and speculators?

The eligibility for health and personal social services Bill has been repeatedly promised and repeatedly postponed. The new legislative programme states that publication is expected in 2007. Is that early 2007 or will it happen at all in the course of this Dáil?

The Taoiseach: We hope to bring forward the housing (miscellaneous provisions) Bill early next year.

Caoimhghín Ó Caoláin: Will it restore Part V of the planning legislation?

An Ceann Comhairle: The Taoiseach should be allowed to answer questions without interruption.

The Taoiseach: The eligibility for health and personal social services Bill will be dealt with at some stage next year. It was sent for drafting some time ago.

Ms Shortall: The Minister for Transport has promised a new road traffic Bill before the end of this year to deal with several road traffic matters. However, the promised legislation is included on neither the pink list nor the white list. Is it still the intention to produce the Bill this year and when are we likely to see it?

The Taoiseach: The Minister informs me that the Bill is being drafted.

Mr. Stanton: What is the reason for the delay in publication of the register of persons who are considered unsafe to work with children Bill and

when are we likely to see it? This is urgent legislation that was promised two years ago.

The Taoiseach: This Bill has been delayed to allow us give effect to the recommendations of the joint working group on the protection of children. The legislation arises out of the North-South Ministerial Council.

6 o'clock Work thus far on the Bill has concentrated on developing procedures for the vetting of convictions through the vetting unit. The development of a register gives rise to a range of policy and practical implementation issues.

This is a North-South issue and it is not possible to give a date for the Bill's publication at this stage. If, as stated earlier, we made progress, we could deal with this issue.

Mr. Gogarty: Given the wider issues raised by the Taoiseach's response during Leaders' Questions and in light of the elements of hypocrisy and double standards on the part of others in the House——

An Ceann Comhairle: Does the Deputy have a question? I intend to move on to the next area of business because it is after 6 p.m.

Mr. Gogarty: ——particularly the Fine Gael and Labour parties, will the Taoiseach give consideration to new legislation restricting corporate donations, personal donations and loans to politicians?

An Ceann Comhairle: That question has already been answered.

Mr. Gogarty: I think this is sorely needed and the Taoiseach did not answer the question earlier.

An Ceann Comhairle: I ask the Deputy to resume his seat and be orderly, it is after 6 p.m. and there are many Deputies offering.

Mr. Gogarty: With respect, the question was not answered in this context and I would like a reply from the Taoiseach. Given the personal stress he has experienced, would he not consider it appropriate to put forward legislation to tighten up this area?

An Ceann Comhairle: I ask the Deputy to resume his seat.

Mr. Gogarty: It is a fair question which I believe the Taoiseach might be willing to address.

An Ceann Comhairle: I ask the Deputy to resume his seat.

Mr. J. Breen: I tabled two parliamentary questions for answer today and the Ceann Comhairle disallowed both. I agree with him regarding one of them.

An Ceann Comhairle: I would be delighted to discuss the matter with the Deputy if he wishes to call to my office.

Mr. J. Breen: I want the Ceann Comhairle's reasons for rejecting the question to be placed on the public record.

An Ceann Comhairle: The Deputy is welcome to put it on the private record. I call Deputy Kehoe.

Mr. J. Breen: I will not resume my seat.

An Ceann Comhairle: The Deputy is out of order.

Mr. J. Breen: I am not out of order.

Mr. Kehoe: I was told to——

Mr. J. Breen: The Minister for Communications, Marine and Natural Resources said that he would intervene with An Post.

Mr. Kehoe: I would like to ask the Taoiseach——

An Ceann Comhairle: If the Deputy wishes to frustrate his colleagues during the Order of Business, so be it.

Mr. J. Breen: I want an answer.

An Ceann Comhairle: I am moving on to No. 10.

Mr. J. Breen: I will not resume my seat. I will interrupt business if I must. I will stand on the seat.

A Deputy: Look at the Deputy.

Mr. J. Breen: This is what is wrong with this House. We want openness and transparency. I am entitled to an answer, the Ceann Comhairle can continue to talk. I will walk up to the Ceann Comhairle if I must.

An Ceann Comhairle: The Deputy is being disorderly, the Chair has informed him that the question can be discussed in private.

Mr. J. Breen: I want fair play. That is all I am seeking.

Sectoral Plans: Motion.

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

“That the proposal that Dáil Éireann, in accordance with section 31 (6) of the Disability Act 2005, approves of the sectoral plans which have been prepared by the following Ministers:

Minister for Health and Children,

[Mr. Kitt.]

Minister for Social and Family Affairs,

Minister for Transport,

Minister for Communications, Marine and Natural Resources,

Minister for the Environment, Heritage and Local Government,

Minister for Enterprise, Trade and Employment,

copies of which were laid before Dáil Éireann on 20th July, 2006, be referred to the Joint Committee on Justice, Equality, Defence and Women's Rights in accordance with paragraph (2) of the Orders of Reference of that Committee, which, not later than 17th October, 2006, shall send a message to the Dáil in the manner prescribed in Standing Order 85, and Standing Order 84(2) shall accordingly apply."

Question put and agreed to.

Protocol on Explosive Remnants of War: Motion.

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

"That the proposal that Dáil Éireann approves the terms of the Protocol on Explosive Remnants of War (referred to as 'Protocol V') of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects, 1980, be referred to the Select Committee on Justice, Equality, Defence and Women's Rights, in accordance with paragraph (1) of the Orders of Reference of that Committee, which, not later than October, 2006, shall send a message to the Dáil in the manner prescribed in Standing Order 85, and Standing Order 84(2) shall accordingly apply"

Question put and agreed to.

Message from Seanad.

An Ceann Comhairle: Seanad Éireann has passed the Buildings Societies (Amendment) Bill 2006, the Road Traffic Bill 2006, the Hepatitis C Compensation Tribunal (Amendment) Bill 2006, the Institutes of Technology Bill 2006 and the Planning and Development (Strategic Infrastructure) Bill 2006, without amendment.

Messages from Select Committees.

An Ceann Comhairle: The Select Committee on Communications, Marine and Natural Resources has completed its consideration of the Energy (Miscellaneous Provisions) Bill 2006 and has made amendments thereto.

The Select Committee on Enterprise and Small Business has completed its consideration of the

Patents (Amendment) Bill 1999 and has made amendments thereto.

The Select Committee on Health and Children has completed its consideration of the Health (Nursing Homes) (Amendment) Bill 2006 and has made amendments thereto.

Order of Business (Resumed).

Mr. J. Breen: On a point of order, I want an explanation as to why the Ceann Comhairle is depriving me of my right in this House to put something on the public record. It was made public in County Clare by the Minister for Communications, Marine and Natural Resources, Deputy Dempsey.

An Ceann Comhairle: The Deputy has made his point. If he has a problem with the Chair's rulings, he is welcome to come to my office. He should allow the House to proceed with its business.

Mr. J. Breen: The Minister intervened with An Post. It was a senior member of Government that did this. Did he intervene or not? That is all I want to know. Did the Minister for Communications, Marine and Natural Resources intervene with An Post.

An Ceann Comhairle: The Chair is reluctant to ask the Deputy to leave but it appears that is what the Deputy wants.

Mr. J. Breen: All I want is an answer to my question.

An Ceann Comhairle: The Deputy wants to be asked to leave and the Chair can facilitate him.

Mr. J. Breen: I should be provided with an answer to my question.

An Ceann Comhairle: I will answer any questions in my office, not on the floor of the House.

Mr. J. Breen: No, that is in private. I want it on the public record.

An Ceann Comhairle: We are moving on.

Mr. J. Breen: The Ceann Comhairle can move where he likes. I will not resume my seat.

An Ceann Comhairle: Very well, the Deputy will leave the House.

Mr. Broughan: On a point of order—

An Ceann Comhairle: There is no point of order. The Chair is dealing with a point of disorder. Deputy James Breen will leave the House.

Mr. Broughan: The Deputy should be allowed to read the letter, which is short.

An Ceann Comhairle: The Deputy does not wish to leave the House. I move:

That Deputy James Breen be suspended from the service of the Dáil.

Question put and agreed to.

Mr. Durkan: That is a sour note on which to start a new session.

Deputy J. Breen withdrew from the Chamber.

National Oil Reserves Agency Bill 2006: Second Stage (resumed).

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

Mr. F. McGrath: I wish to share time with Deputy Trevor Sargent.

I welcome the opportunity to speak on the National Oil Reserves Agency Bill 2006. It is an important issue and an important debate because we need well thought out legislation in this area.

When we address important issues such as oil and gas, particularly our natural resources, we must have a comprehensive debate and listen to all views in the House. In recent days there have been massive increases in gas prices, particularly for families, the elderly and working people. Many people are upset about the 23% increase in gas prices, which will be a major issue in the coming weeks. I support these people on these issues. It was announced that workers would receive a 10% increase in pay over 27 months through national pay agreements and within 24 hours gas and other energy costs went through the roof. That is a disgrace and it is not acceptable in this day and age.

We need to have well thought out strategies regarding this legislation. We should not be afraid to look to other countries for advice on this legislation and the entire issue of energy, oil and gas. When considering the broader issue of oil and gas we should accept that these resources around our shores belong to the people of Ireland, not oil companies. There should be sensible policies regarding licences in these cases.

The main provision of the bill is to establish a National Oil Reserves Agency, NORA, as a stand alone, non-commercial State body under the aegis of the Minister for Communications, Marine and Natural Resources with responsibility for the maintenance of strategic supplies of oil, in line with the State's oil stock holding obligations to the EU and the International Energy Agency. The Bill provides for the transfer of the Irish National Petroleum Corporation shareholding in NORA to the Minister for Communications, Marine and Natural Resources. The Bill also provides for the continued operation of the agency as a private limited company under the Companies Act. It will provide for a variable levy on disposals of petroleum products to be imposed on

oil companies and consumers. Such a levy has operated since 1995 under EU regulations.

The Bill also makes provision for the furnishing of regular returns to the Minister regarding oil purchases, sales, consumption, imports and exports by oil companies, oil consumers and NORA. The Bill provides for the monitoring of compliance by oil companies and consumers with its provisions. The legislation also revokes the European Communities (Minimum Stocks of Petroleum Oils) Regulations 1995.

These are the main provisions in the legislation and they are very important in dealing with this issue. It is important in considering this Bill that we wake up to the future and examine alternative energy sources.

I strongly welcome some of the radical proposals that have been put forward concerning wind and sea as sources of power, as well as other sensible alternatives. On an island such as Ireland, great potential exists to invest in renewable energy, particularly wind farms, and people must accept that this is a clean, positive and constructive form of energy. I do not accept the criticisms from those who complain about the locations of wind farms because wind energy is a very sensible option that should be developed further. I acknowledge that we have made a start and that objectives have been put in place, but we must do far more in the future. Wind can be a major source of energy and we have a climate that is ideally suited to its use. This is the sensible way forward.

We must also be radical with regard to oil and gas. We need a national vision to deal with these resources. I do not accept the power that many oil companies seem to have, whether it be in Ireland, Nigeria or Latin America. I urge people, when they are examining natural resources such as oil and gas, to consider the sensible ideas coming from countries in South America. They are dealing very constructively with their oil resources and distributing it to the poorer sections of their communities. I am referring, in particular, to Venezuela, which has shown a clear vision and is using its wealth for its people. The government there is building houses in the ghettos, providing people with health care and has even offered low-cost oil to poor people in the United States of America. That is the kind of international co-operation that we should be examining in this debate. It is also the kind of sensible vision which bodes well for the future.

The Corrib gas field in County Mayo is an important issue in this debate. Deputies are aware that there is a major dispute going on in that area. I make no apology for supporting the people who want our gas resources in the control of the Irish people and who also want proper safety measures put in place. I commend people like the Rosspoint five for their efforts. Perhaps it is not trendy, politically correct nor fashionable to say that at present, but they have sent out a very strong message. They are not just concerned

[Mr. F. McGrath.]

about safety issues but also about the way our natural resources are distributed. Offers of an additional payment of €10,000 have been made to land owners on the route of the pipeline in recent days. My colleague, Deputy Cowley, has been very strong in his position and I commend and support him on the issue.

Many people in the national media, some of those in Government and the oil companies are running negative campaigns against the protesting families in Mayo. The reality, according to a recent opinion poll, is that 61% of people in the local community support them 100%, despite the massive pressure being exerted. The message from the protestors is that they want complete safety for the local people and a clear, well-thought out policy on our natural resources and how they are used. In the context of the recent large increases in the price of oil and gas, we must wake up to the reality that, with Corrib, we are sitting on a goldmine. That goldmine should be used for the benefit of the consumers and citizens of this country.

Section 8 of the legislation sets out the principal functions and powers of the national oil reserves agency. In the explanatory memorandum, the agency's primary functions are defined as "the maintenance of strategic oil reserves to meet Ireland's obligations to the EU and the IEA, the collection of a levy on petroleum products, the provision of advice to the Minister on any matter relating to its functions and representation of the state at meetings of international bodies". The memorandum further explains that section 10 "is a standard feature which provides that the authorized share capital of NORA will be decided by the Minister for Finance after consulting with the Minister".

Section 14 is relevant to the debate we had in the House earlier. It provides for a board of six directors who, with the exception of the chief executive, will be appointed by the Minister. According to the explanatory memorandum "Directors appointed by the Minister are required under *subsection (2)* to have experience and competence in one of the following areas: oil or oil related industries, chemical or chemical related industries, finance, economics, legal matters and energy production and supply industries." In the context of the recent row, I would question the competence of some of the people who were appointed by the Taoiseach to State boards.

I welcome the opportunity to contribute to this debate. It is important that we accept and acknowledge that the natural energy resources of oil and gas of this country belong to the people. There should be no surrender on this issue. Oil and gas are national resources which should be managed and owned by the people on the island of Ireland, North and South. I commend the cross-Border initiatives aimed at linking both parts of the island in a one-island economy.

Mr. Sargent: Gabhaim buíochas leis an Teachta McGrath as a chuid ama a roinnt.

The National Oil Reserves Agency Bill is technical in nature and falls far short of what is needed if this country is to face up to the major challenges in the area of energy. Thanks to the Government, Ireland, *per capita*, is the seventh most oil dependent country in the world. In the period 1989 to 2001, we doubled our oil use. Oil accounts for 60% of our energy imports, while the EU average is 43%. We are very exposed in terms of energy in this country. We are now importing 9 million tonnes of oil and that figure is increasing by an average of 3% per year. By 2008, we will be importing approximately 12 million tonnes of oil. This is an unsustainable situation and no amount of oil reserves will deal with it. However, the Government has yet to face up to this fact.

We are continuing to build to a very low standard when it comes to energy insulation. Oil-fired central heating is essentially heating the atmosphere in many houses because they are so badly insulated. We rank 23rd out of 24 countries in the OECD in terms of poor energy efficiency.

It is in this context that I wish to offer a few useful suggestions to the Government regarding oil. The debate regarding oil does not relate to simply burning it. Oil is a product that can be turned into many useful things. Over 4,000 products are listed as being derivatives of oil, including aspirin, DVDs, perfume, contact lenses and so forth. To use oil only in the context of burning is to waste a valuable resource. The University of Limerick has carried out extensive research into biomass and developing many of the by-products of oil from cellulose. The Government must pay close attention to the researchers who are proposing that much of our energy needs as well as the raw material needs for the pharmaceutical industry could be met by more indigenous production than is currently the case.

Ireland is in very serious jeopardy in terms of amber alerts and blackouts. In 2005 there were 57 amber alerts in this country. There has been much focus on the Corrib gasfield in recent times. The way people have been treated in that area is a terrible indictment of the Government and the manner in which it has favoured the corporate interests of a few over the welfare of the wider community. However, the Corrib gasfield will not solve our energy problems. During the next 15 to 20 years between 50% and 70% of our gas may come from the Corrib field but we will still be obliged to pay for it at the same price as gas from Siberia and other places. The gas will be sold privately and we will be obliged to buy it on the open market and will not be able to argue about the price. It is not a solution and the gas in the field will be badly needed in future when it becomes even more critical that we have some locally available energy source in order to build our renewable energy technologies and get on the road to being far more self-reliant.

Oil, however, is a slippery subject. It is the focus of much public relations activity and spin to the effect that there is no problem, that the price is going down and that people should not become too concerned about it because everything will be fine. We know this is not true and the Government needs to be very careful in distinguishing between the spin in the interest of the market and geopolitical, geological and environmental realities based on science. This is exactly what needs to be made known in a very coherent and straightforward way.

The geopolitical realities are always present. The Iraq war was a clear demonstration of how spin can overtake reality. Secretary Rumsfeld says the Iraq war has nothing to do with oil, yet, before the invasion of Iraq and 18 months before the events of 11 September 2001, the oilfields in Iraq were studied by the White House energy task force. Halliburton obtained a contract to carry out repairs and the first thing that was protected during the invasion was the Iraqi oil ministry. There is very clear evidence that it is a resource war. My perception is that the Government has decided that it is far too difficult to change the habits of its short lifetime and that it will, therefore, tag itself onto the coat-tails of the victor in whatever resource war takes place. This is not only illogical, it is also unethical.

This State is not using its natural resources and I ask that the Government reconsider the potential in Ireland for moving away from oil as a critical part of our lives and economy. It is not only the case that oil will not be available in the future but also that if we continue to burn the stuff, we will be accelerating a very serious inequality in that 20% of the world's population are burning 60% of the energy resources. If we continue to burn it, China and India will want to do so. Countries much larger than Ireland will tip the balance in respect of climate change. If the Minister has not seen "An Inconvenient Truth", the film Al Gore, the former Vice President of the United States, was involved in making, it is very important that he do so. I ask that watching it be on his and his colleagues' agenda.

Ireland is the fifth largest emitter of greenhouses gases *per capita*. The earth is warmer now than it has been during the past 11,000 years. We are fast approaching what is called the feedback effect, in which methane will be released from the permafrost in the Arctic, Antarctic, tundra areas of Siberia, Norway and other such places when it melts. The release of methane will be similar to that at the onslaught of the last Ice Age. This could possibly happen within a decade. What will the Minister of State say to his children and the citizens of the country if this is not taken seriously? Other countries are showing us what to do — it is not a matter of reinventing the wheel. Sweden has clearly stated that it will move beyond oil, oil reserves and what we are talking about in this Bill by 2020. The authorities in Iceland are talking about a hydrogen economy.

This will not be easy but they see the need for it because they do not see any other option. This Government, rather than trying to build more capacity to store somebody else's oil, should recognise that the days of oil are fast coming to an end.

We need to put in place a strategy. The Government promised that it would publish an energy policy in July. However, July and August came and went. September is nearly gone and it is talking about publishing the policy, perhaps on Sunday. Does this sound like an urgent approach to a critical issue, bearing in mind that people face the danger of blackouts this winter? I ask that the Minister take this matter more seriously than any other facing this country. Every hospital, school, commuter and householder who needs to heat his or her home depends on the Minister doing so. There is no issue more critical to this country than that of taking the energy crisis seriously. It will not be taken seriously just by building more capacity for oil.

Mr. Haughey: I wish to share time with Deputy Fiona O'Malley.

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

Mr. Haughey: The central concern of this Bill is to ensure the future security of Ireland's oil supply. Contained in it are actions and precautions that are necessary to take at this time due to Ireland's over-reliance on imported fossil fuels. I hope such precautions will be negated in the future by the maturing of our current energy policies.

Ireland now consumes at least 50% more oil *per capita* than the EU average, which is simply not sustainable. This Government is working very hard to address this over-reliance and Departments are working closely together in developing a cohesive and joined-up strategy to take a new direction involving the full exploitation of our natural resources. Not only is this necessary, given that oil is a finite resource to which we have no direct access, but the benefits of a lasting and workable renewable energy policy are extensive, economically and environmentally.

Geographically, Ireland holds a unique position in Europe. It means that we are blessed with one of the largest wind resources in Europe and one of the highest wave energy levels in the world. Our coastline has the potential to provide approximately twice as much electricity as we currently use. Despite this impressive potential, approximately 95% of the energy consumed by this country is fossil-fuel based and we are debating legislation concerning the security of supply of this fuel, which is costly in terms of our pockets and the environment.

Current global circumstances have once again highlighted worldwide energy consumption and the precariousness of the oil market. Our neigh-

[Mr. Haughey.]

bours in Britain have been considering their future energy supply and during the summer their Government revealed that this would include the construction of further nuclear stations. Around the same time, in July, I secured legislative assurance, in the form of an amendment to the Planning and Development (Strategic Infrastructure) Bill, that power from nuclear sources can never be considered as an option in Ireland. This amendment ensured a nuclear-free Ireland and our colleagues in the North support this aim.

Sadly, however, Ireland's proximity to Britain and the British Government's stated preference for nuclear energy mean we are not free of the nuclear threat. The implications for Ireland of a UK nuclear programme could be pretty horrific. It has been estimated that should an accident occur at the Wylfa nuclear power plant on Anglesey, more than 2 million Irish people could face compulsory resettlement. This is an unimaginable scenario, but its possibility must be recognised and faced. Radiation does not respect international borders. We need to maintain our pressure on the relevant bodies and continue to pursue every avenue open to us to ensure our safety against overseas nuclear threats.

In the meantime, we can continue our progress towards renewable energy sources and set an example. We have obligations under the Kyoto Protocol and this is relevant to today's proceedings, as previous speakers have outlined.

The transport sector is the largest consumer of energy in the country. In addition, it is growing at the fastest rate. We absolutely must halt and reverse this trend if we are to have any success under the Kyoto Protocol.

There is a solution in biofuels, which have neither the economic or environmental drawbacks of oil, and I am pleased to be able to say action is well under way in terms of their adoption. In budget 2006, the Minister for Finance made €200 million available for the development of the biofuel market. This was an extremely productive contribution to what we are trying to achieve in this respect. A market needs to be nurtured to encourage the use of biofuels and this is a healthy start. I look forward to further measures being incorporated in the forthcoming budget.

In May 2006, Dublin Bus became the first public transport company to incorporate the use of biofuels into its operations. That came about in the wake of a review by Dublin Bus of the viability of their use in view of rising fuel costs. Last year, fuel cost 40% more than in 2004. Trying to absorb such rises when a suitable cheaper alternative is available is bad business. A pilot scheme is ongoing involving the use of biofuels for a fleet of tour buses. Those run on such fuel proudly carry a badge to confirm it. I look forward to the report on the pilot scheme being published and very much hope it results in extension of the use of biofuels to the full Dublin Bus fleet.

A successful pilot scheme and subsequent extension of the project by a high profile company such as Dublin Bus would boost the credibility of biofuels as a workable and reliable resource.

That is just one initiative being undertaken regarding use of renewable energy resources. The Government has sponsored plenty more, including the greener homes scheme, which is worth €27 million in grants to individual householders who install renewable technologies, including wood-pellet stoves and boilers, solar panels and geothermal heat pumps. This week, the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, who is present, will unveil the Power of One campaign, highlighting what individuals across the country can do to reduce wasteful energy consumption. People are becoming ever more aware of the effects of a change in their own energy habits, and collectively their efforts will make a difference.

Those are the challenges that face us regarding energy consumption, but it is clear to everyone that the solutions are readily available to us, and I am confident the Government is developing and pursuing the best possible policies for the country. I am happy to support the Bill in view of the current situation, but I firmly believe the renewable energy crusade must be sustained and effectively implemented to ensure this Bill is a short-term contingency.

I am conscious that Deputy Fiona O'Malley will speak after me in this debate, and I congratulate the committee on which she sits on the Oireachtas energy report published earlier this year. It provoked a very useful debate. The Deputy has different views on nuclear power from me, and that was a topic of discussion at the press launch and in subsequent media debate. However, debate is what we need. Action must be taken, and I am confident the Government is pursuing appropriate policies. I wish it well in its endeavours.

Mr. Durkan: We detect an undercurrent.

Ms F. O'Malley: I am very pleased at this opportunity to speak on the Bill. Energy is certainly an issue close to my heart, since it relates very closely to the environment.

I will pick up where Deputy Haughey finished. I am not sure that we take different attitudes to nuclear power, but the benefit of the report produced by the committee is that it shows the need for a debate on the issue.

Mr. Durkan: We did not all agree with that.

Ms F. O'Malley: It is certainly among the resources that provide clean energy and has allowed other countries across the world to deal with their Kyoto obligations on CO₂. As my other colleague, Deputy Ryan, indicated, the science and economics rather than anything else must tell us that nuclear is not for this country. As we all

know, we have international commitments under the Kyoto Protocol.

Mr. Durkan: Are we for or against?

Ms F. O'Malley: Given our growth and how dramatically the country has progressed since the 1990s, dealing with our CO₂ obligations is an enormous challenge. I see the Bill before us and know that the Green Paper on energy is to be launched on Sunday. The work the Minister did yesterday shows that the hot topic of this week is certainly energy awareness. I took his advice after reading his ten-point plan this morning, cycling to work and using public transport when I had to return to the constituency for something else this afternoon. It brings home the need for us all to become self-sufficient and the part that each individual can play in energy efficiency.

That is why I feel the question of the nation's fuel security is something vitally important that is addressed in this Bill. I am sure it will be a major element of the forthcoming Green Paper, which I look forward to reading. The Bill before us deals with the country's strategic oil reserves and how our EU and other obligations are to be delivered.

There is something for which we must plan carefully. As we all know, we have fallen short regarding our commitments, so we need a strategic plan to arrive at them. We must think about where capacity is needed, and that reminds me of the Progressive Democrats plan to move Dublin Port to Bremore. It underlines that requirement, not least because we have already reached capacity at Dublin Port.

Given the limit and the Seveso Directive, dealing with a certain type of hazard in an urban context puts constraints on development. That is the reality of Dublin Port and a reason for us to plan ahead effectively for the country and consider where we might build storage capacity. The only real option is to move Dublin Port out of the city centre and to a green-field site. Some might ask about the rest of the country, but the capacity and energy are needed on the east coast, which is why they must be delivered here.

We must also remember in sorting out storage and getting our reserves in order that we have limited refining capacity. We must be sure the stores are for petroleum products rather than crude oil. What the market requires must be matched by what we store. We all remember the fuel shortages of the 1970s, and we must plan ahead so they are not a feature of Ireland in 2010.

We must also be very cognisant of the Corrib gas field. Where we have indigenous energy supplies, we must exploit them. I do not like to provoke situations, but I was most discouraged to see that hostilities and tempers were running quite high again on bringing gas supplies to shore and marketing them. We must be realistic; we operate in a real world where prices are rising. Each of us campaigning on the doorstep will hear, as I have

recently, that people are concerned about energy for the first time, given the increases.

It is not a panacea to deliver our own indigenous sources through the Corrib gas field, for example, but it certainly decreases our dependency on imported fossil fuels, and it is imperative that we extract that gas. I know the Minister has gone to great lengths and shown tremendous patience in dealing with it. The history of the matter is well documented, but we really must get the gas delivered, not only for the country at large but for the people of the western seaboard. We must be realistic and recognise that Shell does not have endless resources, and at some point it may walk away. We must be cognisant of that and try to deliver the opportunity to exploit our indigenous gas reserves in as a clear a way as possible.

The entire question of energy centres on efficiency. That is why I welcome the initiatives presented yesterday by the Minister. More are to be introduced in the area of transport tomorrow. That is where we stand to gain a great deal. In terms of generation, it costs much less to save a kilojoule of energy than it does to generate it. That must be to the fore in our policies. In geographic terms, Ireland is well located in respect of the development of renewable energies, particularly wind, wave and tidal power.

Given the initiatives in last year's budget as regards the fourth level of education, I should love to see Ireland become the research and development capital of the world for renewable energies. That certainly is my ambition for the country. I hope it is an ambition the Minister shares. However, we need to deliver it and ensure that we create the circumstances whereby that is done. One thing I have learned in politics is that one can deliver if one believes strongly enough in something. That is why we need to have those ambitious plans for the country. Ireland, which is situated on the periphery of Europe and at the end of any pipeline, is extremely exposed. We need to be imaginative and develop our own initiatives. There have been plenty of them so far and we need to galvanise these energies. In particular, I welcome the publication of the Green Paper at the end of the week. I also welcome the introduction of this Bill and look forward to dealing with what I see as the most exciting challenge in politics at present, namely, dealing with our energy security and ensuring safe energy for the future.

Mr. Morgan: It is appropriate that this Bill is being debated at a time when the multinationals that control all our oil and gas reserves are attempting to impose an unwanted terminal on the people of north Mayo. It is also worth recalling that the Government sought to use two inadequate reports on the safety of the Corrib pipeline to justify that project proceeding against the wishes — as was proven again this week in the TG4 poll — of most of the people in the area affected. It is also relevant as regards any debate

[Mr. Morgan.]

on the overall terms of energy supplies, as briefly became the focus of debate following publication of the Forfás report last April on the future availability of oil. In that context, the possibility of nuclear energy fulfilling demand was suggested, but that has been overwhelmingly rejected by virtually the entire spectrum of political opinion across the country. That is hardly surprising in light of the enormous ongoing concerns of people regarding Sellafield.

The Forfás report refers briefly to the possibility of replacing some of our dependence on fossil fuels with alternative sources, most notably wind and wave power. There is also reference to biofuels. This is something that needs far more attention and a much more proactive policy on behalf of the State, given the importance of alternative energy and the natural advantages enjoyed by this country as regards its production. Certainly, wind power appears to be an area that has enormous potential. One report I have seen suggests that the current proportion of electricity supplied from this source could be increased to 25% of demand, with no increase in cost to the consumer. The installation of turbines would obviously require a substantial increase in the amount of land involved, but this is estimated to be at most no more than 0.5%. Given the number of suitable sites available and not currently in agricultural use, that ought not to present a major problem.

A number of wind projects are currently in operation, but some concern has been raised with regard to the awarding of contracts. It appears that one company with significant political influence has been particularly favoured. It is important, therefore, that the sector is properly regulated and that the State takes a proactive role in research and development. In practical terms, the ESB should establish wind farms. It will, of course be ideologically argued that the State should have no role in such an area. Such an argument overlooks the reason utilities were developed in the first instance under public control. It was for the simple reason that private enterprise was either uninterested, incapable or solely concerned with niche profits. There is also the fact that the country's energy needs ought to be under public control for strategic reasons. The same argument can be applied to the area of biofuels. There is enormous potential in Ireland for the production of energy crops, especially in the era of the single farm payment. That does not appear to be a problem and the relevant Departments are coming to recognise that through the various grant schemes available. This is a welcome development.

There are also issues surrounding the use of set aside land that the Minister for Agriculture and Food might usefully press at Commission level. Not only should we be capable of meeting the EU target set for the proportion of vehicle fuel supplied from biofuels, but we could lay the basis

for a much more ambitious sector that benefits both farmers and those involved in processing. Unless steps are taken to encourage a strong Irish processing sector, we will in the future be just as dependent on biofuel imports as we are in the area of fossil fuels.

My party and others have put the case for the use of the former sugar factories at Carlow and Mallow in the processing of ethanol from sugar beet. This would not only provide an alternative outlet for sugar beet produced by the 3,700 growers abandoned by Greencore, it would also generate jobs. Unfortunately, the Government washed its hands of any responsibility in this matter, despite its retention of a so-called golden share in the company. It would appear the only golden shares in Greencore are those that are in the portfolio of the property developers who took over what was once a thriving business in order to strip the assets and make a huge killing through the building of overpriced apartments.

I urge the Minister as part of the review of the energy sector to encourage indigenous renewable energy sources and, of course, to review the current terms and conditions governing the control of our oil and gas reserves.

Mr. Connolly: I also welcome the opportunity to contribute to the debate on this Bill, which gathers together and updates the existing strands of legislation as regards our oil reserves. Growing oil costs and political instability in the Middle East make it increasingly urgent that alternative sources of energy must be explored. Every time there is a war in the Middle East, oil prices soar. That has become a regular feature. Seldom do we see oil prices falling when peace follows.

Oil prices have recently gone through the \$80 a barrel barrier before stabilising somewhat. Apparently there is no peak in sight. It is a very unsettling time. Crude oil costs have rocketed by 60% in the past year alone, creating a knock-on effect of increased domestic gas, electricity and central heating costs. Two days ago I spoke to a lorry driver who delivers various goods throughout the country. He said that he could fill his tank last year with €300. This year it costs him €400 to do so. He said we should be raising the issue, particularly for the domestic market, of allowing hauliers to use green diesel. His argument is that they are probably using green diesel already, which has been washed to become white diesel, and that very little revenue would be lost. That is a matter I intend to revisit, namely, that we should allow domestic hauliers some leeway. I am sure, however, there might be difficulties at EU level if green diesel were to be used in different countries. It is something we should look at, though, and it possibly could have beneficial effects in terms of reducing the costs of goods and services.

Escalating oil costs have triggered gas and electricity price rises of between 45% and 25% respectively, which totally belies the rate of

inflation. Everyone one meets talks about the rising ESB and gas bills. These are ordinary domestic issues which are hitting people in their pockets. They must be controlled in some way or other. The cost of a tank of home heating oil now approaches €1,000, which amounts to an increase of €400 on last year's price.

The ordinary individual has been hard in the pocket in respect of living expenses. Fuel price increases will also percolate down to the cost of bus, train and air fares, which cannot be immune from rising energy costs. These price increases will eventually hit the consumer. A person who walks into a shop to buy a loaf of bread will pay the increased price in getting that loaf of bread into the shop in the first instance.

Ireland remains particularly vulnerable to these spiralling oil costs, with imported fossil fuels accounting for almost 90% of our energy needs. Every second year, the International Energy Agency publishes an outlook that forecasts the development of the world's energy consumption over the next 20 to 30 years. The last World Energy Outlook in 2004 forecast a strong increase of energy and oil consumption with a growth rate of about 1.6% per annum. We could revisit these figures on a weekly basis because of increasing demand in China and India and the pressure that will put on our reserves. It is scary when one thinks of the increasing population and demand in those countries. They want the same kind of lifestyle as that we enjoy, which involves the use of fossil fuels.

The IEA has published an additional outlook for 2005, covering the period up to 2030. The reason for this unexpected extra publication was probably the unprecedented rise of oil prices during the past year, which caused much public concern. The recent increases in oil prices had not been forecast. The publication depicts the most probable development of energy markets until 2030, as seen by the IEA. Two additional scenarios are considered, one of which is a low investment scenario where investment in upstream activities is much lower than expected. It also covers an alternative scenario if policy measures are introduced to cut energy demand. These scenarios include renewable energy.

Solar, wind and geothermal energy will increase their contribution in the reference scenario until 2030 to provide 2% of primary energy supply. People in the building industry should be considering alternative sources to heat homes, such as solar energy. The grant which has been made available for solar panels is very welcome, as is the grant for geothermal heat, although that will cost a lot to operate. These ideas should be part of housing schemes. We should not leave things up to individuals and councils should encourage developers building housing estates. These concepts should be taken on board and made a part of our lives. Countries further north than Ireland make much greater use of solar energy. It is criminal not to be making full use of

such energy. Solar panels could be a prerequisite for every new house so that dependency on oil and gas could be reduced.

Middle East and north African countries still hold very considerable reserves, but further growth will depend on new discoveries. If these discoveries fail to materialise, world oil production could peak before 2030. This aspect of the report is a wild guess because nobody knows exactly how much oil lies beneath the surface or what type of demand will exist in ten years' time.

Now is an opportune time for the Government to invest in renewable energy sources. There should be support for more research into alternatives such as hydrogen, solar and wind energy and biofuels, to reduce our dependency on fossil fuel imports. Recent excise tax relief measures for eight biofuel projects throughout the country are to be welcomed. It is a step in the right direction. The development of a sustainable, long-term biofuels processing industry in Ireland assumes greater urgency by the day. This is also consistent with our Kyoto Protocol obligations and our responsibilities under the 2003 EU biofuels directive. This requires a 2% minimum biofuel component in our fuel complement by the end of this year. Our current 0.06% biofuels target falls considerably short of this. Biofuels are renewable transport fuels, which result in significantly less CO₂ emissions than their fossil fuel equivalents. Biofuels are available in three forms, namely: pure plant oil from the rape seed crop; biodiesel, which consists of rape seed oil, recovered vegetable oil, tallow and diesel blend in a 5% mix; and bioethanol, which is sugar beet or wheat blended with petrol in a 5% mix for standard petrol engines, or up to 85% mix for use in flexible fuel engines.

Biofuel has not got off to a great start because it reduces performance in cars. It also leads to a decrease in the number of miles achieved per gallon. However, we should think of it as the beginning of an era of biofuel in cars. It has not got the right press at the moment, because it takes much energy to develop the biofuel.

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I am grateful for this opportunity to conclude the Second Stage discussion of the provisions of the National Oil Reserves Agency Bill. The Bill is one of a range of measures being pursued by the Government in order to develop the energy agenda. It provides NORA with the freedom to operate as a stand-alone agency, while at the same time reinforcing appropriate public policy and corporate governance standards. The Bill is primarily technical in nature, but it represents a significant milestone in providing Ireland with the best structure in ensuring robust security of national strategic oil stocks.

I thank the Minister of State, Deputy Michael Ahern, for taking the debate at the beginning of Second Stage. A number of the issues raised by

[Mr. N. Dempsey.]

Deputies in their contributions during this stage of the Bill are addressed in the explanatory memorandum and will be examined in detail on Committee Stage.

Deputy Durkan spoke of the need for planning on energy matters. I fully agree with him and this Bill represents one such example of better planning. It aims to place NORA on a solid financial footing through statutory borrowings and funding through the application of the variable levy.

Deputy Boyle commented on the importance of an oil stockholding agency. I am in agreement with him on this point and reiterate that the primary objectives of the Bill are concerned with ensuring the robustness of our national strategic stock holdings, ensuring that NORA has a sound financial footing, as well as enhancing appropriate corporate governance structures for the agency.

I agree with Deputy Cowley that energy policy requires strong emphasis on renewable energy. The Government is going in that direction and that will be even more apparent following the publication of the Green Paper next Sunday.

I thank Members from all sides for their very constructive input on Second Stage. I look forward to early consideration of the Bill on Committee Stage. I ask the members of the select committee to table any amendments as quickly as possible to allow them to be given full consideration by my officials and me. I will try to ensure that the Government's amendments are submitted as early as possible to allow full consideration of them.

7 o'clock

Question put and agreed to.

**National Oil Reserves Agency Bill 2006:
Referral to Select Committee.**

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I move:

That the Bill be referred to the Select Committee on Communications, Marine and Natural Resources, in accordance with Standing Order 120(1) and paragraph 1(a)(i) of the Orders of Reference of that committee.

Question put and agreed to.

Private Members' Business.

Nursing Homes: Motion.

Dr. Twomey: I move:
I move:

That Dáil Éireann,
concerned at:

- the failure of the Government to publish Professor O'Neill's report into deaths at Leas Cross nursing home;
- the failure of the Government to fulfil promises made in this House by the Taoiseach and the Minister for Health and Children to introduce legislation to provide for an independent statutorily-based inspection regime for all nursing homes; and
- the lack of information and transparency about standards applying to nursing homes;

calls on the Government to:

- immediately publish Professor O'Neill's report;
- bring forward the promised legislation as a matter of urgency; and
- make all inspection reports directly available to residents of nursing homes and their families and accessible to the public, free of charge.

I wish to share time with Deputies Crawford, Connaughton and McManus. When the House discusses Private Members' motions concerning the health services, all Members get a sense of *déjà vu*. The same territory is gone over repeatedly, with little or no change or improvement to the health services. The Private Members' motions I have tabled in this House included one on the North Eastern Health Board. Today however, Members discussed the report on the death of P. J. Walsh in the very same area debated in a Private Members' motion nearly two years ago.

More than one year ago, the House debated a Private Members' motion on the need for a social services inspectorate, which again is central to tonight's debate. Moreover, the House has debated another issue central to tonight's debate in a Private Members' motion, namely, accident and emergency departments. Hence, there is a sense of *déjà vu* and of the present Government doing little to improve the health services. This is certainly the case in respect of debates on Private Members' motions.

I wish to outline a brief history as to what has happened regarding care of the elderly in the past five years, as this is the basis of tonight's motion. It started well, with the publication in 2001 of the health strategy, Quality and Fairness — a Health System for You. The strategy included the establishment of a social service inspectorate on a statutory basis, as well as the promise of legislation regarding elderly patients' entitlements. As it was published nearly five years ago, one would expect some progress regarding these issues. However, there has been little.

In July 2003, the former Minister of State at the Department of Health and Children, Deputy Callely, who championed himself as a man who

looked after the elderly, made a statement. In the Official Report, 1 July 2003, vol. 570, col. 474, he stated: “[At] present health boards are involved in the preparation of draft standards of care for residential institutions for older people”. However, like the former Minister of State himself, this appears to have gone by the wayside.

Although the process of revolutionising the health services was begun enthusiastically by the Government, the first storm clouds began to gather in or around 2003. This was also when the Mercer and O’Shea reports regarding the future funding of care for the elderly were published. The then Minister again promised immediate action. Unfortunately, by 2004, the former Minister for Health and Children in question, Deputy Martin, had his own problems to deal with because of the Travers report’s publication. The latter both demonstrated the ineptitude of Ministers in respect of the health services and of care of the elderly in particular, and showed how little was being done by the Government.

Hence, while matters regarding the health service began well in 2001, by 2004 things were going downhill rapidly and one can see why. In 2005, another watershed took place when the “Prime Time Investigates” documentary exposed what was happening in nursing homes. Major contributions from all senior Ministers involved are extant and it will do no harm to put them back on the record.

The Taoiseach, in the Official Report, 31 May 2005, vol. 603, col. 495, stated: “the relevant Bill to establish the social services inspectorate on a statutory basis to deal with both private and public nursing homes will be published later this year”. During a debate on a Fine Gael Private Members’ motion calling for the establishment of an independent inspectorate for all nursing homes, the Minister of State at the Department of Health and Children, Deputy Seán Power, who is present, stated: “The social services inspectorate will be established on a statutory basis” — Official Report, 31 May 2005, vol. 603, col. 554.

Mr. S. Power: We are almost there.

Mr. Connaughton: The Minister of State is always almost there.

Mr. O’Dowd: People have died because of the Minister of State’s inaction.

Mr. Connaughton: That is what happens.

An Ceann Comhairle: Deputy Twomey, without interruption.

Dr. Twomey: In June 2005, the first report on Leas Cross, namely, the Hynes report was published. It also exposed many matters which are still under discussion tonight. What has been done since its publication? Nothing appears to stir either the Minister of State or his colleagues

into action in respect of care of the elderly. The Minister for Health and Children, who prides herself on being a can-do Minister, stated:

on the social services inspectorate, we will have the legislation ready later this year. The Minister for State, Deputy Power, is working on it. I am optimistic that we will have an appropriate inspectorate for our nursing homes.

While she may have been optimistic, this was stated in July 2005. Again, I have not seen anything happen. In addition, the Cabinet established the interdepartmental working group on future funding of care of the elderly at this time. However, as the House discovered earlier today, little has happened in this respect either.

Mr. S. Power: That is a complete misrepresentation.

Dr. Twomey: I am simply reading from the Official Report. I will move on to 2006, by which time the Government had promised that everything would be different. However, 2006 did not start well due to the publication of the Our Lady of Lourdes Hospital report and the recommendations by Judge Harding Clark to make improvements in the health service a priority. Little has been done in respect of that report. At the time, the Minister for Health and Children noted that doing nothing was not an option. Obviously, as far as care of the elderly is concerned, this is quickly fading from the Government’s memory. In the Official Report, 1 February 2006, vol. 613, col. 1705, the Minister for Health and Children stated:

The legislation providing for the establishment of the social services inspectorate on a statutory basis is being incorporated into the Bill establishing the health information and quality authority, HIQA. The preparation of the heads of this Bill is at an advanced stage in my Department and I expect to be in a position to submit them to Government within the next month.

At the time, the Minister also spoke of how important the social services inspectorate would be and that she would establish a working group. She referred to another working group with membership drawn from “[her own] Department, the HSE, the social services inspectorate and the Irish Health Service Accreditation Board”. This working group was established in February 2006. Interestingly however, while the same Irish Health Service Accreditation Board produced its own recommendations on standards in nursing homes the previous November, nearly a year later Members still await their publication by the Department. Hence, setting up working groups about which one does nothing is a pure waste of time.

Matters have become so bad that the owners of private nursing homes have published their own

[Dr. Twomey.]

standards. The Excellence Ireland Quality Association published its own standards as to what should be expected in nursing homes. The difficulty for such owners is that the standards are non-statutory and non-binding. Hence, anyone who so wishes may continue following the practices operated at Leas Cross. Deputy O'Dowd will outline how weak those standards are in those nursing homes which exploit elderly people.

In the Official Report, 1 June 2006, vol. 620, col. 1845, the Minister for Health and Children stated: "Last year, beds were offered that were not procured because of the results of previous inspections." Hence, although the health boards themselves do not act on these inspections, she continued by stating: "I accept that we need to strengthen the law in this area". Again, this gives the impression that somehow, realisation has dawned on the Minister for Health and Children that she must do something about this major issue. Even the Taoiseach, in the Official Report, 14 June 2006, vol. 621, col. 1058, stated: "I have announced many times that the legislation in question is being prepared" and "[W]e hope to pass this legislation later this year after it has benefitted from the wisdom of the consultation process." — Official Report, 14 June 2006, vol. 621, col. 1059. Unfortunately, although the consultation process is long over, there is still no sign of this legislation.

Moreover, the O'Neill report, the second major report on the same institution, has now been completed. The Government again refuses to publish it. However, what is known about this report is interesting. It states: "what occurred at Leas Cross cannot be assumed to be an isolated incident". One of the main recommendations in the report is that the Department of Health and Children should establish a clear policy regarding care of the elderly and that a national monitoring system for vulnerable patients be established. This is something for which all Members have called and which has been part of the Government's strategy since as long ago as October 2001.

I will provide the Minister of State will a brief overview as to what is happening as far as the Department of Health and Children is concerned. In the past five years, health policy for care of the elderly has gone from being an enthusiastic hope for the future to dying a slow death. The difficulties with the O'Shea and Travers reports and the lack of legislation for the protection of elderly patients became clear in the mid-term of the Government. However, what transpired during 2005 and 2006 shows what happens when a Minister talks the talk but does not walk the walk. This applies to the former Minister for Health and Children, Deputy Martin, and the current Minister, Deputy Harney, because neither of them delivered much on solving the crisis in accident and emergency departments or in respect of the Hynes report, the hospital hygiene audit report, the report on Our Lady of Lourdes

Hospital or the report into the death of Mr. P.J. Walsh. Now we have the O'Neill report.

During a discussion with the Minister of State this morning at a meeting of the Select Committee on Health and Children on legislation to change the subvention payments, numerous weaknesses were exposed in the legislation. The one on which I believe most people will comment is the removal by the Government of an appeal system established under ministerial regulation, which is not included in the legislation that the Minister of State expects Members of this House to vote in favour of in the next few weeks, and in that regard people are expected to wait for guidelines to be issued by the Health Service Executive. The position has changed from patient care being covered by regulation to now being covered by guidelines, and the Minister of State is saying this is a matter on which we must trust the HSE. I note from the Dáil schedule that the Health Information and Quality Authority legislation, to which the Minister of State referred, will not be ready until 2007, which is a little along the lines of the song "What's Another Year".

Mr. Crawford: I thank my colleague for sharing his time with me on this important issue. The Leas Cross scandal and similar issues cannot be wiped under carpet. It is vital that the report into that scandal should be made available. Were it not for people such as Deputy O'Dowd and Deputy Twomey and our party leader, Deputy Kenny, this issue might never have come to the surface and information on the terrible conditions in that home might not have been revealed. I congratulate those in the media who were prepared to expose this issue.

The main issue with which I want to deal is how provision will be made for the needs of the elderly in the future. I am very fortunate, as is the Ceann Comhairle, that in County Monaghan we have facilities such as St. Mary's Hospital, which is owned by the Health Service Executive and, fortunately, it is not under the same management as some other institutions in County Monaghan. St. Mary's Hospital is excellently run, as is the Sacred Heart Home for the Elderly in Clones, the nursing home in Ballybay and most of the other private nursing homes in the area.

Elderly people and people with disabilities are important members of society and we cannot allow them to be treated other than in a proper manner. A proper nursing home inspection system must be put in place. At a meeting yesterday we discussed EU inspections of products imported into this country and were told that the next inspection would take place on a date next January in order that everybody would know when an inspection of Brazilian beef would take place. The only way in which nursing homes can be properly inspected is for inspectors to be able to visit them at any time, day or night, to ensure a proper service is being provided for the patients. Nothing less will suffice.

It is vital that such an inspection service is put in place to ensure that the necessary service is available to patients at all times in all nursing homes. Whether patients are in public nursing homes or in private nursing homes, as are the majority, it is vital, given the amount of money being spent and allocated to these institutions, that the best service possible is available. Care must be taken to ensure that fire safety measures, including fire drill, are up to standard, as is required in other private businesses. We must also ensure that pest control measures, a refuse service and all such services are adequate.

I wish to deal with the issue of the facility to make complaints. I was contacted by a family member recently who advised me that if the family made the slightest complaint to the nursing home in question, they found they were no longer on speaking terms with the staff and the family were asked not to cause any further annoyance. This family were paying for their loved one to be cared for in that nursing home. There must be a clear line of communication and assistance between those in charge of administering subvention payments and such matters and the patients and their family members. If a personality clash arises between a patient and nursing home staff, the patient should have an option to move to another nursing home.

In the case I dealt with, the nursing home concerned was glad when a difficult position was dealt with and the person concerned is now happy being cared for in another nursing home. Such personality clashes can arise. A proper structure must be in place in nursing homes whereby people can feel free to make a realistic complaint and be confident it will be dealt with.

The administration of drugs and medicines must be clearly defined. Most nursing homes deal with this matter very well but it must be properly organised. Patients must have the right to refuse treatment or, in consultation with relatives acting on their behalf, to seek the best advice on proposed treatment.

Nursing home staff should also discuss with residents their dietary needs, including the variety and types of food they require, as food is an important consideration. I know of a person who went into a nursing home four and half a years ago and people thought she would not be still there in a few weeks' time or at most a few months' time, but with good care she is still there and living a reasonably active life. It is important for such residents to have the variety of food they require and their dietary needs are cared for in a reasonable way.

I wish to deal with nursing home subventions. There are various problems in this area in the north-east region, one being the lack of funds. In the early 1990s, a number of patients in the area were provided for across the Border, as that opportunity was presented, and as a result we seem to have a low quota.

A case involving a 90 plus year old patient who applied for subvention payment was brought to my attention recently. This lady lives in an ordinary cottage which she does not own. She was refused subvention because she said she did not have any money or accounts and those administering the scheme did not believe her and sent her back her file. This lady lives on her own. She has had to pay taxi fares to go to her doctor and has incurred other expenses. It is not difficult to understand how she has no money. Fortunately, for the time being she has been able to go back home and is being looked after by her loved ones.

This type of attitude towards the elderly must be seriously examined and investigated. Sadly, this lady had no one to do a whip-round, she will have to stay at home until such time as some of us can negotiate on her behalf with the staff in the office administering the scheme and argue that she has a valid case in that she does not have much resources and needs support.

The Government has been in office for nine and a half years and it is time such issues were dealt with. There is also the issue of the home help service. The Ceann Comhairle is aware of a case in his home town where a person has the services of a home help for two hours compared with having received the services of a home help for 12 hours when living in Donegal. There must be some degree of responsibility and realisation that people who need this service cannot live on fresh air. They need proper and substantial help if they are to be able to live at home and not in nursing homes.

Mr. Connaughton: I wish to share time with Deputy McManus.

An Ceann Comhairle: That is agreed.

Mr. Connaughton: I have taken part in a number of discussions on nursing homes in recent years. The catalogue of failure is nothing other than a disgrace. We all have to accept that the RTE investigation into Leas Cross represented a milestone in the evolution of nursing home care. Never in the history of care of the elderly was anything more starkly brought across to the public about what could happen. I am from a county where I hope and have every reason to believe that most nursing homes, at least the ones I know about, are run very well. However, that is not enough. When I heard about the non-publication of Professor O'Neill's report I was shocked. I have no idea what is in the report but I have never heard a case of such a document not being published where everybody concerned had the interest of the elderly at heart.

I assume several interests are involved, though I am not privy to them, and that there are people in very high places, whether connected to the HSE or to ancillary services, whose noses would be put out of joint if the report was published. Does the Minister of State, or his senior Minister,

[Mr. Connaughton.]

know what is contained in it? It will shame everybody if it cannot be published.

If the will existed to publish the report it would have been published under the privilege of this House, as has been done many times before, such as with public accounts and many other reports. Why was that not done with the O'Neill report? Why was it not brought into the House and made public?

Mr. S. Power: If it was that simple it would have been done.

Mr. Connaughton: I do not accept that. This case concerns the person lying on his or her back in a nursing home anywhere in Ireland. Nothing else counts. It all depends on the quality of care for that person. Nothing else matters if the appropriate care is not given to a person who lies on his or her back for 24 hours a day, seven days a week, every day of his or her life. They are the people whom we are here to protect. Over the years we decried what happened in industrial schools. It was a dark age but we said people did not understand. The statutory authorities responsible for inspections did not carry them out. In this modern age we are in the same position again. I have said many times that for inspections of nursing homes we need a flying squad mentality. Inspectors should be able to strike at any time, day or night, any week of the year. If there is nothing wrong nobody should object.

Can the Minister of State imagine the suspicion that has been aroused by the failure to bring the O'Neill report before the House? I have no idea what is wrong with it but a great number of elderly people are beginning to wonder what it was that Professor O'Neill said about Leas Cross that prevented it being brought onto the floor of this House and made public.

Mr. O'Dowd: Hear, hear.

Mr. Connaughton: If the Minister of State or I were in the same bed as they and had a personal interest in the matter we would say exactly the same thing. The sooner he brings the report before the House the better, irrespective of whom it hurts. Personnel issues must be involved and vested interests must have expressed disagreement with Professor O'Neill. If that were not the case then it would be published. I believe the Minister of State has the best interests of the elderly at heart. Why would he not? There would be no marks for that as that is why we are here. The suspicion has now been created that the O'Neill report cannot or will not be made public because of a cover-up.

I expect that after tonight's debate the report will be put on the floor of the House for us to see its contents. We are all adults and will all find out what the learned professor had to say. He would not have been given the job unless somebody in

the Department thought him the right person for the job. There is no point commissioning a professional report and deciding, for a reason best known to the Government, it cannot be published. That is what happened at Leas Cross at the very beginning.

I sincerely hope the report is made public, irrespective of whom it hurts, because then we will know who genuinely has at heart the welfare of people who are not able to speak for themselves. We are very lucky to have fine carers but if one person out of 15,000 is abused, for any reason, or denied their rights it is one person too many.

I will return to where I started. Until I see the day when a flying squad of appropriately trained men and women can walk into any nursing home, private or public, at any hour of the day or night I will know the Government does not take the situation seriously.

Ms McManus: I welcome this debate and thank Fine Gael for the opportunity to speak in it. I start by reminding the House of the statement the Minister for Health and Children made recently: "It would not be acceptable to me or the Government if this report were to remain unpublished." However, the Minister for Health and Children has the power to guarantee publication and it is time for her to use it. It is quite simple. Instead of doing so, the Minister has called on the HSE and Professor O'Neill, the author of the Leas Cross report, to work together to create the conditions necessary to facilitate publication. As far as Professor O'Neill is concerned, and according to his interpretation of the terms of reference, the report is finished and ready for publication. It is time for the Minister to live up to her own rhetoric. She has the legal authority to break the logjam and I urge her to use it.

The Minister has power to issue directions to the HSE under section 10 of the Health Act 2004. The directions may be either general or specific. Under section 10(1), the Minister may issue general written directions to the executive "for any purpose relating to this Act or any other enactment, and concerning any matter or thing referred to in this Act as specified or to be specified, or as determined or to be determined, by the Minister".

Under section 10(2), the Minister may issue specific written directions to the Executive "concerning the submission to the Minister, in such manner and within such period as the Minister may specify, of reports on any matter relating to Part 7 (Accountability) or relating in any other way to the performance of the Executive's functions, even though such reports are the subject of a direction under subsection (1), and any information or statistics relating to the performance of the Executive's functions".

Subsection (5) provides that the executive must comply with a direction issued by the Minister under this Act.

It therefore appears open to the Minister to direct the HSE to provide her with copies of the O'Neill report. It also appears open to the Minister, once the report is formally in her possession, to refer it to the Joint Committee on Health and Children. The committee could then publish it, a precedent which has been followed on previous occasions. I was involved in such a process relating to the scandal surrounding sexual abuse in swimming. It is within her power to do so and it is time for her to match her words with action. The result of the ongoing failure to publish this report is the belief among many members of the public that these types of reports are commissioned but nothing ever happens. There is no personal accountability and the track record of Ministers for Health and Children on this is not good. The public deserves answers to the questions raised on standards of care for the elderly. The process of reforming the way vulnerable sections of our society are treated is stuck in a bureaucratic and legal quagmire and the valid fear is that it will be left there.

Some 16 months have passed since the screening of the "Prime Time Investigates" investigation into Leas Cross nursing home. This was not the first time the Government's attention had been drawn to concerns that the elderly, in particular those in long-stay care, may be particularly vulnerable to human rights abuses. The Human Rights Commission's report entitled *Older People in Long Stay Care* was published in November 2002. Its concerns over the inspection of private nursing homes were clearly stated as follows:

Inspections are rarely, if ever, carried out at night; the inspection is largely concerned with the physical conditions and rarely addresses what might be termed broad quality of life or social gain issues; the Health Boards take very few prosecutions and almost never close down a nursing home. The sort of breaches of the law which were regularly mentioned in the reports included the absence of contract of care, inadequate records of medication and the use of restraint, insufficient arrangements for privacy and the absence of safety equipment.

This report, which is almost four years old, elicited a response from the Department of Health and Children only seven months after its publication and even then the Department did not engage with the issues raised. A similar indifference by the Department of Health and Children and the HSE is now being experienced with the Leas Cross report.

In May 2005 "Prime Time Investigates" aired its investigation into Leas Cross which exposed degrading and humiliating treatment of its elderly patients. These elderly people are some of the most vulnerable people in the State. The treatment of these elderly patients in the care of this nursing home appalled viewers. It became a matter of national scandal and was discussed here

in this Chamber. The images depicted so graphically on "Prime Time Investigates" were shameful for our society and it was shameful that this could happen in modern Ireland.

This is not just a case of elderly patients being stripped of their dignity but a system that is putting the health and even the lives of vulnerable, elderly patients at risk. What we witnessed was a Government that failed in its duty of care to its most vulnerable elderly citizens. The Government responded by making three promises: an independent nursing homes inspectorate, a team of elder abuse case workers and a report into the 95 deaths in Leas Cross. The Government has failed on all three promises. It has failed to publish legislation to establish an independent nursing homes inspectorate. In the days following the "Prime Time Investigates" exposure the Taoiseach spoke in this House. He makes many statements in this House and appears to subsequently change his tune. On this occasion, 1 June 2005, he stated:

Legislation to establish a proper inspectorate that will be independent of the HSE and deal with both nursing homes and children is being prepared. The legislation will not be ready before the summer but will be introduced in the autumn.

The Department of Health and Children now tells us it will be 2007 before this legislation appears. Appointments to the nationwide team to prevent elder abuse are critically behind schedule. Only five of the proposed 32 elder abuse case workers have been appointed. Although the report on the 95 deaths in Leas Cross has been ready since May this year it has not been published and it is time it was. The author of the report, Professor Des O'Neill, has described the findings as "grave, disturbing, requiring urgent attention". Professor O'Neill believes that the HSE's recent insistence on a "judicial form of tribunal" is outside the terms of reference as given to him. As far as he is concerned, this report is finished and should be published. Professor O'Neill stated:

As it turned out, the review that I conducted gave me cause for grave concern not only as to the standards within that particular nursing home but also, as the specific terms of reference required me to consider, the wider issues as to the setting of appropriate standards and their systematic monitoring and enforcement. As I have previously stated these concerns were grave, disturbing and system-wide, and required urgent attention.

Urgent attention is the one reaction we have not seen. The HSE's response is that this report is unpublishable, yet it must be published. It is up to the Minister to use her statutory powers to guarantee its publication. In the words of Mr. Dan Moore, relative of former Leas Cross resident Mr. Peter McKenna, this report must not

[Ms McManus.]

serve as wallpaper to cover up the terrible neglect of these elderly patients. As Mr. Moore stated on the death of his relative: "To my knowledge not one person suffered embarrassment, was fined, imprisoned, suffered loss of job, loss of status — nothing".

The revelations of the "Prime Time Investigates" investigation resulted in elder abuse becoming top of the national agenda for a short time. It is time to make it top of the national agenda once more and to seek to fully protect our most vulnerable citizens. We cannot do it without having in the public arena the vital information in Professor O'Neill's report. It is extraordinary that taxpayers are paying for this report which is of grave public concern and which they are entitled to see. It investigates issues that affect our elderly across the board, not just in one nursing home. Even without the report's publication the one fact we know is that the phenomenon is system-wide, and that is why it is so important that the Minister deal with it. There are clearly wider failures in how our system cares for elderly citizens. That does not imply that we do not have good nursing homes. I know many people who are happy and well cared for in private nursing homes across the country. It does a disservice to those who provide that level of care to leave them in a limbo in which they all suffer from a stigma because the information that should be published is not being made available and action is not taken.

The best guarantee we have of ensuring the health service works is full transparency and accountability, which we do not have in our health service. With the introduction of the HSE the existing levels of accountability were stripped away. We have a serious problem with making the service accountable. Whether in the care of the elderly or medical procedures carried out in Our Lady of Lourdes Hospital in Drogheda, without robust systems in place to ensure accountability, terrible things can be done. Terrible things were done and thanks to media exposure we were all able to see what was happening. While we do not know the full extent, the eminent Professor O'Neill has produced a report that will guide us through to the next stage where we can have the kind of protections and safeguards we all want to have when we are old. Hopefully we will all age and be in the position of vulnerability. Without this report we will not be able to make the progress we need. The Minister has the power to make this report public. We gave her those powers when we enacted the Health Act 2004 and I challenge her to indicate to us why she refuses to use them.

Minister of State at the Department of Health and Children (Mr. B. Lenihan): I move amendment No. 1:

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

- “ — welcomes the largest ever expansion made by the Government in funding of services for older people by the provision of €110 million additional revenue funding in the Budget announcement for 2006 (€150 million full year cost);
- supports the Government's commitment to introducing legislation in the near future which, *inter alia*, will establish the Social Services Inspectorate function on a statutory basis;
- welcomes its commitment to extend the work of the Social Services Inspectorate to public and private nursing homes and to resource it accordingly;
- notes the Government's commitment to ensuring that high quality care is made available to all patients in public, private and voluntary nursing homes, and in that context welcomes the preparation of standards for residential care settings for older people;
- welcomes the HSE's provision of information to the general public on nursing homes and its policy decision to make nursing home inspection reports available on its website;
- welcomes the HSE's provision of information to the general public on nursing homes and its policy decision that all completed inspections of nursing homes be made available to members of the public on request subject to Freedom of Information and Data Protection legislation;
- welcomes the proposed implementation by the HSE of a common national approach to the inspection of nursing homes; and
- commends its policy of supporting older people in their homes and communities in keeping with their stated wishes, and providing support to those who need residential care, and in that context, acknowledges the legal difficulties in the HSE publishing the Leas Cross Report”.

I wish to share time with the Minister of State at the Department of Health and Children, Deputy Tim O'Malley.

I welcome this opportunity to address the House on these important issues. The Government has made a significant investment in the care of older persons and palliative care with the provision of €110 million in additional revenue funding in the budget announcement for 2006.

The full year cost of that allocation is €150 million.

The Government is committed to maintaining older people in dignity and independence in their own homes, and in accordance with their wishes, for as long as possible and to provide a high quality of long-term residential care for older people when living at home is no longer possible.

It is internationally recognised that about 5% of the older population will eventually require long-term care. People are generally living longer these days, however, and even though most are leading healthy independent lives, the number of people in need of long-term care is increasing. There is a demand on long-stay places. It is imperative that the private nursing home places on offer are of a high enough and appropriate standard.

The nursing home sector is governed by the Health (Nursing Homes) Act 1990 and subsequent regulations. The Nursing Home (Care and Welfare) Regulations 1993 set out the standards to which the private nursing home sector must adhere for the purpose of registration under the Health (Nursing Homes) Act 1990. These regulations apply only to the private nursing home sector and do not cover public long-stay facilities for older people.

There was a commitment in the health strategy, Quality and Fairness — A Health System for You, to extend the remit of the social services inspectorate to other social services, including residential services for older people. Legislation is therefore being prepared in the Department to provide for the establishment of the Health Information and Quality Authority and the establishment of the social services inspectorate function, as part of the authority, on a statutory basis.

Public consultation on the draft heads and general scheme of a Bill providing for the establishment of the Health Information and Quality Authority has been carried out. Included in the scheme is provision for the establishment of the office of the chief inspector of social services within the authority. The office of the chief inspector will be assigned responsibility for the inspection of residential services for older people, including public nursing homes. The Minister intends to seek Government approval as soon as possible to commence drafting the full Bill. The Minister intends to publish the Bill during the autumn session.

The Health Service Executive national care group manager for older persons services established a national nursing homes steering committee in July 2005. One of the priority tasks outlined for this committee was the standardisation of inspection documentation to make the information on inspections more transparent and more easily understood by nursing home proprietors and the general public. At the time, there were several different reporting templates in use across the country. The HSE nursing home inspection and registration teams use a standard-

ised reporting template on an interim basis. The inspection report is based on the standards and criteria laid down in the Health (Nursing Homes) Act 1990 and the Nursing Homes (Care and Welfare) Regulations 1993. The HSE has commenced publishing these reports on its website.

The decision to publish nursing home inspection reports followed considerable consultation within the HSE and with representatives of nursing homes organisations. The nursing homes organisations have broadly welcomed this initiative. Nursing homes are required to be registered by the HSE. Registration certificates must be placed in a prominent position in nursing homes. If a registration has certain conditions attached to it, these will be displayed on the registration certificate.

When it is necessary for older people to move into long-term residential care, it is important that these older people have a choice of top quality nursing home care. For this reason, the Department has established a working group to develop the standards for residential care settings for older people. Membership of the group comprises officials from the Department, the HSE, the social services inspectorate and the Irish Health Service Accreditation Board. The group has commenced and developed draft standards for the inspection of public and private residential care for older people. It is intended that these draft standards will be the subject of a public consultation process in the coming months.

In addition, the Irish Health Service Accreditation Board has examined the development of accreditation standards for public and private residential care for older people. The Government's commitment to the development of a comprehensive range of services for older people and palliative care can be demonstrated clearly by outlining the considerable increase in resources made available in recent years for service developments. This has resulted in a major improvement in home and community-based support for older people. A comprehensive health and social care service is being developed, in a way that is reliable and that respects and values older people.

This is the largest ever increase in funding for services for older people. These initiatives set out the Government's continued commitment to older people and putting older people at the centre of health policy now and in the future. The investment package is focused on caring for people at home, in accordance with their expressed wishes. It is a major step in focusing new resources on home care first and foremost, while still supporting appropriate residential care. This is in line with international trends and reflects the growing independence of older people who want to stay living in their communities.

It is right that we should devote substantial additional resources to services for older people. They have made a great contribution to our

[Mr. B. Lenihan.]

society and to our current economic and social success. In this way, we are saying that the next generations value their contribution and will respect their needs and their continuing role in our society.

This new investment involves additional resources of €150 million in a full year with €110 million in 2006 and €40 million more the following year. Reflecting the new emphasis on home and day care, almost three quarters of the full year costs are being committed to community care supports. This investment is a response by the Government to older peoples' preference for being cared for at home rather than going into residential care. That may often require some additional home help or more developed home support, including various therapy services. All the evidence shows that families caring for elderly relatives continue to provide care in partnership with the support services put in place for those that require it. It is estimated that 28% of nursing home residents have a low to moderate dependency level and many of these residents might well have continued to live at home if the right supports had been made available to them at the appropriate time.

The budget day package provided for a number of initiatives including home care support packages which deliver a wide range of services and have been piloted successfully in several regions in recent years. They include the services of nurses, home care attendants, home helps and various therapists including physiotherapists and occupational therapists. A home care package will vary according to the care needs of the person so that, for example, there might be a greater emphasis in some packages on home care assistants while other packages may require a greater level of therapy and nursing.

The priority is older people living in the community or who are inpatients in an acute hospital and who without this support would need to be admitted to long-term care. The home care packages are also available to older people who have been admitted to long-term care and wish to return to the community. In addition, the packages will be offered to people who are already using existing core services, such as home help, but need more assistance to continue to live in their community.

The packages are delivered through the HSE, by a range of providers including the executive, voluntary groups and the private sector. The scheme is intended to be as flexible as possible and highly responsive to the real needs of the individual so that where a family or friends of an older person wish to provide these services, they will be encouraged to do so, with support, and linking in with the HSE, voluntary or private sectors.

Approximately 1,100 home care packages were provided to people at the end of 2005. By the end of this year a total of 2,000 additional home care

packages will have been provided. The 2,000 packages will support more than 2,000 persons as, for example, individuals could in some cases need a temporary care package. The major thrust of this initiative is to be directed at older people.

Home helps are an essential part of supporting older people at home and thereby delaying or preventing admission to long-stay residential care. They also help to keep people out of acute hospitals or help their early discharge from hospitals. There is a continuing demand for home helps because of the increased number of older people. An additional €33 million full year cost has now been allocated for this programme, €30 million of which is for 2006. This represents a significant increase over the Estimates provision of €112 million for 2005 and is used to provide 1.75 million more home help hours.

Day care and respite care centres are an integral part of delivering a comprehensive community service for older people. The service provided may include a mid-day meal, bath, physiotherapy, occupational therapy, chiropody, laundry, hair-dressing, social contact amongst older people, respite for family members and carers and social stimulation in a safe environment for older people with mild forms of dementia.

The provision of €9 million in a full year allows for an additional 1,325 places per week in such centres. The number of older people who will benefit from these new places will be substantially more than 1,325 since, over the whole year, one place can provide a service for more than one person. The investment of €9 million allows for additional programmes for specific needs such as activity therapy. It will also mean that many day care centres can open for five or seven days a week, rather than two or three days as was often the case. There is an investment of €7 million in 2006 with the balance of €2 million being provided the following year.

There is a significant increase in the resources available to the meals on wheels service. An additional €2.5 million has been provided in 2006 together with a further €2.5 million in 2007. This is part of the range of services which help support older people to continue living in their own homes.

The Government strongly supports the development of sheltered housing accommodation for older people, as it provides a real alternative to residential care and reflects the desire of older people to live with as much independence as possible. Some €1 million will be allocated in support of the development of sheltered housing, split evenly between 2006 and 2007, to provide frontline health service support for sheltered housing, such as therapists and public health nurses.

I would like to speak about the development of the nursing home subvention scheme and the provision of additional long-stay bed capacity. Some €20 million is being allocated under the scheme for residents of private nursing homes.

This represents an increase of 14% on 2005, when there was an estimated spend of €140 million. The €20 million to which I referred will be used to support the increasing numbers of people who are entitled to basic nursing home subvention, to reduce the waiting lists for enhanced subventions and to bring greater consistency to the different levels of enhanced subvention support throughout the country. Some €8 million is being provided to cover the cost of 250 additional nursing home beds which the HSE has sourced from private nursing homes. Some €9 million was provided in this year's budget for specialist palliative care, including home care and community initiatives. This allocation includes funding for 24 additional extended care beds in Our Lady's Hospice in Harold's Cross. A further €4 million is being allocated in 2007 to develop palliative care services, which amounts to a full-year cost of €13 million.

It is clear from the budget day package that the Government is firmly committed to developing services for older people. The emphasis on developing home care packages and the increases in the home help and meals on wheels schemes and other community-based supports are assisting older people to remain in their homes and communities for longer, in accordance with their wishes. As I have said, additional funding has been provided under the nursing home subvention scheme to support the increasing numbers of people who are entitled to subvention and to reduce waiting lists for enhanced subvention. The issue of the staffing resources needed by the statutory inspectorate is being explored by the stakeholders in the overall context of ensuring that standards are met and health service staff are utilised in the most effective way.

The motion before the House deals with Professor O'Neill's report into the deaths at Leas Cross nursing home and refers to the question of an independent inspection regime. It highlights a lack of information and transparency in respect of the standards which apply to nursing homes. I spoke earlier about the Government's commitment to introduce legislation establishing a social services inspectorate that will inspect all residential centres for older people, including public centres. The failure to publish Professor O'Neill's report cannot be attributed to the Government as it is not a function of the Government to publish such a report.

Ms McManus: That is not true.

Mr. O'Dowd: The Government is responsible for it.

Ms McManus: It has statutory authority to publish the report.

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I welcome the opportunity to address the House on this

important issue, which affects some of the most vulnerable people in our society. As the Minister of State, Deputy Brian Lenihan, mentioned earlier, the Department of Health and Children has a policy of maintaining older people in dignity and independence in their own homes, in accordance with their wishes, for as long as possible. Most older people are fit and well and lead full and independent lives. The Department is committed to providing a high quality of long-term residential care when that is no longer the case. That is the minimum we can do for older citizens, who have played a major part in helping Ireland to achieve the success it enjoys today.

Most long-term residential care is of a high standard and affords a good quality of life to older people who benefit from it. With the best will in the world, however, there will always be exceptions to the rule. As there will always be circumstances in which older people feel vulnerable or exploited, the Department is committed to developing quality standards and putting in place a robust inspection process for public and private nursing homes. The Minister of State, Deputy Brian Lenihan, has outlined the steps being taken in this regard, including the establishment of the Health Information and Quality Authority as well as the establishment of the social services inspectorate function on a statutory basis. The office of the chief inspector will have the function of registering and carrying out inspections, including inspections of services for older people. The Department has established a working group to set out the standards for residential care settings for older people. The HSE will continue to register and inspect private nursing homes under the Nursing Homes (Care and Welfare) Regulations 1993.

The Department of Health and Children is fully committed to developing the services needed to tackle elder abuse. Great strides have been made in recent years in developing supports for older people who feel defenceless. The report of the working group on elder abuse, *Protecting Our Future*, was launched on 11 November 2002. As elder abuse is a complex issue, it can be difficult to define it precisely. It may involve financial, physical or sexual abuse, or it may arise due to inadequacy of care. It is defined in the report as "a single or repeated act or lack of appropriate action occurring within any relationship where there is an expectation of trust which causes harm or distress to an older person or violates their human and civil rights". It is hoped that the report, by defining elder abuse, has given older people who feel they are the subject of abuse in any shape or form the confidence to report their anxieties, as appropriate, to a social worker, a public health nurse, a member of the Garda or any professional or care worker. The Health Service Executive recently established a helpline service, which can be accessed by dialling 1850 241850, dedicated to dealing with allegations of elder abuse. It should encourage those who feel

[Mr. T. O'Malley.]

they are being abused in any way, or those who witness such abuse, to make the necessary contact and have their voices heard.

The importance the Government attaches to the issue of elder abuse is reflected by its allocation of €2 million in this year's budget to address it, split evenly between 2006 and 2007. Some €2.5 million has been made available in recent years to implement the recommendations of the report. The funding allocated over the next two years will facilitate the implementation of the full range of recommendations. It will help to put in place dedicated elder abuse officers and clerical support workers in each local health office area. It will also provide for the development of a research function in this area.

The report recommends that a senior case worker be appointed to each former community care area. It is anticipated that the HSE will recruit 27 senior case workers soon. One of the responsibilities of the senior case workers, in conjunction with appropriate health service providers, will be to assess suspected cases of elder abuse referred to local health offices. One of the recommendations in the elder abuse report was the establishment of a national implementation group. The group was established in December 2003. In 2005, the Department appointed a senior policy advisor and a secretary to assist the implementation group in its work. The HSE recently appointed a senior officer to assist the group with implementation issues.

The HSE has made good progress on the issue of elder abuse. It has implemented a number of the report's recommendations, including the establishment of steering groups in each former health board area to provide a common response to elder abuse throughout the State. The steering groups comprise representatives of the public sector, private organisations and voluntary organisations, including groups for older people. The groups are developing clear policies and guidelines for the protection of vulnerable adults, on foot of wide consultation with staff. They are progressing their work through the subgroups on legal aspects, policy and procedures and training.

The Health Service Executive has pointed out that awareness training for HSE staff has been provided in line with the report. It has been involved in awareness training with volunteer staff, including staff from the national senior citizens helpline. The issue of elder abuse is being incorporated into professional training courses including gerontology courses. A number of research projects have been undertaken, including the examination and review of medication for older persons in continuing care settings. In addition to these developments, a senior helpline was established with the support of the health boards in 1998. Since 1999, it has received thousands of calls from lonely older people nationwide. The service is confidential and non-directive and is available throughout the State for

the price of a local call. The volunteers working on the helpline are all older people who have gone through a rigorous training provided in conjunction with the health authorities.

The helpline handles all manner of issues and is not geared specifically towards complaints about elder abuse, such as the helpline recently set up by the Health Service Executive.

8 o'clock However, 5% of calls in 2004 related to elder abuse. These callers established a relationship of trust over a period with the older volunteers taking their calls. Many callers were often unable to seek external or professional intervention until they felt secure in discussing their situation.

The House will agree the Department of Health and Children has taken strides in tackling the issue of elder abuse. It has worked for the past several years, in conjunction with the HSE, to ensure awareness of the issue, both among the public and staff who come into contact with older people during the course of their work. The HSE has made good headway in putting in place structures at local and national level to deal with allegations of elder abuse. It continues to provide appropriate training to staff in this regard. The national implementation group continues to oversee the implementation of the recommendations of the report on elder abuse. The Department has allocated the highest level of funding for elder abuse for the next two years to ensure these recommendations become reality.

Developments in this area must be considered in the wider context of standards of care. The Department is committed to developing person-centred standards that reflect best practice and will ensure older people in residential care receive a level of quality care that is centred around their needs. The Department is putting in place the legislative structures to ensure these standards are complied with consistently in all residential settings for older people. Such developments cannot be achieved overnight, but the House will agree the Department is progressing well and is fully committed towards these ends.

These developments are taking place in the wider context of developments in services for older people. An interdepartmental working group was established to review several complex and fundamental policy issues in long-term care for older people. Some of these issues were the subject of the Mercer report on financing long-term care and the O'Shea review of the nursing home subvention scheme. Following consideration of the group's report, a series of key principles to inform policy were endorsed by the Government and incorporated in the new social partnership agreement, Towards 2016.

These principles include, for example, that there should be one, standardised national needs assessment for older people needing care. The use of community and home-based care should be maximised while sheltered housing options will be encouraged. Where residential care is

required, it should be quality care and there should be appropriate and equitable levels of co-payment by care recipients based on a national standardised financial assessment. The level of support for residential care should be indifferent as to whether that care is in a public or private facility. The financial model to support any new arrangements must also be financially sustainable.

The agreement also describes a range of initiatives covering new arrangements for residential and community care for older people. Progress to date in progressing actions in the long-term care report includes the HSE developing a national standardised care needs assessment and a standardised financial assessment process for home care packages. A needs analysis of residential care requirements for older people has been finalised by HSE. National protocols for case management for home care packages are being developed by the HSE as part of the guidelines' roll-out. A planning exercise on staffing requirements for future developments for older people and the disabled is being undertaken by Department of Health and Children and the HSE. A cross-departmental team on sheltered housing will be established and chaired by the Department of the Environment, Heritage and Local Government. Work will include other groups such as the disabled. A steering committee will be set up to begin the preparatory work of evaluating the effectiveness of the additional home care packages.

Work is continuing on the development of a financially sustainable system of funding long-term care. Standard consultation with carers' representative organisations, on a cross-departmental basis, will be led by Department of Social and Family Affairs. The interdepartmental group has continued to meet to assist in drawing up proposals for a new policy on long-term care, based on the principles endorsed by Government and the social partners.

Deputies will agree these measures on elder abuse and the continuing work in developing a new policy on long-term care, as well as the budgetary and other measures outlined by my colleague the Minister of State, Deputy Brian Lenihan, outline the Government's commitment to improving services for older people.

Mr. O'Dowd: Not one of the two Ministers of State from the Department of Health and Children addressed the key issue of Leas Cross and Professor O'Neill's report on it. Their speeches were the reiteration of recycled words which mean nothing. The truth is that until legislation covering nursing homes, promised as long ago as 2001, is introduced, we will not be able to provide our elderly people in nursing homes with the protection they need. All the waffle from the Ministers of State does not address the key issue. There were no words of condemnation from the Government on what happened at Leas Cross.

There were no words of concern about the deaths at Leas Cross. There was no concern that on average people in other nursing homes lived up to 44 months after entering while in Leas Cross the average was seven months. The Government is inept and it does not care. It has been in power too long. It has failed to implement the changes it promised and it does not have the guts to take on the bureaucrats who are trying to hide this report and prevent it from coming into the public domain.

I understand there are precedents for bringing into this House reports that may allegedly cause problems. Deputy Paul McGrath reminded me of the report into the Dublin and Monaghan bombings, which was published through a committee of the House. Other examples include the Kelly Fitzgerald report and the Ferns Report. The Leas Cross report is about people who died, many of whom were moved to this facility from the care of the State in St. Ita's Hospital. Others were moved to Bedford House. Their deaths are a grave concern to everybody involved.

Professor Des O'Neill has described the report as a damning indictment of the system and of the Health Service Executive. The Government has failed miserably and utterly in discharging its statutory duty of care and protection to these most vulnerable people. This country consists of two Irelands. One of these is the wealthy Ireland comprising the business people who can support the Taoiseach by giving him money and the developers and politicians who appear at tribunals. The other Ireland, the hidden, dark side of our country, is seen in the many selfish people who are concerned only with looking after themselves and in the lack of care and respect for elderly people. This is not to say that many good people who work hard do not place family members in the care of nursing homes.

Professor O'Neill's report identifies the issues clearly and accurately both in terms of administration and in regard to the absolute system failure in the Health Service Executive northern area. The truth contained in this report is crying out for recognition because it is the voice of the people who have suffered. It is what we must listen to and know. It is what is being hidden, what the Government does not intend to publish because it lacks the will, courage and interest. The reality is it could not care less. Thankfully, this report will see the light of day because we have an Information Commissioner who put pressure on the system and the Government, even though that Government changed the law to make it more difficult for the truth to emerge. The truth will out and the longer the Government continues in office the more negligent it will be because it still has not produced the necessary legislation.

Our motion refers to the failure of the Government and the broken promises of the Taoiseach and the Minister for Health and Children to introduce legislation in this area. In a debate in

[Mr. O'Dowd.]

2001, the then Minister of State promised such legislation but nothing has been done. Concerns were expressed in the Dáil by Deputy Kenny early in 2005. Of particular concern was the case of Mr. Peter McKenna who was admitted to St. Michael's House against the wishes of his family. How could this happen? Why was no way found to meet the needs of this family who felt so strongly that their relative should not be put in this home? Where was the energy and drive to question and address the situation in Leas Cross? Where is the effort to protect and support such people?

We know from a recent episode of "Prime Time" that the family of Peter McKenna has had little satisfaction from the HSE. The Minister, Deputy Harney, met family members and offered her support. Will she now take the necessary steps to ensure they get comprehensive answers from the HSE and St. Michael's House? Will the Minister take responsibility and appoint a third party to assist them in their efforts?

I have files of information that leave me in no doubt there are other nursing homes in which the same problems exist as those in Leas Cross. It is strange, however, that when I wrote to the Department of Health and Children some years ago on this issue, it seemed to have no files. On 31 May 2001, when I was a Member of the Seanad, the then South Western Health Board wrote to me in reply to a request for information under the Freedom of Information Act in relation to copies of nursing home inspections where significant breaches of the regulations were noted. Some 12 nursing homes are mentioned in this letter but I will refer to only four of them, Bedford House, Fairways, Rostrevor and Rathfarnham. Almost five years later, three of those remain open and still represent cause for concern.

I called for an investigation into Bedford House in this House some time ago. It was giving rise to concern at that time and the situation remains the same. I am in possession of a file on the facility, which runs up to 2005, and it is clear no changes have been made to address these concerns. The law requires every nursing home to have a matron or other similarly qualified person in charge who must work full time in that home. However, the matron at Bedford House was, at the same time, also in charge of another nursing home in Castlebellingham in a different health board area. How did this happen? How can the Minister of State stand over his speeches today when he has failed to investigate such basic issues, which the health board identified five years ago?

When I received the file on the Fairways nursing home, which I have in my possession, it was closed. I examined some coroner's reports relating to deaths that took place there, which I have in my office and will be glad to give to the Minister of State. Before that nursing home closed it was bought by a couple who put a Montessori

teacher in charge of the residents. The home was run for some months by that person who had no medical qualifications. A report on one death indicated that the health board insisted on the appointment of a matron and a suitable person was eventually appointed. The Department's inquiry must include an investigation of this issue. The coroner's reports also showed that files on all the patients in this nursing home were destroyed. These events took place under the Minister of State's watch.

The Minister of State's promises are seen to be absolutely hollow when one considers the case of Rostrevor nursing home. The then health board went to the High Court to close this home because of its deep concern for the quality of care it provided. The court said the board did not have the power in law to seek its closure through the court. The judge's decision was that the law was not strong enough to offer that type of protection. The health board had to return to the District Court and approximately one year after the initiation of the prosecution, it secured a fine of €8,000 against the nursing home. I am not sure how long the Minister of State has been in office but the law was shown by the High Court, more than a year ago, as inadequate to allow the State to close down a nursing home that was acknowledged as appalling and unacceptable.

Rathfarnham nursing home was another facility that was significantly breaching the regulations in 2001. Last year, a medical doctor who inspected the home wrote to the health board that he could no longer stand over the continued operation of the home because of the quality of care within it. This is the home where two patients were buried without death certificates. A successful prosecution was brought against it for breaches of the Food Hygiene Act. This facility must be investigated with the same level of forensic analysis as Professor O'Neill used in examining Leas Cross.

The message for the Minister of State and the Government is that there has been a consistent systems failure for some years, both legally and practically. The law does not allow the Minister of State at the Department of Health and Children to close a bad nursing home. There are many nursing homes similar to Leas Cross. I have a list of nursing homes where time and again the inspector recommended a nursing home be closed and requested legal advice. This recommendation and request is repeated year after year. These homes happen to be in the Kildare area. I do not mean to imply anything by this because I do not know their names.

There was a case in Kildare of a nursing home with no food. The same occurred in Kilkenny — not a packet of cornflakes, a bowl of porridge nor a pint of milk. This is what is going on. I only know all this because I used the Freedom of Information Act.

The Government knows what is going on because it changed the law. It changed regu-

lations to make it more difficult for people like me to get information on nursing homes. The Government is hiding behind bureaucracy, failing in its duty of care and failing to provide transparency and openness. On moral issues of care and concern, looking after those most vulnerable, it has utterly failed.

One can study any county and find the same failures. This is not to say that there are no excellent nursing homes. We should support those homes and put them up in lights. People should see inspectors' reports on the Internet which will indicate which homes offer the best quality care.

There are many fine nursing homes. There is one in my county of Louth. Every year they invite the whole community to come in, and they have families visiting and a band playing. They encourage intellectual activities and provide physiotherapy. Nowadays many nursing homes are full of people staring into space owing to a lack of stimulation. Such homes lack services. People are left to rot and die in many cases because the effort is not expended to provide services like plant therapy, gardening and pet therapy. How many old people would find a pet a comfort? We are failing in our duty of care. We are utterly, totally and abysmally failing.

The message is clear: "Prime Time", RTE, *The Sunday Independent*, *The Irish Time*, the *Irish Independent* and the *Irish Examiner* take up these issues when they can, provided we are not in a crisis, like tonight, over other issues. The focus is once again on the quality of care provided to the elderly and the lack of action, care and concern from this Government.

I recently received a complaint about another nursing home. It was a sad case because the lady involved, who had suffered a stroke, was forced from her bed to have a shower. She was brought down to have a meal while very upset and, unfortunately, passed away. The staff were told not to mention the incident to anyone.

There are people in distress in many nursing homes as we speak. I know of another home where a patient was visited by a nurse. The nurse noticed that his leg looked bad, it was going black and gangrenous. She recommended he be taken immediately to a hospital. His leg was amputated and he would have died if he had merely stayed in the home.

Questions hang over the medical profession — not whether they are failing to do their best, but what criteria are in place. What standards do the Irish Medical Organisation and other professional bodies apply regarding checklists for doctors working in nursing homes? There is an issue that arises often relating to drugs not being signed off by a doctor. Often the doctor lives some distance from the nursing home and a repeat prescription is provided, but the patient is not always medically examined.

There are issues relating to the role of nurses. Medical professionals are excellent in most cases but not all. I would like to hear from those work-

ing in the homes mentioned, those who have not done their jobs. The extension of this law requiring greater transparency on nursing homes is a good thing.

Inspection reports are published on the Health Service Executive website. I will not name the homes involved, there are not many of them, but I am pleased that the practice has commenced. There were 27 patients in one of the homes mentioned. The first sentence states the inspector agrees the number of residents can be increased to 29. That sounds fine until one reads further on. It is stated that there are not enough staff on duty in the home and more trained personnel are required, especially at night. This is contradictory. How can a nursing home increase its number of patients while those patients are not receiving the quality of care they require?

I have grave concerns because I do not see any quality control. Other reports are a complete whitewash. Homes with 100 beds, similar to Leas Cross, are covered in a single page stating it meets most, not all, the legislative requirements. That is not a satisfactory inspection report, especially if it is not signed. There is not enough detail. I acknowledge that things are changing slowly but we need much more action.

The issues have not changed in five years. This Government has neglected its duty of care to the elderly and has not addressed the issue tonight. Government speakers have mentioned neither Leas Cross nor Professor Des O'Neill. This Government is offering only silence, stonewalling and secrecy on the issue of nursing home care and care of the elderly.

The report by Professor Des O'Neill is in the hands of the HSE at the moment. One of the people in charge of examining that report is named in it. I do not think that person should be involved in deciding whether the report should be released, however tangentially he or she is mentioned. This must be addressed immediately because it is unacceptable.

The public will not allow this Government's failure to continue. Unless this legislation is brought in immediately, vulnerable people in nursing homes throughout the country will go without protection. Many cannot speak for themselves, many suffer from Alzheimer's disease and many have no relatives visiting them. The change must come.

I acknowledge that a Bill is coming before this House next week offering voting rights to prisoners and I have no problem with that. However, I have a problem with the fact that this legislation on nursing homes does not predate that Bill. It is far more important to give priority to proper care for the elderly than to voting rights to prisoners, although I do not have a problem with the latter.

Debate adjourned.

Adjournment Debate.

Foreign Conflicts.

Mr. Allen: I am convinced that a UN force for Darfur is needed now and not in two or three month's time. We should immediately strengthen the African Union force while the UN force is being assembled and we should prioritise the delivery of aid to those at risk. Estimates of the casualties from the Darfur conflict which has been raging since early 2003 vary widely. Many non-governmental organisations estimate that the number of deaths may have already reached 400,000, a figure provided by the Coalition for International Justice. The website *www.savedarfur.org* also estimates that more than 400,000 people have died in Darfur, with up to 2.5 million having been displaced. The crisis does not end there as many more people are at risk of starvation as a result of the ongoing humanitarian disaster in that region. In fact, more than 3 million people are completely reliant on humanitarian aid for survival.

The conflict in Darfur is blight on our globe and a shame on the civilised world. Death, destruction and mayhem have been visited on the civilian population in the most appalling manner. Ireland and all its partners in the international community who believe in peace and justice must use every possible method to bring about peace in Darfur. On 31 August last, the UN Security Council approved resolution 1706 which called for a new UN peace keeping force for the region. Since then, however, a UN force has not been deployed and the only progress seen in recent weeks has been the extension of the African Union mission in Sudan until the end of this year. While the extension of the mission is a welcome step, this force is not sufficient in the light of what the UN has called for and mandated as part of resolution 1706. That force is the minimum response required in terms of the protection of civilians in Darfur. Much more is needed and a full UN force should be deployed.

The government of Sudan has strongly objected to resolution 1706 and said that it would deem UN forces in the region as foreign invaders. However, the Sudanese government has backed the militia involved in the appalling genocide in Darfur and has been complicit in a campaign of ethnic cleansing for many years.

The international community must continue to press for the deployment of a full UN peace keeping mission for the region. We must press for this with absolute conviction and without wavering on the fundamental need for such a force. The Minister for Foreign Affairs, as represented by the Minister of State, Deputy Conor Lenihan, should take this opportunity to put on the record the diplomatic efforts made by the Irish Government to impress on the Sudanese government the

fact that Ireland supports the deployment of a full UN force in Darfur. Ireland must be to the fore in calling for this force to be dispatched to the region and must use every possible method, including diplomatic, aid and trade channels at European and international level, to ensure that such a force is realised.

Time is not on our side. Each day the conflict continues without international action the casualty list grows even longer. In recent weeks the situation in Darfur has worsened considerably. Incidents of murder, rape and torture are increasing and the situation faced by many in the region, especially the displaced, is increasingly perilous.

The conflict in Darfur must be brought to an end and I wish to see the immediate deployment of the already authorised UN peace keeping force. In addition, the under staffed African Union force already in Darfur must be strengthened until the UN force is deployed. Given the numbers living in grave danger of starvation, the international community must increase humanitarian aid and prioritise the delivery of essential supplies needed by the people.

This is an horrendous situation and a blot on the good name of civilisation. People in this part of the world must rise to the challenge that Darfur poses. The people of the region must not be abandoned just because they are on the African continent.

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): I speak on behalf of my colleague, the Minister for Foreign Affairs, Deputy Dermot Ahern, who is on official business in New York, where he spoke to the United Nations General Assembly yesterday. He also met the Sudanese Foreign Minister and the UN Secretary General, Mr. Kofi Annan. In both meetings the Darfur issue was top of the agenda.

The Government has consistently made clear that it is gravely concerned about the continuing humanitarian and political crisis in Darfur and is using all avenues to urge concerted international action to resolve them. We have been very active bilaterally, at EU level and in the UN context. In July the Minister was the first EU Foreign Minister to visit Darfur since the signature of the may peace agreement and he had the chance to visit the largest displaced persons' camp at Abu Shouk.

As the Minister stated when he addressed the General Assembly yesterday, the suffering of the people of Darfur shames the world. We cannot indefinitely stand by and watch with horror from the sidelines. The Sudanese government has a clear responsibility and if it fails to act the international community will have to consider possible further measures.

In his address, the Minister emphasised the three essential needs of the people of Darfur. First, humanitarian aid must be delivered safely and without restrictions. Since 2004, Ireland has provided more than €11 million in emergency aid

to Darfur, including food and shelter assistance to displaced populations across the region. In response to the recent deterioration in the humanitarian situation, a further €1 million in humanitarian assistance for Sudan was recently approved. Ireland has also continuously insisted that all parties in Darfur must allow unhindered humanitarian access.

Second, there must be an international peace keeping force with a robust mandate. As decided by the UN Security Council on 31 August 2006, it should be a well-equipped and substantial UN force. The establishment of such a force was originally called for by the African Union and is fully supported by that body. It is regrettable and unacceptable that the Sudanese government continues to oppose the deployment of this UN force. Yesterday, the Minister, Deputy Noel Ahern appealed strongly and urgently to the Sudanese government to agree to its deployment. With our EU partners, Ireland is encouraging influential African countries and other states, such as China, to convey similar strong messages to the authorities in Khartoum.

Until transition to a UN mission takes place, AMIS, the cease fire observation mission in Darfur established by the African Union, should be strengthened as far as possible. The Government welcomes the decision taken on 20 September 2006 by the African Union to extend the mandate of AMIS until 31 December 2006. The size of the force is also to be increased to 8,500 troops and the UN will provide 180 logistical and technical support personnel. The EU has given extensive political, technical and financial support to AMIS, including more than €413 million since 2004. Ireland has provided €3 million, including €1.5 million pledged in July, to ensure that AMIS has the necessary resources to fulfil its mandate through to the end of this year. Four personnel from the Permanent Defence Forces have also served with AMIS.

However, while the creation of a so-called "AMIS-plus" is welcome so far as it goes, it does not provide a solution. Energetic international efforts must continue to pursue the deployment of a full UN force.

Third, long-term security can only be guaranteed by the full implementation of the Darfur peace agreement. Ireland urges those parties which have not yet signed it to do so as soon as possible and commit to its full implementation. More also needs to be done to widen the political basis of support for the agreement within Darfur itself. Early inauguration of the Darfur-Darfur dialogue, provided for in the agreement, would be invaluable in this regard.

The Minister, Deputy Dermot Ahern, at his meeting with the Sudanese Foreign Minister, Mr. Lam Akol, yesterday in New York, emphasised the three issues to which I referred. In response, Mr. Akol accepted there were genuine concerns regarding the humanitarian circumstances in Darfur. He said they are exacerbated by groups

who are not on ceasefire continuing to fight the Sudanese Government. He welcomed the extension of AMIS to the end of 2006 and also stated the Sudanese authorities will hold discussions with the United Nations and the African Union on its concerns regarding Security Council Resolution 1706, which provides for the sending of a UN force to Darfur. This indication of Sudan's willingness to continue dialogue with the international community is welcome, but it must lead to concrete early decisions and follow-up. The Minister, Deputy Dermot Ahern, stressed that if the Sudanese Government has any genuine concerns regarding the role and remit of the UN force, he is sure they can be resolved.

Ultimately the conflict in Darfur requires a political solution. This is the compelling message at this crucial juncture in Sudan's history. Ireland will continue to use every opportunity, both bilaterally and in collaboration with its EU partners, to get the Government of Sudan to accept a UN force in Darfur.

Job Losses.

Dr. Cowley: I am grateful for the opportunity to raise this very important matter on the Adjournment. I am glad to see the Minister for Enterprise, Trade and Employment, Deputy Martin, present.

I raised the difficulties in Ballina on a great many occasions and on a weekly basis in Dáil Éireann. It is certainly an unemployment black-spot. Although the Minister might dispute this, the reality is that 1,000 jobs have been lost over nine years and have not been replaced. Any area that loses so many jobs is in trouble.

There are construction and service industries in Ballina but they are just giving the impression that things are happening. However, the jobs are not industrial jobs. The industrial base has been significantly weakened thanks to the closure of a series of very valuable industries in the area, such as Asahi, Hennigans and Oasis. Since I raised this in the Dáil, Duffy's Bakery has lost 42 jobs.

Ballina, the capital of north Mayo, with its large population, is an unemployment blackspot. I previously referred to the unemployment rate of 11%, which is twice the national average, and stated there are more on the live register there than in County Roscommon. This speaks for itself.

We clearly need proper infrastructure. The IDA says the lack of infrastructure is the difficulty and this has been raised time and again. Progress on the N26 and Ballina-Bohola bypass seemed to stop in mid-stream. Construction took place as far as Carrowntreila but was never completed. We need infrastructure such as a proper industrial site and it is a scandal that there is still none. The issue of the 27-acre industrial park on the Sligo road has been ongoing for almost a decade. It is a total fiasco and an indictment of the failure of the local authority, in association with

[Dr. Cowley.]

the IDA and Enterprise Ireland, to address the very serious unemployment that exists.

The area is crying out for some positive initiatives. The Taoiseach was in Ballina about two weeks ago with Dara Calleary, the Fianna Fáil hopeful. I asked the Taoiseach what he was doing for Ballina and whether he would make a positive statement about the town before he left. He went around the town with Mr. Calleary but said nothing about the terrible situation that exists there. Worse still, he did not take my advice and make a positive statement on what could be done. The problem is due to a lack of infrastructure and balanced regional development, to which the Government says it is committed. However, it is just paying lip service to the idea because there is almost a €3.9 billion underspend under the national development plan. The reality is that the area is uncompetitive. If people are to develop the area, proper investment is required.

I raised this issue in the Dáil with the Minister previously and he made all sorts of promises that there would be action and stated the IDA, Enterprise Ireland, etc., were doing wonderful things. I was told progress on the 27-acre site on the Sligo road was at an advanced stage but there is still no progress although it is the end of September. This is intolerable.

In March the Minister of State, Deputy Killeen, expressed regret at the Oasis closure and said there would be positive developments. However, there were none. He stated it was a great priority to find alternative employment for those who lost their jobs but this has not been done either. The IDA is supposed to be doing all sorts of things and bringing all sorts of people to set up industry in Ballina but this has not happened. How could it happen when there is no industrial site.

There was talk of prioritising expenditure in the BMW area but it amounts to nothing. The Minister is very confident that the State development agencies will strengthen, promote and market Ballina and north Mayo but it is just more words. The time for words is long gone and I hope the Minister will do something more positive than the Taoiseach, rather than just giving me the same old line that so much is happening. The reality on the ground is that jobs are continuing to be lost, and those affected are real people. The job losses at Duffy's Bakery serve as another example.

Minister for Enterprise, Trade and Employment (Mr. Martin): I thank the Deputy for raising this matter.

I was very concerned to hear that the company in question has announced it will reduce its workforce during October and November. According to the company, this difficult decision was taken due to the non-viability of the wholesale section of the business.

I am very conscious of the effect these job losses will have on the workers involved, their

families and the community in the surrounding area. This is very distressing news for those who will lose their jobs as a result of the announcement. I assure the people concerned that the State agencies will provide every support they can and that the priority will be to find alternative employment for those involved at the earliest possible opportunity.

The role of FÁS, the State training agency, will be particularly important in assisting those who are about to lose their jobs. The agency has already made contact with the company and is awaiting a response from it so a convenient date for a meeting can be agreed. The full range of the agency's services will be made available to the employees concerned if they wish to avail of them. These include training, education and helping people secure alternative employment in other enterprises in the area.

The industrial development agencies will be making every effort to secure alternative investment and employment for Ballina. The national spatial strategy provides a framework for achievement of this goal through the prioritisation of development and investment in the gateway and hub locations. On this basis, IDA Ireland seeks to attract foreign direct investment into the linked hubs of Ballina and Castlebar. The authority is promoting Ballina for new foreign investment as well as working with the existing base of overseas companies in Ballina to encourage them to grow and expand. Since January 2003, there have been five first-time site visits to Ballina. The authority's sectoral emphasis is on attracting new knowledge-intensive projects in the medical technologies, life sciences, information and communications technology and international services sectors.

The authority is also working closely with local groups, utility providers, the local authorities in the county and other agencies to enhance the attractiveness of the county, including Ballina, for new investment. In that regard, the authority has been deeply involved with local partners in the development of regional planning guidelines.

The Deputy mentioned the industrial park and referred to failure. It is important in a debate such as this that we be straight and upfront. One cannot blame IDA Ireland for the logjam in the courts. I understand that a particular legal difficulty, which is extremely unfortunate, is holding up the development of a very important property solution that would facilitate the attraction of inward investment. It is not enough simply and straightforwardly to attack a State agency as if the situation were its fault.

Dr. Cowley: There is another site on the Foxford Road.

Mr. Martin: Enterprise Ireland has approved funding of over €1.2 million to client companies in the north Mayo area since 2003. A new Enterprise Ireland supported high potential start-

up company, Heatsolve Limited, commenced operations in Ballina in 2005. I was with it in South Africa last week. Enterprise Ireland has committed funding of over €700,000 to the IRD North Mayo-West Sligo Limited for the development of enterprise space in Ballina. As the Deputy is aware, I officially opened the centre during my visit to Ballina in January 2006. His colleague, Dara Calleary, was there to meet me in the company of Deputy Carty and Frank Chambers. Dara Calleary was very strong on identifying needs in Ballina, and the Deputy is correct in detecting his interest in the situation, with that of Deputy Carty. I should point out that in August 2005—

Dr. Cowley: That is the same answer. Nothing has changed.

Mr. Martin: This is an important point. I did not interrupt the Deputy and it is important in a debate such as this that we put facts on the table.

In August 2005, there were 1,605 people on the live register in Ballina. The most recent data available, which are for August 2006, show that the number has fallen to 1,448.

Dr. Cowley: It is still 1,448.

Mr. Martin: Going back four years to August 2002, the figure for Ballina was 528 higher than now, with 1,976 people on the live register.

The Deputy's use of the words "unemployment blackspot" to describe a growing and developing town does nothing to help its position regarding future investment.

Dr. Cowley: What will happen?

Mr. Martin: That negative profile does nothing to help any agency attract anything. We will make every effort regarding indigenous industry and to attract foreign direct investment, but overall the message that must emanate from Mayo is that we are open for all kinds of investment, including those that use the natural resources of our seas.

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

Mr. Martin: What is going on with the campaign regarding the oil discoveries off the Mayo coast does nothing to enhance the county's external perception as a place where one can do business.

An Leas-Cheann Comhairle: We must move on.

Dr. Cowley: All the Minister wants to do is clog up the roads.

An Leas-Cheann Comhairle: Deputies Cregan and Neville are raising the same matter, so they

will be taken together, with each Deputy receiving five minutes.

Company Closures.

Mr. Cregan: I thank the Ceann Comhairle for the opportunity to raise what to my constituents is an extremely important matter. I also thank the Minister for his presence. We raise matters on the Adjournment on several occasions over the year and it is not always possible for the appropriate Minister to reply. Tonight he shows by his presence how seriously he is treating the imminent demise of Castlemahon Food Products Limited in west Limerick.

Yesterday was a bad and bleak day for workers in Castlemahon and growers in the area. I will start on a positive note by saying that we still have a chance to salvage at least part of that operation. It is extremely important that we think positively. I know that there are moves afoot as we speak to try to ensure that. We should preface our remarks by being positive and trying to encourage everyone with the responsibility of playing a part to come on board. I am of course seriously concerned for the 300 workers who face an extremely bleak few months approaching Christmas. They are predominantly young people who have taken on commitments in life and who need a week's wages coming into their house. In some cases both partners are being affected, and we must make every effort to ensure that we can save as many of those jobs as possible.

Second, the growers are predominantly small farmers on family holdings around the Castlemahon area and a little farther afield. Some 80 to 100 growers are dependent on the income that they received from the production of chicken for the Castlemahon processing unit, having diversified from dairying. We must try to ensure that a market can be secured for those growers. The best possible market is that which they have locally in Castlemahon. We must reinvigorate the Castlemahon brand name, which is famous all over the country and the UK. It is very important that we do so.

A worst-case scenario is Castlemahon's total demise, which I certainly hope does not occur. In that event, I will call on the Minister, his Department and all the statutory agencies to come on board and make every effort to ensure that they step up to the plate for Castlemahon and west Limerick in general. We have not had a positive response from the IDA or Enterprise Ireland for many years in this regard.

I recognise that we have had massive investment and support for indigenous industry in west Limerick. We have seen many jobs created, but when five, ten or 20 jobs are created, we do not have a fanfare of announcements or recognise their value to our communities. They are valuable, and I hope that we can continue creating such posts. I acknowledge the support of the county enterprise board, West Limerick

[Mr. Cregan.]

Resources, Shannon Development and others in that regard. However, as I have said, IDA Ireland has a case to answer for west Limerick and I hope that it will now step up to the mark and help in whatever way it can to ensure success.

This comes hot on the heels of the demise of Kantoher, part of the Kerry Group, which was also a chicken-processing unit, 14 or 15 months ago. I acknowledge the success story that has taken place and the efforts of everyone concerned. The local action group or task force put in place is to be commended on its tremendous work in turning a very gloomy and sad story into something very positive. It has been accused of being a talking shop. I neither accept nor agree with that, since it has successfully applied for grant aid from the Minister to provide a new enterprise park in the Kantoher area. To his credit, following a visit to the area at my request, the Minister approved the appointment of a development officer, which I believe will shortly occur. The area has also secured a site for the enterprise project from the Kerry Group, whose efforts I also acknowledge, since it has been more than helpful to the local community.

We were getting up off our knees and heading in the right direction, but yesterday's news was very severe. It is important that we not start playing the blame game or scoring political points. All of us — public representatives, State agencies, the Department and the Minister — must work together to try to ensure that we can reverse this as completely as we reversed the previous situation in Kantoher.

An Leas-Cheann Comhairle: The Deputy should conclude.

Mr. Cregan: We have been very dependent on food processing in west Limerick and I concede that there have been difficulties throughout Ireland's chicken processing industry, although not to the same extent as in Castlemahon. This news has not come as a surprise to me since closure has been threatened for some time. While people were devastated when the final announcement was made, I have taken the opportunity over the past few months to keep the Minister and his counterpart in the Department of Agriculture and Food briefed.

An Leas-Cheann Comhairle: The Deputy must conclude.

Mr. Cregan: They both responded in whatever way they could. At the time of the most recent restructuring in Castlemahon, we were promised reinvestment and modernisation.

An Leas-Cheann Comhairle: The Deputy has exceeded his time.

Mr. Cregan: That did not happen. I understood I had——

An Leas-Cheann Comhairle: Five minutes.

Mr. Neville: The Deputy has now had seven minutes and I hope that I get as long.

Mr. Cregan: All that reinvestment and modernisation happened at the parent company in Armagh, the O'Kane Group, rather than in Castlemahon, something that I very much regret. I once again appeal to the Minister to make every effort possible. He has very kindly made himself available at my request to meet people in the coming days and I hope we can work together to try to replace those jobs.

Mr. Neville: I thank the Ceann Comhairle for providing the opportunity, which I requested yesterday, to raise this issue of vital importance to west Limerick, namely, the news that the processing plant, Castlemahon Food Products, is in liquidation and likely to close. It is a major blow to the local population, especially to the 350 people employed at the plant and in allied work at Castlemahon. They face a very bleak situation. Many of them have been in the plant for decades and developed skills that must be recognised. The plant should be saved in some way through working with the liquidator to ensure that those skills are utilised.

The likelihood that Castlemahon will close compounds a situation which arose in January 2005 when 140 jobs were lost at Kantoher Poultry Products, adjacent to the area, as well as 140 jobs at that time in Castlemahon. Between direct and indirect employment there could be a loss of 1,000 jobs in that small region, where the poultry industry was so important since 1960 when Castlemahon moved into that area, having been established as a co-operative in 1920. The factory has been a valuable employer and an integral part of the community in west Limerick, an area where there has been considerable deprivation. Employees, their families and local suppliers are rocked by this news. The economic cost to the area is enormous.

It is especially devastating in an area of west Limerick where the population is in decline and where alternative job opportunities are severely limited. Suppliers to the plant will be severely hit, too, and their situation must be immediately clarified. In the case of Kantoher there was continuation of supply to the parent plant at Kerry. We do not know what the situation is in the case of Castlemahon and it is quite serious. In fact, this an area where there has been increased unemployment in recent times, as the figures show. It is high time that the Minister for Enterprise, Trade and Employment and the Minister for Agriculture and Food opened their eyes to the haemorrhaging of employment from regional

rural communities such as this before we become a country of ghost towns.

The Government must immediately organise a committee of relevant services, high profile people and institutions to establish replacement industries and ensure the availability of employment for those being made redundant so that families have an opportunity to continue to live in the area, pay their mortgages and rear their children there. A particular responsibility rests with the major party in Government, Fianna Fáil, to ensure that the 300 to 350 jobs are replaced immediately. The loss of Castlemahon Food Products would eliminate sixfold the work done by many organisations and public-spirited people who campaigned over many years to have 50 jobs decentralised to Newcastle West.

The Minister might say that the poultry industry in Ireland is a highly competitive one. It is, for two reasons. The first is the admittance of third country products from countries such as Thailand where increased production results in products being labelled as Irish. There is no traceability. The effect such cheap products will have on the poultry industry has been pointed out time and again, yet this situation has been accepted by the Government. Poultry farmers have survived in Ireland and especially in this area by dint of hard work and strategic expansion where possible. The industry as a whole, however, has suffered dramatically from increased costs. The cost issue of the Castlemahon plant is something that has been raised.

The industry must also meet excessively high standards imposed by Government while competing against the inferior products that in many cases are not even traceable. The issue of the importation of Third World products is crucial in this competitive area and the Minister must take this on board. Growers have invested substantially in their enterprises. Many of them have heavy borrowings. Many will see most of their livelihoods destroyed. They will have to meet their borrowings regardless of what happens. I took a call from a poultry producer today who simply asked me whether he would need planning permission to knock his poultry house, because that is all he can do with it. When I checked it out, by the way, the answer was "No".

That is the sad situation such people find themselves in. Since this Administration came to power, an industry that was crucial to the economy of that area of west Limerick, from Newcastle West to Castlemahon to Kantoher and up as far as Charleville, has disappeared. That is a legacy which this Government has given to the poultry industry and its 1,000 employees in that area of west Limerick and up to 100 suppliers who will be made redundant, without the opportunity to negotiate redundancy packages. I ask the Minister to get the Government to talk to the liquidator to ensure that what can be saved is saved. The skills of the people there, built up over some 46 years, is the key to ensuring that the

poultry industry continues in this area. I thank the Minister for his time.

Mr. Martin: I thank the Deputies for raising these matters. I appreciate Deputy Cregan's very constructive approach in his opening statement by trying to look for a way forward to see whether we can salvage something from yesterday's pessimistic announcement of the appointment of a liquidator and next month's High Court hearing in the matter.

I thank Deputy Neville for raising it, and appreciate his concerns, but people in general are far more sensible in terms of their appreciation of global forces, competition and the need to work on our existing industries to make them more competitive and to invest. That depends on companies taking decisions as well. Enterprise Ireland is available to assist companies on an ongoing basis to modernise, to change what they are doing and to move in terms of market needs. It is still ready to be of assistance, if necessary, but Deputy Cregan made the point that there seems to be a degree of consolidation involved from west Limerick to other parts of the island, such as Armagh. West Limerick has suffered as a result.

Fundamentally, however, if job losses occur here, it affects the workers involved and their families, as Deputy Cregan and Deputy Neville have said, as well as the community in the surrounding areas. It would be very distressing news for them and I want to assure the people concerned that the relevant State agencies will do everything they possibly can to provide support. The priority in the event of closure will be to find alternative employment at the earliest opportunity for those involved. The role of FÁS, the training agency, will be particularly important in assisting those who are to lose their jobs.

In February 2005, the company announced a restructuring plan which involved a reduction in staff numbers of 150, down from 410 to 260. In May of that year, it conformed that workers at the company had accepted its redundancy offer by a large majority and at that stage there was talk of further investment. Unfortunately, matters have not improved over the past 18 months. In fact, they have continued to worsen. The current level of profitability in the Irish poultry sector is very low. This is due to a very fierce competitive market and increased volumes of cheaper imports from abroad. Nevertheless, I understand the liquidator will be working closely with the management and other interests over the next few weeks in an effort to find new owners for the enterprise.

Basically, the company has been operating in a very competitive market and has been trading at a loss for a number of years. During this very difficult period, Enterprise Ireland has been in regular contact with the company. Discussions were centred on potential involvement by the agency in the future development of the company.

[Mr. Martin.]

However, despite the best efforts of all concerned, it was not possible to avoid the situation that has been reached. Given its local presence in the area, Shannon Development has moved quickly to assist with efforts to minimise the effect of the closure on west Limerick and the Newcastle West area. Within 24 hours of the public announcement, Shannon Development has arranged a meeting of West Limerick Resources Ltd., a local group in which Shannon Development is an active board member. The group, chaired by Shannon Development and comprised of key local groups in the area has done much valuable work following the closure of Kantoher Poultry Products last year, with the loss of 138 jobs. Together with representatives from Limerick County Enterprise Board and West Limerick Resources Ltd., the agency will meet all public representatives in the area to discuss how Shannon Development can support those affected by the closure. Shannon Development will set up an internal working group to identify opportunities to assist those affected.

As well as these initiatives, Shannon Development will stay in close contact with the Newcastle West Chamber of Commerce, whom I recently met with Deputies Cregan and Collins. The most recent live register figures, for August 2006, show a total of 6,327 for Limerick City and 1,006 for Newcastle West. While the figure for Limerick City is down from 6,769 in the corresponding month in 2002, the figure for Newcastle West is up by 79. However, overall figures for Limerick City and County show a decline in the live register from 8,593 in August 2002 to 8,253 in August 2006. There is a churn in employment across the country. Traditional industries are under pressure and are closing, while other industries, especially the service industry, are providing much employment. In the past five or six years, more than 440,000 jobs were created in services and 150,000 in high-end manufacturing. There has been a complete turn around in the nature of employment. Much employment has moved to cities and towns. We have asked the agencies to do what they can for indigenous enterprise and foreign direct investment.

West Limerick in general is well serviced with industry with major companies such as Wyeth, Aughinish Alumina, Kostal, Ballygowan, and Pallas Foods being the major employers in the vicinity of Newcastle West. In 2004, Shannon

Development completed the land purchase and business plan for a new business park in Newcastle West. The park is located on a 40-acre site adjoining the town, and infrastructural and servicing work on the first 20 acres is in place. A BES unit, approved by Shannon Development, is now in place on the business park and clients are being sought. Shannon Development has sold three sites to industrial companies and construction on these sites should commence by the end of this year. In addition to these developments already under way, Shannon Development has solid inquiries on its books regarding site purchases for the business park. These developments will help strengthen the industrial base of the Newcastle West area.

A central goal for the industrial development agencies is the achievement of balanced regional development. The attractiveness of Limerick lies in its position as a regional gateway, with a critical mass and infrastructure necessary to attract mobile investment to the region. The Government and the agencies recognise the need to provide high volume employment opportunities in Limerick that result in sustainable long-term jobs. The strategies adopted have proved successful to date despite a competitive and ever-changing global economy. It is disappointing to see job losses in the poultry sector, but Limerick has a strong base of foreign direct investment jobs. The most recent figures available — for December 2005 — show that there are 38 overseas companies employing more than 8,500 people in permanent jobs and a further 1,500 in temporary and contract employment. Most of these 10,000 jobs are in the city environs but as a result of the job losses in the company concerned, I am confident the State development agencies will strengthen their marketing and promotion efforts in the region and will make every effort to secure alternative employment for the area. This will be done in partnership with other key players to maximise the flow of potential investors for the area and to convert these into investment and job opportunities.

I assure the Deputies that we will do everything we can to assist the workers concerned by matching them with jobs created in the locality. We will get the industrial agencies to move to attract the new industry and to create indigenous industry in the area.

The Dáil adjourned at 9.15 p.m. until 10.30 a.m. on Thursday, 28 September 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 32, inclusive, answered orally.

Questions Nos. 33 to 106, inclusive, resubmitted.

Questions Nos. 107 to 114, inclusive, answered orally.

Mental Health Services.

115. **Ms Shortall** asked the Minister for Health and Children in view of the recent tragic death a young mother and her two little girls, her views on the fact that there were no after hours social workers available; her views on whether there is a need for a new initiative on suicide prevention; her views on the need for an increased budget for the National Prevention Office; the measures she intends to put in place to improve on suicide prevention; and if she will make a statement on the matter. [29547/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I would like to extend my sincere sympathy to the family involved in this tragic case.

Community based social work services are generally provided on a Monday to Friday, 9.00am to 5.00pm basis. There is currently no standardised national out-of-hours social work service. However, individuals can access health services on a 24-hour basis through the General Practitioner Out-of-Hours service or through Accident and Emergency services. Out-of-hours co-operatives are now in place in all HSE areas, providing coverage in all or in part of all counties. It is estimated that over two million people are currently covered by out-of-hours co-operatives and that additional funding provided in 2006 should allow for up to 350,000 additional persons to be covered. Services are also provided through Accident and Emergency.

In the tragic case referred to by the Deputy, I understand from the Health Service Executive that the receptionist at Ely Hospital did offer to contact Wexford General Hospital but the offer was declined.

A HSE project team is currently assessing the feasibility of establishing an Out of Hours service and International Best Practice research was commissioned on centralised intake systems offering a seven day, 24 hour service to inform deliberations.

“Reach Out” — a National Strategy for Action on Suicide Prevention, 2005-2014, which was launched in September 2005, recommends a combined public health and high risk approach. This approach to suicide prevention is also that advocated by the International Association for Suicide Prevention (IASP) and is in keeping with the European Action Plan for Mental Health.

The National Office for Suicide Prevention was established by the Health Service Executive to oversee the implementation of “Reach Out”. An additional €1.2m has been allocated to the Office specifically for suicide prevention initiatives and research.

Additional resources were made available in 2005 to put in place experienced psychiatric nursing staff in A & E departments to respond to deliberate self harm presentations. Further investment is being made in 2006 to ensure that, by year end, all A & E departments have a service to respond to such presentations. It is expected that most A&E departments will be able to access a self harm specialist by the end of 2006.

Each HSE area employs a Resource Officer for Suicide Prevention and Mental Health Promotion whose role is to co-ordinate and develop a broad response to suicide including the provision of training and counselling.

Ambulance Service.

116. **Dr. Upton** asked the Minister for Health

[Dr. Upton.]

and Children her views on recommendations from the Association of Anaesthetists of Great Britain and Ireland to introduce a nationwide, 24 hour, seven day hospital transfer service for critically ill patients between hospitals; the procedure that is in place for these patients; and if she will make a statement on the matter. [29544/06]

Minister for Health and Children (Ms Harney):

I am aware of the report referred to in the question which calls for retrieval teams to be put in place to transfer critically ill patients between hospitals. The current position here is as follows. A Mobile Intensive Care Ambulance Service (MICAS) is in place to facilitate the transfer of critically ill adult patients for intensive care and other specialist health care services. The service is operated jointly by a number of hospitals in Dublin and by the HSE Ambulance Service.

A co-ordinating Consultant is designated for the week of service by a participating hospital. This is usually the Intensive Care Consultant on duty. The MICAS is staffed by an Intensive Care doctor (usually an Anaesthetist) and a staff nurse from the participating hospital.

Generally the MICAS operates during normal business hours but the service often extends beyond these hours. Although the service caters predominately for adult patients, a small number of paediatric patients are catered for at the discretion of the duty co-ordinating consultant.

In addition to the MICAS, a Neo-Natal Transport Programme (NNTP) operates as a rapid response service for the stabilisation and transportation of premature and ill neonates up to six weeks of age. It currently operates from 9am to 5pm seven days a week. The service is operated by the three maternity hospitals in Dublin on a rotational basis in conjunction with the HSE Ambulance Service. A designated neo-natal nurse and a neo-natal registrar are available daily.

The HSE has advised my Department that proposals are being developed to extend the hours of operation of both services and to introduce a national MICAS retrieval service for children.

In addition to the ground ambulance service, arrangements are in place with the Air Corps for the provision of emergency inter-hospital patient transport services. A Service Level Agreement is in place between the Department of Defence, the Department of Health and Children, the Health Service Executive, the Defence Forces and the Air Corps. It sets out the range of services to be provided by the Air Corps, specifically:

- Inter-hospital Transfer for spinal and serious injury and illness
- Air Transport of Neonates requiring immediate medical intervention in Ireland
- Air Transport of patients requiring emergency organ transplant in the UK

- Air Transport of Organ Harvest Teams within Ireland
- Air Transport of patients from offshore islands to mainland hospitals where the Coast Guard service is not available.

Hospitals Building Programme.

117. **Mr. Gogarty** asked the Minister for Health and Children if her attention has been drawn to the background of companies involved in public private partnerships; if she is satisfied on the basis of this information that the Irish taxpayer will get value for money from the co-location projects. [29563/06]

Minister for Health and Children (Ms Harney):

I presume the Deputy the question refers to allegations published in a number of newspapers in relation to a company which, I understand, has expressed an interest in operating private hospitals on the sites of public hospitals. The company in question has refuted the charges made in the newspaper articles.

The Health Service Executive are currently engaged in a public procurement process in relation to the co-location of private hospitals on the sites of public hospitals. In view of this, I am not in a position to say anything further in relation to any particular company which may be involved in bidding to build a private hospital on the site of a public hospital. However, I wish to assure the House that bids will be subject to a thorough evaluation by the HSE. There will be a rigorous value for money assessment of any proposal and this will take account of the value of the public site and the cost of any tax expenditure. Any transaction will be on a commercial basis and will fully protect the public interest. In addition, there will be full adherence to public procurement law and best practice.

118. **Aengus Ó Snodaigh** asked the Minister for Health and Children the status of her strategy to co-locate private for-profit hospitals on public hospital lands; the discussions she has had on this matter since the adjournment of Dáil Éireann; and if she will make a statement on the matter. [29603/06]

119. **Mr. P. McGrath** asked the Minister for Health and Children if the co-location of public and private hospitals on the grounds of public hospitals is still government policy; and if she will make a statement on the matter. [29577/06]

143. **Mr. Hogan** asked the Minister for Health and Children to report on progress in implementing her policy of building private hospitals in the grounds of public hospitals. [29585/06]

210. **Aengus Ó Snodaigh** asked the Minister for Health and Children the way the policy of co-locating private hospitals on public hospital lands

relates to the commitment to provide 3,000 additional public beds under the health strategy; and if she will make a statement on the matter. [29602/06]

Minister for Health and Children (Ms Harney):

I propose to take Questions Nos. 118, 119, 143 and 210 together.

This Government is committed to exploring fully the scope for the private sector to provide additional capacity in the health system.

In this context, I issued a policy direction to the Health Service Executive in July 2005 which is aimed at freeing up 1,000 additional beds for public patients. This will be achieved through the development of private hospitals on the sites of public hospitals and the transfer of private activity to those hospitals thereby freeing up capacity for public patients.

The provision of up to 1,000 additional beds for public patients in this way will contribute to the achievement of the Government's commitment in the Health Strategy to increase acute hospital capacity by 3000 beds. It will also have the following benefits:

- maximising the potential use of public hospital sites;
- promoting efficiency among public and private acute service providers;
- promoting greater competition in the supply of hospital services; and
- offering improved quality and choice to all patients.

The HSE recently advertised for expressions of interest for the construction and operation of private hospitals on the sites of ten publicly funded hospitals. The project will be procured by utilising the new competitive dialogue tendering procedure. The HSE received a large number of expressions of interest. The HSE has pre-qualified a number (approx 6 bidders per hospital site) of successful candidates to progress to the next stage. Invitations to participate in dialogue issued to the pre-qualified bidders in mid September 2006 with a deadline to submit outline proposals by late October. The aim is to select up to three bidders in respect of each site who will be invited to tender to build and operate a private hospital on the site. An operator may be a not-for-profit organisation or a for-profit organisation. Both types are already providing services in Ireland.

Proposals will be subject to detailed evaluation by the HSE. The procedure will also provide for a rigorous value for money assessment of any proposal and will take account of the value of the public site and the cost of any tax foregone. Any transaction will be on a commercial basis and will fully protect the public interest. In addition, there will be full adherence to public procurement law and best practice.

Hospital Services.

120. **Mr. O'Shea** asked the Minister for Health and Children the number of cancelled operations in hospitals last year; her views on the fact that the majority of these operations are cancelled due to unavailability of beds; the steps that she intends to take to address this issue; and if she will make a statement on the matter. [29545/06]

Minister for Health and Children (Ms Harney):

It is regrettable that some patients have their operations postponed and I recognise that this can cause upset and inconvenience for them and their families. The Health Service Executive endeavours to keep postponements to a minimum and to have postponed operations rescheduled as soon as possible. However due to the nature of the demands on the acute hospital system, in some instances, it is necessary to re-schedule planned treatment when priority has to be given to emergency cases or for a variety of other reasons such as infection control.

The acute hospital services treated over 1 million patients as in-patients and daycases in 2005. While information on the total number of postponed operations in 2005 is not immediately available from the HSE, I am advised that it represents a small percentage of overall activity. For example, in the case of the nine main acute hospitals in the greater Dublin area, the number of in-patient and day case postponements represented less than 7% of the total number of elective admissions booked in 2005.

This Government is committed to developing services in order to minimise the number of postponed operations through the provision of additional in-patient beds and day case places as well as maximising care and supports in the community.

In 2001, the year of the publication of the Health Strategy, the average number of in-patient beds and day places available in the 53 public acute hospitals was 12,145. At the end of 2005, this figure had increased by 1204 to a total of 13,349, involving an additional 724 in-patient beds and 480 day places.

A further 450 acute beds/day places are in various stages of planning and development under the Health Service Executive's Capital Plans.

I have already referred today to my initiative to have private hospitals built on the campuses of public hospitals. This is designed 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 is currently engaged in a procurement process with the private sector to build and operate private hospitals on 10 public hospital sites.

All of these additional in-patient beds and day places will mean that this Government's commitment in the Health Strategy to increase total acute hospital capacity is well on the way to completion.

Food Labelling.

121. **Mr. Naughten** asked the Minister for Health and Children the discussions she has had with the Food Safety Authority of Ireland on its report into breaches of food labelling laws; and if she will make a statement on the matter. [28436/06]

761. **Mr. Naughten** asked the Minister for Health and Children the discussions she has had with the Food Safety Authority of Ireland on the enforcement of the food labelling laws; and if she will make a statement on the matter. [28435/06]

Minister of State at the Department of Health and Children (Mr. S. Power): I propose to take Questions Nos. 121 and 761 together.

The enforcement of food labelling legislation is included in the service contracts between the official agencies and the Food Safety Authority of Ireland (FSAI). The official agencies include the Health Service Executive, the Department of Agriculture and Food, the Department of Communications, Marine and Natural Resources, the Office of the Director of Consumer Affairs and the local authorities.

The Department of Health and Children is in touch with officials of the FSAI on an ongoing basis, and regular meetings are held to discuss a wide range of issues including labelling. Any issues which arise in relation to the enforcement of food legislation, including enforcement and breaches of labelling legislation, are discussed where necessary, in this context.

I assume that the Deputy in his question is referring to the “Report of the Food Safety of Authority of Ireland Audit to determine compliance with Labelling and Traceability Requirements”. This was an internal report following a small scale audit undertaken by the FSAI in 2004, which drew attention to some deficiencies in traceability and labelling regimes. In discussions with the Department, the FSAI has confirmed that the official agencies were provided with a report on the premises under their supervision which were visited as part of the audit. Follow up action, by way of additional visits and inspections were undertaken, and I have been assured that the matters which required attention have now been rectified.

While the bulk of control in relation to food labelling is carried out by staff in the official agencies as part of the routine official control programme, the Deputy may wish to note that the Authority has indicated that a series of checks will be conducted this year on various sectors of the food industry. The results of these audits will be published and, where a deliberate intention to mislead the consumer is found, action will be taken against the food businesses concerned.

Health Service Inquiries.

122. **Ms O’Sullivan** asked the Minister for

Health and Children her views on the delays in the Health Service Executive Western area inquiry into the alleged abuse at the Brother of Charity establishment for learning disabled children and adults in Galway; the steps she intends to take to ensure completion and publication of this inquiry; and if she will make a statement on the matter. [29531/06]

Minister of State at the Department of Health and Children (Mr. T. O’Malley): I am advised that an inquiry into allegations of abuse by former residents of the Brothers of Charity Services in the former Western Health Board area was commenced in April 1999 by that Health Board. I understand from the Health Service Executive that in September, 2005 it commenced a review of the inquiry process with a view to ensuring that the process will be completed at the earliest possible date.

I am concerned about the length of time which has elapsed since the initial inquiry was initiated and I have asked the Health Service Executive to ensure that it is completed as a matter of urgency.

National Cancer Strategy.

123. **Mr. Connaughton** asked the Minister for Health and Children to give details of the implementation programme for the national cancer strategy. [29593/06]

Minister for Health and Children (Ms Harney): The Strategy for Cancer Control published last June encompasses all aspects of cancer, including prevention, screening, diagnosis, treatment, supportive and palliative care. My objective is to develop an integrated cancer control programme based on:

- evidence of what works to prevent and treat cancer
- standards that assure quality in all aspects of cancer control and
- fairness, so that all patients, irrespective of county, region or personal financial means, can be assured of the best cancer care.

Our efforts to prevent cancer will include societal and public policy responses to reduce smoking and alcohol misuse and improve diet and exercise. I have written to the Minister for Finance on fiscal measures to reduce the consumption of tobacco. Heads of a Bill are being prepared for consideration by Government to regulate the use of sunbeds, including prohibiting their use by those under 16.

I will shortly establish a National Cancer Screening Agency to amalgamate BreastCheck and the Irish Cervical Screening Programme (ICSP) to deliver both programmes nationally. BreastCheck will commence national roll-out next year. It is my goal to have the ICSP rolled out nationally by 2008, based on an affordable

model. The Agency will also advise in relation to a colorectal cancer screening programme.

The Health Service Executive is establishing a National Cancer Control Programme. A Programme Director, at national level, will be accountable for all HSE cancer control activities. A single national budget for all cancer control activities will be developed. The Programme will facilitate national standards for equity and access and will maximise ambulatory care. The HSE will establish four Managed Cancer Control Networks to deliver the Programme. Clinical leaders in oncology will be appointed to lead the delivery of quality multi-disciplinary care nationally and at network level.

My Department is working closely with the HSE and the National Development Finance Agency (NDFA) in implementing the national plan for the development of radiation oncology services agreed by Government in July 2005. The NDFA has assembled a team to progress the financial and procurement aspects and the HSE has appointed a Project Manager and support team. Two additional linear accelerators will be delivered at St. Luke's Hospital Dublin by Autumn of next year. I have approved the HSE's proposals to construct interim facilities comprising of four linear accelerators and associated treatment planning at St. James's and Beaumont Hospitals. The HSE expects to commence services by early 2009.

I have established a National Quality Assurance Group for Symptomatic Breast Disease to develop an agreed set of guidance for the inter-disciplinary management of breast cancer. My Department will, in consultation with the Interim Health Information and Quality Authority, further progress the Strategy recommendations on accreditation, quality guidelines, information and health technology assessment. I intend to invest substantially in cancer control based on the reform programme I have outlined.

Hospital Services.

124. **Ms Shortall** asked the Minister for Health and Children the numbers and locations of beds yet to be opened around the country; and if she will make a statement on the matter. [29548/06]

Minister for Health and Children (Ms Harney):

The provision of acute hospital services including the commissioning of additional beds is the responsibility of the Health Service Executive (HSE). The HSE has informed my Department that the following additional in-patient beds and day treatment places are in the process of being brought into use:

1. Cork University Hospital — Day Procedures Unit — 35 day treatment places
2. University College Hospital Galway — 22 in-patient beds for radiotherapy, 3 intensive care beds and 3 in-patient beds in the new burns unit

3. Midland Hospital Tullamore — 32 in-patient beds and 21 day treatment places in the new hospital
4. Our Lady's Children's Hospital Crumlin — 7 oncology day treatment places
5. St Vincent's University Hospital, Elm Park — 12 day treatment places and 4 intensive care beds
6. Wexford General Hospital — 19 in-patient beds.

Infectious Diseases.

125. **Mr. S. Ryan** asked the Minister for Health and Children the number of cases of MRSA in each of the past four years and to date in 2006; the number of fatalities attributable to MRSA; the steps which are being taken to reduce the incidence of MRSA; and if she will make a statement on the matter. [29536/06]

Minister for Health and Children (Ms Harney):

The Health Protection Surveillance Centre (HPSC) collects data on MRSA bacteraemia (also known as bloodstream infection or "blood poisoning") as part of the European Antimicrobial Resistance Surveillance System (EARSS). EARSS collects data on the first episode of blood stream infection per patient per quarter. The Irish data for EARSS, which is published on a quarterly basis by the HPSC, showed that there were 445 cases in 2002, 480 cases in 2003, 553 cases in 2004, 586 cases in 2005 and 127 reported cases in the 1st Quarter of 2006.

It is difficult to identify the number of fatalities attributable to MRSA as many people also have significant co-morbidity factors.

This year, Ireland is participating in the Hospital Infection Society's "Prevalence Survey of Health Care Associated Infections" in the United Kingdom and Ireland. The survey will provide accurate and comparable data on the prevalence of Health Care Associated Infections (including MRSA) in acute hospitals in Ireland. The data gathered from hospitals can also be compared with similar data being obtained in England, Scotland, Wales and Northern Ireland. The results will be available in October.

The control of Health Care Associated Infections (HCAIs) including MRSA continues to be a priority for the HSE. Measures to control the emergence and spread of HCAIs are necessary because there are fewer options available for the treatment of resistant infections and because these strains spread amongst vulnerable at-risk patients. The prudent use of antibiotics underpins any approach to the control of antibiotic resistant bacteria, including MRSA. This, together with good professional practice and routine infection control precautions, such as hand hygiene, constitute the major measures in controlling and preventing healthcare-associated infection,

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including that caused by MRSA, both in hospital and in community health care units.

The implementation of the revised SARI Guidelines on the control and prevention of MRSA in hospitals and in the community, the “Clean Hands Campaign”, the National Hygiene Audits and the development of national standards in relation to infection control and hospital hygiene are also aimed at addressing the challenges presented by HCAs.

Health Services.

126. **Mr. P. Breen** asked the Minister for Health and Children the plans she has to improve the diagnostic services available to general practitioners. [29595/06]

Minister for Health and Children (Ms Harney):

The HSE has informed me that in November 2005, a sub-committee of the Executive’s National Primary and Community Care Reform Working Group was established to review the current status of GP access to diagnostics; to explore current and potential capacity; and make short, medium and long-term recommendations.

I am advised that work is being undertaken at present to progress two specific initiatives:

- The development of a service to facilitate the transportation of diagnostic specimens from GP surgeries to laboratories.

The key objective of this initiative is to increase the current national provision of such a service from 36% of the population to 60% in 2006. Implementing this initiative requires the examination of both existing and development capacity of transportation and laboratory services, together with the development of joint protocols to encompass delivery of the service. The HSE has indicated that this work is in progress.

- The development of a radiology/ ultrasound initiative.

The key objective of this initiative is to reduce waiting times for GP referrals nationally to a maximum of four weeks for plain film X-rays and eight weeks for ultrasound tests. In order to meet this objective there are a number of complex factors to be considered relating to the capacity of the current services; the use of both public and private providers; infrastructure; hours of service and engagement arrangements.

The HSE has established a Governance Group to oversee the implementation of these specific initiatives. In addition, the Group will also be progressing other medium and longer-term recommendations in relation to referral guidelines; as well as developing diagnostic capacity at primary and community service level in order to

reduce the reliance on the acute sector and to enhance clients’ experiences of diagnostic services and their outcomes.

Improving direct access for GPs to diagnostic services is also one of the actions in the Ten Point Plan to improve Accident and Emergency Services. Arrangements have been put in place with private providers for the commissioning of Computerised Tomography scans and Magnetic Resonance Imaging to facilitate direct access for GPs. To date, more than 1,500 CT scans and 100 MRI scans have been carried out under this initiative.

Health Service Management.

127. **Ms C. Murphy** asked the Minister for Health and Children if the Health Service Executive has completed work on its code of governance; when this code is intended to be published; the role her Department has in contributing to the code; and if she will make a statement on the matter. [29292/06]

Minister for Health and Children (Ms Harney):

Section 35 of the Health Act, 2004 requires the Health Service Executive to submit a code of governance for my approval.

This code is to include, amongst other things:

- an outline of the guiding principles applicable to the Executive
- the structure of the Executive including the roles and responsibilities of the board and management
- the methods to bring about the integration of health and personal social services
- the Executive’s internal controls
- the nature and quality of services to its clients and
- a code of conduct for board members.

A draft code of governance has been prepared by the Health Service Executive and was submitted to my Department last week. It is now being examined by my officials. The Executive will publish the code of governance once it has been approved by me under section 35 of the Health Act, 2004.

Eating Disorders.

128. **Mr. Gilmore** asked the Minister for Health and Children if she will provide an update on the implementation of recommendations from the Department’s own report, *A Vision For Change*, in relation to eating disorders; the waiting lists that currently exist for people with eating disorders; if she will provide a breakdown of young people awaiting treatment for eating disorders; and if she will make a statement on the matter. [29523/06]

188. **Mr. Kenny** asked the Minister for Health and Children her plans for increasing the services available for those suffering from eating disorders. [29597/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 128 and 188 together.

Community based mental health services receive referrals from their colleagues in primary care and provide assessment and treatment to individuals with eating disorders. Outpatient psychiatric services are provided from a network of hospitals, health centres, day hospitals and day centres. However, where the individual's psychiatric or medical needs are more acute, in-patient admission is offered within the local psychiatric services or acute medical care where necessary.

St Vincent's Hospital, Elm Park, Dublin provides a referral service for public patients with eating disorders and has three dedicated national public beds for the assessment of such patients. There is currently a waiting list of 18 months for these in-patient beds. Some HSE areas have placed public patients with eating disorders in St Patrick's Hospital and St John of God's private facilities when required. In a limited number of cases, consultants make referrals to specialised eating disorder private services in Dublin or the UK.

"A Vision for Change" acknowledges gaps in the current provision of mental health services for persons with eating disorders and makes several recommendations for the further improvement of these services. Recommendations include support for health promotion initiatives that encourage greater community and family awareness of eating disorders, the further development of primary and community care services and the provision of a full multidisciplinary team in a National Centre for Eating Disorders. It recommended that this National Centre be located in one of the national children's hospitals to deal with complex cases that cannot be managed by local child and adolescent community mental health teams. The Government has accepted the Expert Group's report as the basis for the future development of the mental health services in the next seven to ten years. An additional €25 million was made available this year to the HSE for the further development of our mental health services.

The HSE has established an implementation group to plan and manage the full implementation of "A Vision for Change". An independent monitoring group has also been established to monitor progress in implementing the report's recommendations and report to me on an annual basis.

Health Services.

129. **Ms B. Moynihan-Cronin** asked the Minister for Health and Children the measures taken to enforce the recommendations as set out by the

report of the Task Force on Sudden Cardiac Death recommendation to roll-out the Community First Responders scheme nationwide; the timeframe for nationwide roll-out; and if she will make a statement on the matter. [29542/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Service Executive has overall responsibility for the implementation of the Report of the Task Force on Sudden Cardiac Death. It has established a Steering Group to oversee implementation of the recommendations contained in the report and has appointed a project co-ordinator. A project plan that outlines timeframes, budget and responsibilities is being developed.

Implementation of many of the most immediate recommendations in the report is already underway and it is planned to start implementing the others before the end of the year.

A particular priority is to establish first responder programmes in geographic locations and facilities where there is the greatest need. First responder programmes may be general practitioner, uniformed, site specific (sports clubs, airports, etc) or community (either linked to the ambulance service or stand-alone) programmes. Other priorities include the development of risk assessment questionnaires and protocols that can be used by recreational and competitive sports clubs and general practitioner education and information. These will be incorporated into the project plan.

My Department will continue to monitor the progress being made by the HSE in implementing the recommendations of the Task Force.

130. **Ms Burton** asked the Minister for Health and Children her views on waiting lists for methadone treatment due to a lack of GPs prescribing the drug outside Dublin; the numbers awaiting methadone treatment; the numbers and locations of GPs currently prescribing the drug; and if she will make a statement on the matter. [29519/06]

Minister for Health and Children (Ms Harney): The specific information requested by the Deputy on waiting lists for methadone treatment for areas outside Dublin is not routinely collected by my Department. I have asked the Health Service Executive to collate the requested information and to send it to the Deputy as a matter of urgency.

I am, however, informed that at the end of August 2006 there were 224 doctors prescribing methadone nationwide. Of this number 180 operate within the HSE Eastern Region and 44 operate outside this region.

I am further informed that at the end of June 2006 there were 195 people on the methadone waiting list in the HSE Eastern Region compared to 222 people on the waiting list for the same period in 2005. This equates to a 12% decrease in people awaiting methadone treatment in the 12

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month period. Furthermore, the number of people in treatment during the same period increased by 375 from 7,561 to 7,936.

I am aware that the problem of heroin use has spread to regions outside the Greater Dublin Area. In that regard I recognise the importance of expanding appropriate services in these areas in partnership with General Practitioners.

Medicinal Products.

131. **Mr. Gormley** asked the Minister for Health and Children her views on a recent Health Service Executive report which showed a 16.3 per cent increase in antibiotic consumption; the steps she will take to ensure the full implementation of the recommendation of the SARI national committee; and if she will make a statement on the matter. [29557/06]

Minister for Health and Children (Ms Harney):

I noted with some concern that there has been a significant increase in overall antibiotic consumption in Ireland from 1993 to 2004. This means that compared with other European countries, we are in the high to moderate range of antibiotic consumers.

The Health Service Executive has prepared an overview of a three year plan for the implementation of the SARI recommendations which include the need for developments in surveillance, improvements in antibiotic stewardship, education and research, and enhanced infection control practices.

Quarterly meetings between my Department and the Health Service Executive, chaired by the Chief Medical Officer of my Department, will continue to operate to monitor progress in this important area.

Health Service Staff.

132. **Mr. M. Higgins** asked the Minister for Health and Children her views on reports that an employment ceiling and a lack of funds prevented the Health Service Executive from establishing a triage system and hiring security personnel in the casualty department of Our Lady's Hospital in Navan; the steps she intends to take to address these deficiencies; and if she will make a statement on the matter. [29528/06]

Minister for Health and Children (Ms Harney):

My Department does not set employment quotas at national level for any grade in the public health service. It is a matter for the Health Service Executive, as part of its management of its employment ceiling, to determine the appropriate staffing mix required to deliver its service plan priorities. My Department is currently in discussions with the Department of Finance and the Health Service Executive to agree revisions to the health service employment ceiling to take account of service developments.

The Deputy's specific 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.

Organ Retention.

133. **Mr. Crowe** asked the Minister for Health and Children if she will publish in full the report of the Dunne inquiry into organ retention in view of the release of the executive summary under the Freedom of Information Act 1997; and if she will make a statement on the matter. [29465/06]

150. **Mr. Broughan** asked the Minister for Health and Children the measures she intends to take to ensure that the recommendations contained in the Report of the Dunne Post Mortem Inquiry are given full effect; if she intends to introduce human tissue legislation; if she will provide a timeframe for implementation of the recommendation and any legislation; and if she will make a statement on the matter. [29546/06]

768. **Mr. O'Shea** asked the Minister for Health and Children her proposals to release documents to Parents for Justice (details supplied); and if she will make a statement on the matter. [29750/06]

Minister for Health and Children (Ms Harney):

I propose to take Questions Nos. 133, 150 and 768 together.

When Ms Anne Dunne SC presented her report and appendices on post mortem practice to me in March 2005, I was advised by the Attorney General that the full report was unpublishable for legal and natural justice reasons. Some sections of the report were released on 18 July last in response to a request under the Freedom of Information Acts from Parents for Justice. However, in the light of the legal advice available to me, I have no plans to publish the full report.

Dr Deirdre Madden, a distinguished expert on medical law, was appointed by Government in May 2005 to provide me with a report on key issues relating to post mortem practice and procedures. Dr Madden had access to all of the documentation assembled by the previous Inquiry chaired by Ms Dunne.

Dr. Madden's report on Post Mortem Practice and Procedures was published on 18 January this year. It contains 50 recommendations which my Department in conjunction with the HSE and other relevant agencies are in the process of implementing.

The HSE has set up a committee to oversee implementation of recommendations relevant to its responsibilities. Work in progress includes:

- conducting an independent audit of retained organs in hospitals

- the development of national protocols and guidelines
- the standardisation of practice
- content of a national information and awareness campaign.

A key recommendation of Dr. Madden's report was that a Working Group be established to examine issues not included in her original terms of reference, that is post mortem issues relating to babies who died before or during birth, minors and adults. This Group, again chaired by Dr Madden, was set up in March, 2006 and its membership includes representatives of Parents For Justice. It will report in October.

In relation to legislation, Regulations were put in place in April to transpose Directive 2004/23/EC on quality and safety of tissues and cells, which include the requirement for consent prior to retention of tissues and cells. An examination of what other Irish tissue legislation is needed is underway, with a view to progressing this legislation as a priority in 2007.

Infectious Disease Screening Service.

134. **Mr. G. Mitchell** asked the Minister for Health and Children when the new vaccine for the prevention of the human papilloma virus will be available nationally. [29591/06]

Minister for Health and Children (Ms Harney): In parallel with the roll-out of the Irish Cervical Screening Programme, we like other jurisdictions will examine the potential role of HPV vaccination. In Ireland we have a significant opportunity to assess the vaccination in advance of a national roll out. Issues to be examined include the effectiveness and cost effectiveness of the vaccine, categories of women who should be vaccinated, immunity duration and booster requirements and the implications for the national screening programme. The National Immunisation Advisory Committee and the soon to be established National Cancer Screening Agency will be asked to address all aspects of a vaccination programme and advise on an integrated approach that reflects evidenced based priorities.

Hospital Services.

135. **Mr. McCormack** asked the Minister for Health and Children the number of procedures for both elective and day surgery that has been cancelled so far this year; and if she will make a statement on the matter. [29572/06]

149. **Mr. Cuffe** asked the Minister for Health and Children her views on the fact that up to 22,000 operations have been cancelled in 34 hospitals; her further views on whether a major source of this problem is the lack of bed capacity in the system; the way she will address this prob-

lem; and if she will make a statement on the matter. [29560/06]

185. **Mr. P. Breen** asked the Minister for Health and Children if she is satisfied that the Health Service Executive has an effective programme to prevent the cancellation of procedures by hospitals. [29594/06]

759. **Mr. Lowry** asked the Minister for Health and Children the number of medical and surgical operations cancelled in 2005; the number of patients affected by cancellations in Tipperary; the number of procedures cancelled in each hospital in the Health Service Executive mid-western area; and the number of procedures cancelled in each hospital in the HSE south-eastern area. [29644/06]

Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 135, 149, 185 and 759 together.

It is regrettable that some patients have their operations postponed and I recognise that this can cause upset and inconvenience for them and their families. The Health Service Executive (HSE) endeavours to keep postponements to a minimum and to have postponed operations rescheduled as soon as possible. However due to the nature of the demands on the acute hospital system, in some instances, it is necessary to reschedule planned treatment when priority has to be given to emergency cases or for a variety of other reasons such as infection control.

The acute hospital services treated over 1 million patients as in-patients and daycases in 2005. The number of postponed operations is a small percentage of the overall activity of acute hospitals.

Detailed information on the total number of postponed operations in 2005 is not immediately available from the HSE. I have asked that it should be collated and provided to the Deputies.

This Government is committed to developing services in order to minimise the number of postponed operations through the provision of additional in-patient beds and day case places as well as maximising care and supports in the community.

In 2001, the year of the publication of the Health Strategy, the average number of in-patient beds and day places available in the 53 public acute hospitals was 12,145. At the end of 2005, this figure had increased by 1204 to a total of 13,349, involving an additional 724 in-patient beds and 480 day places.

A further 450 acute beds/day places are in various stages of planning and development under the Health Service Executive's Capital Plans.

I have already referred today to my initiative to have private hospitals built on the campuses of public hospitals. This is designed to enable up to 1,000 beds in public hospitals, which are currently used by private patients, to be re-designated for

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use by public patients. The HSE is currently engaged in a procurement process with the private sector to build and operate private hospitals on 10 public hospital sites.

All of these additional in-patient beds and day places will mean that this Government's commitment in the Health Strategy to increase total acute hospital capacity is well on the way to completion.

Mental Health Services.

136. **Mr. McCormack** asked the Minister for Health and Children the resources that she has made available to increase the numbers of counsellors and psychologists in the Mental Health service; and if she will make a statement on the matter. [29574/06]

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.

Ambulance Service.

137. **Mr. Allen** asked the Minister for Health and Children the number of paramedics trained; the total number of ambulance personnel fully covered to work as paramedics; where they are based; and if she will make a statement on the matter. [29569/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to human resource management issues within the Health Service Executive. As this is a matter for the Executive under the Health Act, 2004, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

138. **Mr. Ferris** asked the Minister for Health and Children the discussions she has had with the Health Service Executive and others in relation to the future of Roscommon County Hospital; and if she will make a statement on the matter. [29607/06]

Minister for Health and Children (Ms Harney): I have had discussions with senior officials of the Health Service Executive (HSE) in relation to the future of Roscommon County Hospital. The HSE is moving forward with the creation of a joint department of surgery/anaesthetics located at Portiuncula and Roscommon Hospitals, with

shared consultant appointments. At this time there are no plans to discontinue any surgical services at either facility.

The optimum configuration of services between the two locations will be determined by an independent review. The HSE is currently finalising arrangements for this review.

Hospital Staff.

139. **Mr. Rabbitte** asked the Minister for Health and Children the reason no new hospital consultants have been appointed in 2006; if this is the result of her failure to deal with the ongoing dispute over the hospital consultants contract; the steps she intends to take to provide the hospital consultants that are needed; and if she will make a statement on the matter. [29551/06]

Minister for Health and Children (Ms Harney): During the period January 1st to September 25th 2006, a total of 48 new consultants were appointed to permanent posts in the public health service. These posts are in a range of specialties, including medicine, surgery, anaesthesia, pathology, psychiatry, radiology and obstetrics & gynaecology.

During the same period, a total of 102 consultant posts have been approved by the HSE, comprising 64 additional (new) posts and 38 replacement posts. The total consultant establishment in the public sector in Ireland is 2,083.

Following sanction by the HSE, the filling of consultant posts is undertaken by employing authorities. These include the HSE, the publicly funded voluntary hospitals and voluntary agencies. The recruitment process can take about a year. This is due to a number of factors, such as the advertising process, which can often involve international advertisements, the establishment of appropriate interview panels, the number of candidates returning from overseas to occupy these posts and the need for candidates to give up to six months' notice to their current employers in order to avoid a service deficiency in their current roles.

Figures relating to 2005 help to illustrate this; in 2005 a total of 128 consultant posts were approved, of which 36 were filled in 2005. However, a total of 143 consultants took up duty as permanent consultants in 2005, many to posts which would have been approved prior to 2005.

In relation to 2007, the HSE has supplied a comprehensive Estimates 2007 document to my Department, which includes submissions seeking additional consultant posts in a range of areas which reflect the growth in demand for services and the continued need to move towards a consultant provided service. As part of the Estimates process, my Department will be engaging with the HSE in relation to funding additional consultant posts in 2007.

Hospital Services.

140. **Mr. Connaughton** asked the Minister for Health and Children when funding for the neurosurgical facilities in Beaumont Hospital will be made available. [29592/06]

Minister for Health and Children (Ms Harney):

At the request of my Department, a committee was established by the former Comhairle na nOspidéal to review arrangements for the provision of neurosurgical services and consultant staffing nationally, and following consultation with the interests concerned, to make recommendations on the future organisation and development of neurosurgical services. My Department has been informed that the report will be published very shortly.

The future development of neurosurgery services, including the services at Beaumont will be considered in the light of the report and resources available.

Health Service Staff.

141. **Mr. Gogarty** asked the Minister for Health and Children her views on whether executives of the Health Service Executive deserve their reported bonuses; and the improvements in patient care that have resulted from these extra payments. [29562/06]

Minister for Health and Children (Ms Harney):

As the Deputy is aware, the health service is currently going through the most significant reform programme in the history of the state and the demands on executives to manage the transition and implement the changes are immense. The whole objective of the reform programme is to improve services to patients and others users of our public health system and senior managers of the HSE have pivotal roles to play in bringing about the changes necessary to achieve these improvements.

The remuneration arrangements for senior managers in the HSE includes provision for performance related awards. This is in line with the recommendations of the Review Body on Higher Remuneration in the Public Sector and Government policy on remuneration for senior public servants.

It is a matter for the Board of the HSE to approve the amount of any performance related award payable to its senior managers based on the recommendation of its remuneration committee. That committee deals with pay related awards for all relevant senior managers in the HSE. My approval is not required for individual awards under the scheme. The overall operation of the scheme will be monitored by the Committee for Performance Rewards in the Health Sector in line with the arrangements for non-commercial bodies generally.

To receive performance related awards executives should fulfil demanding and measurable tar-

gets that are based on stretched performance by fully competent persons. The targets should go beyond what is seen as the normal on-going requirements of the job and they should be difficult but not impossible to attain. In circumstances where executives reach such targets, I think it is reasonable that they would qualify for bonuses as provided for in their remuneration arrangements.

Hospital Services.

142. **Dr. Twomey** asked the Minister for Health and Children when funding for Ely Hospital day surgery ward will be made available so that this ward can be made available to the patients of County Wexford; and if she will make a statement on the matter. [29573/06]

Minister for Health and Children (Ms Harney):

The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to have a reply issued directly to the Deputy.

Question No. 143 answered with Question No. 118.

Medical Inquiries.

144. **Ms Lynch** asked the Minister for Health and Children the steps she intends to take to implement the recommendations following publication of the report into the death of Pat Joe Walsh at Monaghan General Hospital; the time-frame for the implementation of these recommendations; and if she will make a statement on the matter. [29530/06]

173. **Caoimhghín Ó Caoláin** asked the Minister for Health and Children if she has received the report of the independent private inquiry into the death of Mr. Patrick J. Walsh at Monaghan General Hospital on 14 October 2005; the discussions she has had on this report with the Health Service Executive; and if she will make a statement on the matter. [29463/06]

Minister for Health and Children (Ms Harney):

I propose to take Questions Nos. 144 and 173 together.

Following the death of Mr Patrick J Walsh in Monaghan Hospital on 14 October 2005 the Health Service Executive commissioned Mr. Declan Carey, a consultant surgeon at Belfast City Hospital and an honorary senior lecturer at Queen's University, and Professor John Monson, Professor of Surgery University of Hull, to carry out an independent and external review.

The HSE published the Report of the Independent Inquiry on 7 September. The Report details the difficulties that arose in trying to secure Mr Walsh's transfer from Monaghan to either Our

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Lady of Lourdes Hospital, Drogheda or Cavan General Hospital. It also exposes a failure in communications between clinicians and hospitals in the region.

Since the death of Mr Walsh, a new protocol in relation to patient transfer has been put in place. It provides that all requests for transfer from Monaghan General Hospital to Cavan General Hospital or Our Lady of Lourdes Hospital, Drogheda should be granted and processed immediately.

The HSE has recently established a Steering Group and a North East Project Group to oversee a programme to improve safety and standards across the acute hospital network in the North East Region having regard to the issues raised in this Report and the Report prepared for the HSE by Teamwork Management Services on Improving Safety and Achieving Better Standards — An Action Plan for Health Services in the North East.

The Teamwork Report makes a number of short, medium and long-term recommendations. It concludes that the present system, where five local hospitals deliver acute care to relatively small populations, is exposing patients to increased risks and creating additional professional risks for staff. The Report highlights the need to develop a high quality and responsive emergency and planned service, in line with international standards, by developing local services within existing hospitals and other local centres supported by a new Regional Hospital.

Led by the HSE's National Hospitals Office, the Steering Group has representation from key stakeholders such as clinicians and primary care providers. The Project Group is being led by a Consultant Surgeon from outside the Region.

The HSE has given me an assurance that, in progressing the implementation of these reports, there will be no discontinuation of existing services until suitable alternative arrangements have been put in place.

Hospital Staff.

145. **Mr. Allen** asked the Minister for Health and Children when she expects that nurses prescribing will be implemented in the Irish health care system; and if she will make a statement on the matter. [29570/06]

Minister for Health and Children (Ms Harney): The Irish Medicines Board (Miscellaneous Provisions) Act, 2006 (No. 3 of 2006) contains an enabling provision for the extension of prescriptive authority to nurses and midwives (Section 16 (1) (ii)). Under the terms of this provision nurses and midwives may be granted prescriptive authority subject to such conditions as may be specified in regulations.

My Department launched a public consultation process on the extension of prescriptive authority

to nurses and midwives in May this year. Respondents were given a six week time frame to return submissions. I am pleased to say that a large number of submissions, some 122, were received in reply to my Department's public request for same. Officials of my Department are currently finalising the Review of Submissions, the findings of which will inform the drafting of the Statutory Instrument (S.I.) drawing up regulations to introduce nurse/midwife prescribing.

It is anticipated that the drafting of the S.I. for the Regulations on nurse/midwife prescribing will take some weeks. Furthermore, in accordance with Directive 98/34/EC (as amended by Directive 98/48/EC) any draft regulations which will effect the Internal Market must be notified to the EU. Accordingly, the Draft S.I. on nurse/midwife prescribing must be circulated to each Member State who are given a three month time frame to consider same. However, I am confident that the Regulations to enable nurse/midwife prescribing will be in place early next year.

It must be noted that before any nurse/midwife may prescribe, she/he must undertake a specific educational package for nurse/midwife prescribers. Discussions are currently underway with the relevant stakeholders to ensure that the requisite education programme will be put in place.

Hospital Services.

146. **Mr. Crowe** asked the Minister for Health and Children the discussions she has had with the Health Service Executive regarding the future of Tallaght Hospital; and if she will make a statement on the matter. [29464/06]

790. **Mr. O'Connor** asked the Minister for Health and Children if she will provide a further report on the meeting held with the Taoiseach and Church leaders at Government Buildings to discuss the Adelaide and Meath Hospital, Dublin incorporating the National Children's Hospital, Tallaght; the actions proposed regarding the submission made by the delegation; and if she will make a statement on the matter. [29941/06]

Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 146 and 790 together.

The Taoiseach, Professor Brendan Drumm and I met with representatives of the Adelaide Hospital Society on 28 June 2006 to discuss a number of issues relating to the Adelaide and Meath Hospital incorporating the National Children's Hospital, Tallaght. The delegation included the Most Rev R.H.A. Eames, Archbishop of Armagh and Primate of All Ireland, the Very Rev Dr David Clarke, Moderator of the Presbyterian Church in Ireland and Rev Desmond Bain, former President of the Methodist Church in Ireland, together with the Arch-

bishop of Dublin, The Most Rev Dr John W Neill, President of the Hospital. They expressed concern at the implications for the National Children's Hospital of the recent Government decision to endorse the development of a single national tertiary paediatric hospital on a site to be made available at the Mater Hospital.

A number of other matters relating to the provision of hospital services at Tallaght were also discussed. In this context the delegation submitted a document proposing a wide range of service developments at the hospital over the next 10 years. The proposals, which have significant resource implications, have been forwarded to the Health Service Executive for consideration.

In a letter to Archbishop Eames following the meeting, the Taoiseach gave an assurance that the Government wishes the hospital to thrive on a sustainable basis as a particular focal point for the involvement of the minority tradition in the healthcare system and as a key health provider to an expanding local population. These objectives will be pursued in tandem with other compelling objectives, including the achievement of an effective and efficient hospital care system, which will deliver the highest possible standards of care within a framework designed to respond to the needs of patients at national, regional and local level.

Arising from the meeting, it has also been decided that a review will be conducted of decisions taken with regard to the funding and development of the hospital. The arrangements for the review are being finalised.

Health Services.

147. **Mr. Wall** asked the Minister for Health and Children the length waiting and numbers on waiting lists for children to receive to appointments for eye problems in Temple Street Hospital and Rathdown Road Clinic; the options for children with serious eye problems around the country; the regulations for the conduct of routine eye tests in schools in Ireland; and if she will make a statement on the matter. [29540/06]

Minister for Health and Children (Ms Harney): Under Section 67 of the Health Act, 1970, the children eligible for Health Service Executive (HSE) ophthalmic services are pre-school and national school children in respect of defects noted at child health examinations. Child health examinations are provided by the HSE to children attending national school in accordance with Section 66 of the Health Act, 1970.

The remainder of the Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter

investigated and to have a reply issued directly to the Deputy.

Medical Inquiries.

148. **Mr. Costello** asked the Minister for Health and Children to provide an update into the Health Service Executive investigation into the death of a patient on 22 June 2006 at Heatherside Hospital in north Cork; if she will provide a time-frame for publication of this report; if she will comment on the current procedure for restraining patients at the hospital; and if she will make a statement on the matter. [29522/06]

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.

Question No. 149 taken with Question No. 135.

Question No. 150 taken with Question No. 133.

Assisted Human Reproduction.

151. **Mr. Hogan** asked the Minister for Health and Children the legislation that is prepared for a specific scheme of statutory regulations on assisted human reproduction; and if she will make a statement on the matter. [29582/06]

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.

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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 the Committee's report, along with the report of the Commission on Assisted Human Reproduction, will help to inform future policy in this area.

In the meantime, I have instructed my Department to prepare a policy proposals framework, as a first step in the process of development of appropriate legislation governing Assisted Human Reproduction in Ireland.

Hospital Services.

152. **Mr. Boyle** asked the Minister for Health and Children if a person has been appointed to co-ordinate the audit of all clinical activity in Our Lady of Lourdes Hospital, Drogheda, as recommended by Judge Harding Clark in her report; and if she will make a statement on the matter. [29558/06]

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.

153. **Mr. English** asked the Minister for Health and Children when a national cervical screening programme will be implemented. [29590/06]

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 will establish a National Cancer Screening Agency 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.

Health Services.

154. **Ms O. Mitchell** asked the Minister for Health and Children when she expects the Service Level Agreement with the Irish Osteoporosis Society; and if she will make a statement on the matter. [29571/06]

Minister for Health and Children (Ms Harney): The Department has supported the National Council on Ageing and Older People and the Health Service Executive in the establishment of a steering committee to oversee the development of a strategy to prevent falls and fractures in the ageing population.

This committee is chaired by the HSE, and it is understood that a subgroup has been established to examine the area of osteoporosis.

The Irish Osteoporosis Society (IOS) was funded on a once-off basis by the former Northern Area Health Board in 2004 and 2005. Funding of €130,000 was provided in 2005.

The HSE met with the IOS on the 31st of July 2006. The IOS requested further funding of €128,000 which they felt they were due for 2005. The HSE requested accounts for the €130,000 which the IOS received in 2005 before any further funding could be issued to the society. The IOS informed the HSE that accounts would be provided on the 2nd of August 2006.

The HSE received accounts from the IOS on the 10th of August 2006. The IOS were informed on the 16th of August 2006 that audited accounts and a tax clearance certificate would be required by the HSE.

The HSE received audited accounts on the 16th of August 2006 and a tax certificate on the 7th of September 2006. On the 18th of September the finance department of the HSE informed the Population Health directorate of the HSE that the accounts were in order.

A payment of €128,000 to the IOS was processed by the HSE on the 22nd of September 2006. The IOS should be in receipt of these funds within ten days of the processing date.

Ambulance Service.

155. **Dr. Twomey** asked the Minister for Health and Children if qualified paramedics are covered to administer cardiac and other life-saving drugs while on duty with the ambulance service; and if she will make a statement on the matter. [29568/06]

Minister for Health and Children (Ms Harney): The Pre-Hospital Emergency Care Council is responsible for the development of professional and performance standards for the ambulance

services and for the accreditation of institutions providing training for ambulance personnel.

The Council maintains a register of pre-hospital emergency care practitioners, divided into Emergency Medical Technician (EMT), Paramedic and Advanced Paramedic levels. The Medicinal Products (Prescription & Control of Supply) Amendment Regulations, 2005, authorises those on the Register to administer certain medications listed in schedules appropriate to each division. Administration of medications is in accordance with Clinical Practice Guidelines approved by the Council or on the instruction of a registered medical practitioner.

The administration of medications by EMTs, Paramedics and Advanced Paramedics is indemnified under the clinical indemnity scheme operated by the State Claims Agency.

Health Service Reform.

156. **Mr. Durkan** asked the Minister for Health and Children the intended policy to be pursued by her Department in regard to the upgrading or otherwise of various hospitals throughout the country; if it is intended to pursue the concept as laid out in the Hanly report, or any or all of the other reports prepared over the past number of years; the way in which the various hospitals in the greater Dublin area and throughout the country are likely to be affected by her policy intentions; and if she will make a statement on the matter. [29552/06]

835. **Mr. Durkan** asked the Minister for Health and Children if she will implement all, part or none of the Hanly report or the other various reports commissioned by her Department in the past eight years; and if she will make a statement on the matter. [30171/06]

Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 156 and 835 together.

The National Task Force on Medical Staffing, chaired by Mr David Hanly, was set up to:

- devise a strategy for reducing the average working hours of non-consultant hospital doctors (NCHDs) so as to achieve the requirements of the European Working Time Directive (EWTG);
- address the consequent medical staffing needs of Irish hospitals;
- analyse the practical implications of moving to a consultant-provided hospital system;
- and consider the requirements for medical education and training arising from any changes to the current model of delivering services.

The Report of the Task Force (generally known as the Hanly Report) made a series of important recommendations. These covered issues such as:

- the changes needed in NCHD work patterns;
- the need for a significant increase in the number of consultants;
- the need for a revised contract for medical consultants;
- reform of medical education and training;
- and the reorganisation of acute hospital services.

Work is proceeding in relation to each of the main recommendations made by the Task Force. The most difficult recommendations to implement, and the ones that have proved most controversial, are those relating to the reorganisation of acute hospital services. The Task Force advised that the current organisation, structure and staffing of our hospital system is failing to deliver the care that, at its best, the Irish system is capable of giving. It further advised that patients have better outcomes when treated in hospitals with appropriate numbers of specialist staff, high volumes of activity and access to the right diagnostic and treatment facilities.

I am concerned that, at present, some patients are being exposed to increased risk because specialist services are being provided in some hospitals that lack the necessary critical mass of activity and patient throughput. Patient safety and quality must be paramount and must be the key drivers in the re-configuration of our acute hospital services and, indeed, our services generally. The policy of the Government is to provide safe, high-quality services that achieve the best possible outcomes for patients. This will mean rebalancing service delivery so that those services that can be safely delivered locally are delivered locally and that more complex services that require specialist input are concentrated at regional centres, or in the case of highly specialised services such as organ transplantation, in national centres of excellence. This approach is consistent with international best practice for the optimum delivery of patient care. The Health Service Executive has begun the process of reorganising our acute services in order to achieve these objectives. This will take time and, in the meantime, there will be no diminution in services available locally until suitable alternative arrangements have been put in place.

Health Services.

157. **Mr. English** asked the Minister for Health and Children the plans she has to implement a national policy of having access numbers to emergency medical services available in all Health Service Executive buildings; and if she will make a statement on the matter. [29575/06]

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 Services.

158. **Mr. Morgan** asked the Minister for Health and Children the discussions she has had with the Health Service Executive in relation to the development of acute hospital services in the north east region, including the recommendations of the teamwork report, improving safety and achieving better standards; and if she will make a statement on the matter. [29605/06]

176. **Caoimhghín Ó Caoláin** asked the Minister for Health and Children the discussions she has had with the Health Service Executive in relation to the development of acute hospital services in the north east region, including the recommendations of the teamwork report, improving safety and achieving better standards; and if she will make a statement on the matter. [29293/06]

Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 158 and 176 together.

The HSE has recently established a Steering Group and a North East Project Group to oversee a programme designed to improve safety and standards across the acute hospital network in the North East Region. The decision was taken having regard to the issues raised in the report prepared for the HSE by Teamwork Management Services — "Improving Safety and Achieving Better Standards — An Action Plan for Health Services in the North East" and taking account of the findings of the recent report into the death of Mr Patrick J Walsh.

Led by the HSE's National Hospitals Office, the Steering Group has representation from key stakeholders such as clinicians and primary care providers. The Project Group is being led by a Consultant Surgeon from outside the Region.

I am familiar with the Teamwork Report, the contents of which have been discussed with the Executive. The findings in the Report have also been brought to the attention of the Government.

The Teamwork Report makes a number of short, medium and long-term recommendations. It concludes that the present system, where five local hospitals deliver acute care to relatively small populations, is exposing patients to increased risks and creating additional professional risks for staff. The Report highlights the need to develop a high quality and responsive emergency and planned service, in line with inter-

national standards, by developing local services within existing hospitals and other local centres supported by a new Regional Hospital.

General Practitioner Co-operatives.

159. **Ms B. Moynihan-Cronin** asked the Minister for Health and Children if her attention has been drawn to reports of threats and harassment faced by general practitioners during house calls or at their practice; the measures she plans on putting in place to ensure general practitioners continue to treat patients effectively and safely; and if she will make a statement on the matter. [29541/06]

Minister for Health and Children (Ms Harney): GPs who hold General Medical Services Scheme contracts for service with the Health Service Executive (HSE) are self-employed practitioners who undertake to provide general practitioner services for their assigned patients for a total of 40 hours, to cover surgery and domiciliary visits, on 5 or more days per week, as agreed with the Executive. They are also obliged to put in place arrangements that enable contact to be made with them or a deputy/locum for emergencies outside of these times.

The Primary Care Strategy provides for the delivery of comprehensive, multidisciplinary services in the primary care setting with health professionals co-located where appropriate. I believe that this team approach to Primary Care, whereby GPs work as part of a team rather than in isolation, provides a safer environment in terms of GPs' personal security.

Between 2000 and 2005 approximately €105 million was allocated to the health boards (now the HSE) for Out of Hours GP co-operative service development. In 2006 almost €34 million is available to the HSE for this area. GP Out of Hours services are now available in all HSE areas, providing coverage in all or in part of all counties. GPs who participate in out of hours co-operatives have a driver provided for any Out of Hours house calls and the treatment centres have other support staff that may include security if local management feel it is appropriate.

160. **Mr. Bruton** asked the Minister for Health and Children when the out of hours co-op for north County Dublin is to commence operation; and if she will make a statement on the matter. [29583/06]

Minister for Health and Children (Ms Harney): I have been informed by the Health Service Executive (HSE) that it established a Task Force in June, 2006 to oversee the development of the out-of-hours general practitioner service for North Dublin city and county. The HSE has indicated that work to bring this service into operation is proceeding, with a view to it commencing in the coming weeks. Rollout will proceed thereafter on a phased basis, with services being pro-

vided from a number of locations across the north side of Dublin.

Child Care Services.

161. **Mr. J. O’Keeffe** asked the Minister for Health and Children, further to Parliamentary Question No 218 of 6 July 2006, if the new training strategy for child care workers has been completed; if not, when this will be completed; the names of the stakeholders involved in the process; and if she will make a statement on the matter. [29599/06]

Minister for Health and Children (Ms Harney): Proposals for the process of development of the National Childcare Training Strategy are currently being finalised. The National Childcare Training Strategy will be the output of this process, which will build on the previous work of the Certifying Bodies Subgroup of the National Childcare Co-ordinating Committee in this area. The process will be fully inclusive of all stakeholders in the area of early childhood care and education, which includes a wide range of statutory, voluntary, community and other interests. The target for completion of the strategy document is mid-2007, after which consideration will be given to implementation of the strategy.

Health Services.

162. **Mr. Stanton** asked the Minister for Health and Children when national standards for disability services will be published and implemented; and if she will make a statement on the matter. [29586/06]

Minister of State at the Department of Health and Children (Mr. T. O’Malley): My Department, in partnership with the National Disability Authority (NDA), has developed draft National Standards for Disability Services in consultation with relevant stakeholders. These standards are designed to ensure that services are provided to an agreed level of quality and that the level of quality is consistent on a national basis. It is proposed that the standards will apply to a range of services for people with disabilities as funded by the Health Service Executive. The draft standards have been considered within the framework of the Health Services Reform Programme. A critical element in this process is the establishment of the Health Information Quality Authority (HIQA). The draft standards have been forwarded to the interim Health Information and Quality Authority for its consideration. It is envisaged that the legislation to establish the Health Information and Quality Authority on a statutory basis will be brought forward in the current term. The Authority will have responsibility for the introduction of the standards.

General Medical Services Scheme.

163. **Ms McManus** asked the Minister for Health and Children to provide the most up to date numbers of people that have received a GP only card; her views on the low uptake on these cards and detail the steps taken to increase this uptake; and if she will make a statement on the matter. [29517/06]

Minister for Health and Children (Ms Harney): Information supplied to my Department by the Health Service Executive (HSE) indicates that as at 1st September 2006 there were 29,175 persons holding a GP visit card.

Legislation to enable the introduction of GP visit cards was enacted in March 2005. Negotiations took place under the auspices of the Labour Relations Commission with the Irish Medical Organisation in order to facilitate the introduction of the cards and an agreement was successfully reached in September, 2005. Thus the GP visit card has been available for less than a year.

The GP visit card initiative was introduced as a graduated benefit so that people on lower incomes, particularly parents of young children, who do not qualify for a medical card would not be deterred on cost grounds from visiting their GP.

Significant changes were made in 2005 to make it easier for people to qualify for a medical card or a GP visit card. The income guidelines used to assess eligibility for the medical and GP visit card were increased by a cumulative 29%. A higher rate of increase was applied to the income allowances for children and was specifically aimed at assisting low income families. Also, the assessment of means is now based on income after tax and PRSI and full account is taken of reasonable expenses in respect of rent/mortgage payments, childcare and travel to work which has the effect of further reducing the threshold at which a person would qualify for the medical card or the GP visit card.

In June 2006 I agreed with the HSE a further adjustment to the income assessment guidelines used for GP visit cards and these are now 50% higher than those used for medical cards. Since the introduction of the GP Visit Card, The HSE has conducted two national media advertising campaigns to promote the benefit. Since July of this year the HSE has made available on its website ‘www.hse.ie’ a calculator which will help people to get an indication as to whether they might qualify. The HSE continues to publicise all of these change to encourage people to apply and has made the application process as simple as possible. The HSE has informed me that, in addition, a specific programme of work is being undertaken, focused on further modernisation of the administrative and operational arrangements regarding the GP visit card and related primary care schemes.

[Ms Harney.]

An example of the effect of these changes at the minimum qualifying threshold measure is that a married couple or a single parent with two children are allowed to earn €514 per week after tax and PRSI and qualify for a GP visit card. If these persons have rent/mortgage, childcare or travel to work expenses, then their allowed earnings would increase in accordance with these outgoings.

I believe that the substantial increases which have been made to the income guidelines in respect of both the medical card and GP visit card, allied with the HSE's campaign to encourage people to apply, ensures that the most vulnerable people in our society have free access to GP services. I have provided the funding to the HSE for 200,000 GP visit cards and I encourage people who have any difficulties in meeting their GP costs to apply for this benefit.

Health Service Systems.

164. **Mr. Gormley** asked the Minister for Health and Children the status of the PPARS project, the cost to date, what has been delivered; and if she will make a statement on the matter. [29556/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of the 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 Health Service Executive to have the matter investigated and to provide the details requested directly to the Deputy as soon as possible.

Foreign Adoptions.

165. **Mr. Connolly** asked the Minister for Health and Children her views on the transfer of considerable sums of money from Irish prospective adoptive parents, as part of the Irish Vietnamese adoption process, directly to the personal bank account of a facilitator (details supplied); her further views on whether the stipulation that funds be lodged by Irish prospective adoption parents directly to the facilitators bank account is irregular; her views on whether it is irregular that further funding be delivered to this person in US\$50 and US\$100 notes; her further views on whether this practice is acceptable, particularly in view of the facilitators US criminal record; and if she will make a statement on the matter. [24551/06]

Minister for Health and Children (Ms Harney): Adoptions from Vietnam are carried out under the terms of a bi-lateral adoption agreement between Ireland and Vietnam which both Governments ratified in early 2004.

Almost 150 adoptions have been effected under this agreement and the Adoption Board

has received written notification from the Ministry of Justice in Vietnam confirming (i) the legality of adoptions that have been effected under the Irish–Vietnamese Bi-Lateral Adoption Agreement, and (ii) that these adoptions were processed in accordance with Vietnamese legal requirements.

The agreement requires that all adoptions from Vietnam be organised by an Irish agency (known as a Mediation Agency) registered by the Irish Adoption Board to operate in Vietnam under licence from the Vietnamese government. The establishment of such a Mediation Agency is also a requirement of the Hague Convention on Intercountry Adoption.

In May 2005, pending the establishment of such a Mediation Agency, the Vietnamese Authorities proposed that a single facilitator fulfil this role for a twelve month period. This arrangement was to enable adoptions to begin in the face of the humanitarian crisis in Vietnamese orphanages following the closure of Vietnam for Intercountry adoption in 2002 – UNICEF estimate that there are 2.1 million orphans in Vietnam. The Vietnamese Authorities emphasised the importance of Irish applicants working solely with the facilitator.

The Adoption Board has now registered an Irish Mediation Agency as the permanent arrangement to facilitate adoptions in conformity with the bi-lateral Adoption Agreement thus replacing the temporary facilitator. Helping Hands Adoption Mediation Agency is now operational following receipt of its Vietnamese licence to operate on behalf of prospective Irish adopters on 26th April 2006 and has opened offices in Vietnam. The Vietnamese authorities have recently confirmed in writing that the Helping Hands Mediation Agency is now fully operational and meeting all of its obligations.

With regard to the person referred to by the Deputy in the details supplied to the PQ the police check initially carried out by Interpol, Washington, in 2004, prior to the appointment of Ms. Soland, and based on her name and birth, did not show Ms. Soland listed in the files of Interpol and confirmed that “the subject is not criminally recorded in the files of the Maryland and Virginia police authorities”.

The later check carried out in June, 2006 by Interpol, Washington, and based on the anonymous allegations received by the Board does confirm that Ms. Soland was arrested and charged in 1995 with Conspiracy to defraud the United States and Obstruction of Justice/Witness Intimidation. The correction action is set down as Status – Supervised Release under the United States Probation Agency, Virginia.

Ms. Soland was requested to abstain from any involvement in facilitating adoptions as soon as the anonymous allegations were received. She, thereafter, officially resigned from her position on 28th June 2006 and agreed to transfer the remaining Vietnamese adoption dossiers and all

fees paid over in respect of those adoption applications to the Helping Hands Adoption Mediation Agency in Vietnam. The transfer process is now well in hand. It should also be noted that she had no responsibility or role in the legal processes relating to adoptions from Vietnam under the Agreement and at no time during her period as facilitator was any evidence produced that she did other than comply with the adoption laws of Vietnam.

The payment of fees in relation to adoptions effected in accordance with the bi-lateral agreement, and the mechanisms by which they are paid, is a matter for the sovereign Government of Vietnam. The fees, and their breakdown, are clearly set out in full for prospective adoptive parents so that they are fully aware of all the facts before making an application to the Vietnamese authorities. All fees are now processed through Helping Hands Adoption Mediation Agency.

The humanitarian element, which constitutes over 75% of the fee, has enabled a school for children to be opened and funds a range of humanitarian projects, which are carried out under a legal contract agreed between the Mediation Agency and the local provincial governments.

Health Services.

166. **Mr. O'Shea** asked the Minister for Health and Children her views on the recent Irish Hospices report which highlighted the critical need for 42 specialist palliative care beds for communities throughout the South East servicing a population of 429,000 people; her further views on the fact that it has no specialist palliative care beds at present; and if she will make a statement on the matter. [29533/06]

Minister for Health and Children (Ms Harney): As part of the Budget Day announcement last December on the provision of €150 million in a full year for older people and palliative care, a total of €13 million, €9 million this year, and a further €4 million next year was committed to statutory and voluntary providers of palliative care. This is the largest incremental increase ever provided for this programme. The funding included resources for areas of the country where the services were not developed.

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.

167. **Mr. P. McGrath** asked the Minister for Health and Children the current status of the consultants' contract; and if she will make a statement on the matter. [29576/06]

Minister for Health and Children (Ms Harney): Negotiations recommenced on the 26th January 2006 between the HSE-Employers Agency/ Departments of Health and Children and Finance and the IHCA and IMO on a new contract of employment for Hospital Consultants. A paper outlining the employer's proposals for a new dedicated Public Hospital Consultants contract was presented to the medical organisations at this meeting but they refused to discuss it at this juncture.

The negotiations have stalled following a further meeting on the 9th February 2006 primarily because of a disagreement between the parties on the 'pricing' of a new contract and also the insistence of the IHCA and the IMO that the position that pertained prior to 13th January 2006 regarding the arrangements for structuring Category II Consultant posts should remain unchanged until the completion of contract negotiations.

A fresh attempt by the independent Chairman, Mr Mark Connaughton, S.C., to get the talks restarted again on Thursday 29 June failed when the IHCA/IMO refused to re-enter negotiations on a new Consultant Common Contract, unless their pre-condition was accepted, ie. that the pre-13th January 2006 position was reinstated. The HSE was prepared, as a goodwill gesture, to recommence making Category II appointments for the duration of the talks process but the medical organisations rejected this.

The independent Chairman is re-establishing contact with the parties this week in order to ascertain whether it is possible for him to devise a formula for a resumption of the talks.

Child Care Services.

168. **Mr. J. O'Keeffe** asked the Minister for Health and Children, further to Parliamentary Question 187 of 5 July 2006, if the new arrangements for City or County Childcare Committees for the collection of data have been put in place by the Office of the Minister for Children; if not, when this will be completed; the updated figures for the number of inquiries the City or County Childcare Committees have received with regard to voluntary notifications for childminders; the number of notifications the City or County Childcare Committees have received to date since the introduction of the tax exemption; the breakdown of same per childcare committee; and if she will make a statement on the matter. [29598/06]

Minister for Health and Children (Ms Harney): The number of voluntary notifications made by Childminders to the City and County Childcare Committees (CCCs) since the announcement of the proposed introduction of the Childcare Relief in December 2005, has been monitored by my Office on a regular basis. In April 2006 I provided the Deputy with the latest figures available at that time. I am pleased to be able to respond to the

[Ms Harney.]

Deputy's latest request on this matter by providing the most recent information, as at 1 September, 2006, presented by the CCCs to my Office, which is summarised in the table below. I have asked that the arrangements in place for the collection of these figures include monitoring the number of new voluntary notifications on a quarterly basis.

As the Deputy will see, while the initial data collection included the number of enquiries received by CCCs in relation to the initiative, the more recent data deals only with the number of voluntary notifications made. While I am pleased to note that the latest figures show a substantial increase since April in the number of voluntary notifications made this year, I would also point out that as the first tax year for which the Relief applies is 2006, and the relevant date for tax returns is the end of October 2007, it is clearly not possible at this stage to estimate what will be the final take-up of the initiative in its first year.

I would also like to inform the Deputy that, to further support the CCCs and Childminders, I hope to be in a position shortly to launch a set of National Guidelines for Childminders which have been developed by the National Childcare Coordinating Committee in conjunction with my Office. The Guidelines will provide a useful resource to the CCCs and to Childminders and are expected to support the further harmonisation and take up of the voluntary notification system.

Voluntary Notifications to CCCs

Childcare Committee	September 2006
Carlow	2
Cavan	7
Clare*	9
Cork City	0
Cork County	0
Dún Laoghaire/Rathdown	2
Donegal	0
Dublin City	1
Fingal	38
Galway	11
Kerry**	70
Kildare*	16
Kilkenny	2
Laois*	4
Leitrim**	24
Limerick City*	1
Limerick County*	5
Longford*	1
Louth	0
Mayo	0
Meath	16
Monaghan	7

Childcare Committee	September 2006
North Tipperary*	2
Offaly*	6
Roscommon	0
Sligo	0
South Dublin	19
South Tipperary	3
Waterford City	17
Waterford County	11
Westmeath*	12
Wexford	0
Wicklow	32
Total	318

*Figures for these areas are held by and provided by the HSE via the CCC.

**Figure is provisional and pending finalisation.

Hospitals Building Programme.

169. **Mr. Deasy** asked the Minister for Health and Children if the co-location of public and private hospitals on the grounds of public hospitals is dependant on the negotiation of a new consultants' contract; and if she will make a statement on the matter. [29578/06]

Minister for Health and Children (Ms Harney):

A new Consultants' Contract is a key element of the Government's health reform programme. The HSE-Employers Agency has been attempting to restart the stalled negotiations with the medical organisations for some time. Contact is being maintained with the Chairman, Mark Connaughton, S.C., in an effort to find a basis for a resumption of negotiations.

Meanwhile, the initiative to have private hospitals built on the campuses of public hospitals is progressing apace. The Health Service Executive is currently engaged in a procurement process to select suitable candidates to build and operate private hospitals on 10 public hospital sites.

I would expect that issues relating to the right of Category I Consultants to practice in the new private hospitals will be an important item on the agenda when the contract negotiations resume.

Health Services.

170. **Ms O'Sullivan** asked the Minister for Health and Children her views on the recent Irish hospices report on service provision which stated that extraordinary measures would be required in the south east, midlands and north east to give palliative care patients in these areas a similar level of service available to palliative care patients in other parts of the country; her further views on a five year plan for palliative care services in the south east highlighted the critical need for an immediate investment of €6 million

to bring palliative care services to a minimum level of care; and if she will make a statement on the matter. [29532/06]

Minister for Health and Children (Ms Harney):

As part of the Budget Day announcement last December on the provision of €150 million in a full year for older people and palliative care, a total of €13 million, €9 million this year, and a further €4 million next year was committed to statutory and voluntary providers of palliative care. This is the largest incremental increase ever provided for this programme. The funding included resources for areas of the country where the services were not developed.

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.

Child Care Services.

171. **Mr. Penrose** asked the Minister for Health and Children if her attention has been drawn to the low uptake in the number of childminders applying for the €630 state grant available to them; if her attention has further been drawn to the fact that one of the main reasons given for same is that not enough is known about the grant; her views on an information campaign regarding the grant; and if she will make a statement on the matter. [22978/06]

Minister of State at the Department of Health and Children (Mr. S. Power):

The Childminder Development Grant was introduced in 2004 in conjunction with the Quality Awareness Programme (QAP) under the Equal Opportunities Childcare Programme 2000-2006 (EOCP). The QAP initiative is delivered at local level by the City and County Childcare Committees (CCCs) and was widely publicised by them at the time of its introduction. The CCCs were established under the EOCP to assist in the development of a quality childcare infrastructure at local level. The intention of the QAP initiative was to raise quality awareness among existing and prospective Childminders through a Quality Awareness Lecture Programme and to encourage Childminders outside the scope of the Child Care (Pre-School Service) Regulations to notify their service to their local CCC or Childminder Advisory Officer. Childminders who voluntarily notify their service under the initiative, or who are notified to the HSE in accordance with the Child Care Regulations, may apply for the Childminder Development Grant. The grant is a small developmental grant of up to 90% of the total cost, subject to a

maximum grant of €630, which can be used to buy safety equipment, toys or to make minor adjustments to the Childminder's home to enhance or establish the childminding service.

As the Deputy suggests, the numbers seeking the grant have been less than anticipated. While €1.89 million (i.e. funding for 3,000 grants) was made available for the grant scheme, at June 2006 the number of grants approved was 937. However in general terms, it is considered that the initiative, which also supports training, networking and the information needs of Childminders, has been very successful in terms of its contribution to building quality awareness among Childminders. This is reflected in the fact that 3,422 Childminders have attended the Quality Awareness Lecture Programme provided by the CCCs during this period. It is considered that the successful uptake of this strand of the QAP indicates that the initiative, which is promoted among Childminders at local level by the CCCs, is known to the Childminding sector but that their preference to date has been to avail of the Programme elements rather than the grant.

The National Childcare Investment Programme (NCIP) 2006-2010 which has been introduced as a successor programme to the EOCP will continue to support Childminders as well as helping to deliver quality childcare facilities and other supports to the sector generally. A review of the Childminder Initiative is expected to be undertaken in due course under the NCIP and any new development arising from such a review will be publicised and promoted by my Office and by the CCCs at local level to maximise interest and uptake.

In addition, the National Childcare Strategy 2006-2010 which was announced in the context of Budget 2006 includes the introduction of the Childminders Relief from income tax where the income from childminding does not exceed €10,000 per annum. To avail of the Relief, Childminders who are outside the scope of the Child Care Regulations are required to notify their services to their local CCC or Childminder Advisory Officer. This will further support the voluntary notification system operated by the CCCs as part of their work to support Childminders. I understand that since the Budget announcement in December 2005, some 318 voluntary notifications have been recorded by the CCCs and this figure is expected to increase further between now and the end of October 2007 when the first tax return in which the Relief may be claimed is due.

In addition, a set of National Guidelines for Childminders, prepared by the National Childcare Coordinating Committee, is expected to be published in the coming months by my Office and will provide an important resource to Childminders and to the CCCs in promoting good practice and increasing the voluntary notification of

[Mr. S. Power.]

services. This in turn would be expected to stimulate further interest in the QAP and will help to inform any review which is undertaken.

Hospital Services.

172. **Mr. Sargent** asked the Minister for Health and Children the progress made to date in providing step down beds in the Dublin area; and if she will make a statement on the matter. [29566/06]

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.

Question No. 173 taken with Question No. 144.

Hospital Services.

174. **Mr. Eamon Ryan** asked the Minister for Health and Children the progress made to date in providing the 3,000 beds promised in the Government's health strategy. [29565/06]

Minister for Health and Children (Ms Harney): In 2001, the year of the publication of Health Strategy, the average number of in-patient beds and day places available for treatment of patients in the 53 public acute hospitals was 12,145. At the end of 2005, this figure had increased by 1204 to a total of 13,349, involving an additional 724 in-patient beds and 480 day places.

In addition, a further 450 acute beds/day places are in various stages of planning and development under the Health Service Executive's Capital Plans.

In July 2005, I announced an initiative to have private hospitals built on the campuses of public hospitals. This is designed 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 is currently engaged in a procurement process with the private sector to build and operate private hospitals on 10 public hospital sites.

All of these additional in-patient beds/day places will mean that this Government's commitment in the Health Strategy to increase total acute hospital capacity is well on the way to completion.

Health Services.

175. **Dr. Upton** asked the Minister for Health

and Children the numbers of sex assault treatment units; the plans she has to extend the numbers of these units; her views on a recent case where a woman had to travel eight hours for an examination after an alleged sexual assault; and if she will make a statement on the matter. [29543/06]

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.

Question No. 176 taken with Question No. 158.

177. **Ms Burton** asked the Minister for Health and Children her views on the fact that there is no obligation on the Health Service Executive to provide chiropody services to GMS patients; her further views on the top up fees charged by some chiropodists; the steps she intends to take to provide chiropody services to GMS patients; and if she will make a statement on the matter. [29518/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 176 and 177 together.

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. This process has been underway for some time and considerable progress has been made in talks on a settlement.

My Department is currently preparing legislation to clarify and update existing legislation on

eligibility for health and personal social services. The Bill will define specific health and personal services more clearly; define who should be eligible for what services; set out clear criteria for eligibility; establish when and in what circumstances charges may be made and provide for an appeals framework.

Foreign Adoptions.

178. **Mr. Connolly** asked the Minister for Health and Children her views on the Irish adoption agreement with Vietnam under which the Irish Adoption Board, through the Irish Adoption Mediation Agency, (details supplied) uses the services of a facilitator; her further views on whether such a person is suitable for the adoption facilitation procedure; and if she will make a statement on the matter. [24557/06]

Minister for Health and Children (Ms Harney): Adoptions from Vietnam are carried out under the terms of a bi-lateral adoption agreement between Ireland and Vietnam which both Governments ratified in early 2004.

Almost 150 adoptions have been effected under this agreement and the Adoption Board has received written notification from the Ministry of Justice in Vietnam confirming (i) the legality of adoptions that have been effected under the Irish–Vietnamese Bi-Lateral Adoption Agreement, and (ii) that these adoptions were processed in accordance with Vietnamese legal requirements.

The agreement requires that all adoptions from Vietnam be organised by an Irish agency (known as a Mediation Agency) registered by the Irish Adoption Board to operate in Vietnam under licence from the Vietnamese government. The establishment of such a Mediation Agency is also a requirement of the Hague Convention on Intercountry Adoption.

In May 2005, pending the establishment of such a Mediation Agency, the Vietnamese Authorities proposed that a single facilitator fulfil this role for a twelve month period. This arrangement was to enable adoptions to begin in the face of the humanitarian crisis in Vietnamese orphanages following the closure of Vietnam for Intercountry adoption in 2002 – UNICEF estimate that there are 2.1 million orphans in Vietnam. The Vietnamese Authorities emphasised the importance of Irish applicants working solely with the facilitator.

The Adoption Board has now registered an Irish Mediation Agency as the permanent arrangement to facilitate adoptions in conformity with the bi-lateral Adoption Agreement thus replacing the temporary facilitator. Helping Hands Adoption Mediation Agency is now operational following receipt of its Vietnamese licence to operate on behalf of prospective Irish adopters

on 26th April 2006 and has opened offices in Vietnam. The Vietnamese authorities have recently confirmed in writing that the Helping Hands Mediation Agency is now fully operational and meeting all of its obligations.

With regard to the person referred to by the Deputy in the details supplied to the PQ the police check initially carried out by Interpol, Washington, in 2004, prior to the appointment of Ms. Soland, and based on her name and birth, did not show Ms. Soland listed in the files of Interpol and confirmed that “the subject is not criminally recorded in the files of the Maryland and Virginia police authorities”.

The later check carried out in June, 2006 by Interpol, Washington, and based on the anonymous allegations received by the Board does confirm that Ms. Soland was arrested and charged in 1995 with Conspiracy to defraud the United States and Obstruction of Justice/Witness Intimidation. The correction action is set down as Status – Supervised Release under the United States Probation Agency, Virginia.

Ms. Soland was requested to abstain from any involvement in facilitating adoptions as soon as the anonymous allegations were received. She, thereafter, officially resigned from her position on 28th June 2006 and agreed to transfer the remaining Vietnamese adoption dossiers and all fees paid over in respect of those adoption applications to the Helping Hands Adoption Mediation Agency in Vietnam. The transfer process is now well in hand. It should also be noted that she had no responsibility or role in the legal processes relating to adoptions from Vietnam under the Agreement and at no time during her period as facilitator was any evidence produced that she did other than comply with the adoption laws of Vietnam.

The payment of fees in relation to adoptions effected in accordance with the bi-lateral agreement, and the mechanisms by which they are paid, is a matter for the sovereign Government of Vietnam. The fees, and their breakdown, are clearly set out in full for prospective adoptive parents so that they are fully aware of all the facts before making an application to the Vietnamese authorities. All fees are now processed through Helping Hands Adoption Mediation Agency.

The humanitarian element, which constitutes over 75% of the fee, has enabled a school for children to be opened and funds a range of humanitarian projects, which are carried out under a legal contract agreed between the Mediation Agency and the local provincial governments.

Mental Health Services.

179. **Mr. Gilmore** asked the Minister for Health and Children if the alleged abuse or neglect of elderly patients suffering from dementia in our nursing homes is dealt with in any part of the

[Mr. Gilmore.]

1945 Mental Treatment Act and the Mental Health Act 2001; the steps she intends to take to protect this vulnerable group either by using existing legislation or by providing new legislation; and if she will make a statement on the matter. [29524/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The future direction and delivery of all aspects of our mental health services, including services for older people, were considered in the context of the work of the Expert Group on Mental Health Policy. The Group's report entitled "A Vision for Change" was published on Tuesday 24th January, 2006. The Government has accepted the Expert Group's report as the basis for the future development of the mental health services.

The Expert Group considered the mental health needs of people in later life and made recommendations in relation to the development of a comprehensive range of services appropriate to their needs. It acknowledges that all users of mental health services are entitled to a range of services and that access to delivery of those services is crucial in the case of older people.

The implementation of the recommendations is primarily a matter for the HSE and they established an implementation group to plan and manage the full implementation of "A Vision for Change". An independent monitoring group has also been established to monitor progress in implementing the report's recommendations and to report on an annual basis.

As the Deputy may be aware, the report of the Working Group on Elder Abuse, 'Protecting Our Future', was published in 2002. One of the recommendations in the Report is the establishment of a National Implementation Group which was established in December 2003 to oversee the implementation of the recommendations outlined in the Report.

The Government is fully committed to developing the services needed to tackle elder abuse and in the period 2003-2005 provided additional funding of approximately €2.5 million towards the implementation of the Elder Abuse Programme. In Budget 2006 additional funding of €2m was allocated towards the elder abuse programme, which completes the funding requirements outlined in the Report, including the establishment of a National Research Centre.

Sports Sponsorship.

180. **Mr. Costello** asked the Minister for Health and Children her reaction to the belief from the European Commission that sponsorship of sports events by brewers and distillers encourages youth drinking; to provide the most up to date figures of average annual drink consumption here in

comparison to other EU countries; and if she will make a statement on the matter. [29521/06]

Minister of State at the Department of Health and Children (Mr. S. Power): A number of the recommendations contained in the Interim Report of the Strategic Task Force on Alcohol concern a reduction in the exposure of children and adolescents to alcohol advertising, marketing and sponsorship. In response to these, my Department entered into negotiations with the broadcasting, media and drinks industries while at the same time pursuing the development of legislation to restrict alcohol advertising, sponsorship and sales promotions/marketing practices. It was agreed that the industry would respond on an incremental basis. This has resulted in the establishment of Central Copy Clearance Ireland which addresses the issue of the content of advertisements, the development of a Voluntary Code of Practice on Advertising which addresses the issue of placement and the establishment of the Alcohol Marketing and Communications Monitoring Body to oversee the implementation of the Voluntary Code. As the Minister for Health and Children has previously indicated, she will await the Annual Report of the Monitoring Body before deciding on future actions in relation to legislation on this issue. Negotiations with the industry stakeholders are ongoing and will include the issue of sponsorship.

The Health Promotion Policy Unit of my Department has also engaged directly with national sporting organisations. The GAA has, in association with the Unit, appointed a dedicated project officer to address the issue of alcohol and drug misuse. The officer will be responsible for carrying out a number of initiatives including the development of a Code of Conduct for local clubs and a review of drug and alcohol issues arising at club level.

The Department and the Health Service Executive have also had discussions with the Football Association of Ireland regarding alcohol related issues. The table contains the most up to date statistics on alcohol consumption available from the World Health Organisation.

Country	2003 Alcohol Consumption/ Litres of pure alcohol per capita
Luxembourg	14.61
Czech Republic	13.67
Hungary	11.60
Germany	10.71
Ireland	10.55
Austria	10.51
Spain	9.99
France	9.95
Slovenia	9.94

Country	2003 Alcohol Consumption/ Litres of pure alcohol per capita
Denmark	9.84
Estonia	9.71
Slovakia	9.48
Portugal	9.38
United Kingdom	9.29
Cyprus	9.04
Belgium	8.93
Lithuania	8.56
Latvia	8.36
Netherlands	7.79
Greece	7.68
Finland	7.67
Italy	7.61
Poland	6.68
Sweden	5.62
Malta	5.32

Source: WHO European Health for all Database 2006.

Hospital Services.

181. **Mr. Bruton** asked the Minister for Health and Children further to her response to Parliamentary Question No. 80 of 1 June 2006, if she is still confident that the Health Service Executive will be in a financial break-even situation by year end following reporting on expenditure at the end of the second quarter of 2006; the concerns which she has about projected overruns in the budgets of the acute hospitals; and if she will make a statement on the matter. [29584/06]

Minister for Health and Children (Ms Harney): In reporting on expenditure to the end of August, the Health Service Executive (HSE) has continued to indicate some concerns regarding emerging trends in major acute hospitals and Demand Led Schemes. The management of expenditure against budget is a matter for the HSE and the Chief Executive has informed me that he is planning to manage the expenditure within the overall Vote.

Health Services.

182. **Mr. Eamon Ryan** asked the Minister for Health and Children if a person has been appointed with overall responsibility for a system (details supplied) when this person was appointed; if elements of the system have been introduced to date, the amount of money paid to a company (details supplied) to date; when these payments were made; the contingency plans in place if the company is unable to deliver on its contractual obligations; and if she will make a statement on the matter. [29564/06]

Minister for Health and Children (Ms Harney):

The Deputy's question relates to the management and delivery of the 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 Health Service Executive to have the issues raised investigated and to provide the details requested directly to the Deputy as soon as possible.

Mental Health Services.

183. **Mr. Neville** asked the Minister for Health and Children her views on findings of the Mental Health Commission's recent survey of adult users of public sector mental health services; the plans she has to respond to the finding that people in deep crisis find themselves waiting months for an appointment with a specialist; and if she will make a statement on the matter. [29587/06]

184. **Mr. Wall** asked the Minister for Health and Children if her attention has been drawn to the fact that in a recent Report on the Views of Adult Users of the Public Sector Mental Health Services, it was stated that admissions of patients who are involuntarily admitted to psychiatric institutions must be made less traumatic and more dignified for the patients and for their families; and if she will make a statement on the matter. [29539/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 183 and 184 together.

It is recognised that involuntary admissions can often be a traumatic experience for the service user and their families and carers. The development of community based mental health services, as advocated in *A Vision for Change*, provides alternatives to involuntary admissions. The Mental Health Act 2001, which will come into full effect on 1st November, 2006 also introduces new protections for the involuntary patient and emphasises the right of the patient to information. The absence of information during the involuntary admission process was one of the issues highlighted by the service users in the study.

The Mental Health Commission will be monitoring the involuntary admission process with the commencement of all sections of the Mental Health Act 2001 on 1st November 2006.

The Deputy's question about waiting times for mental health services 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 Execu-

[Mr. T. O'Malley.]

tive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 185 answered with Question No. 135.

186. **Mr. Coveney** asked the Minister for Health and Children her plans for a national action plan for dementia. [29596/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy may be aware that the development of services for people of all ages with Alzheimer's Disease is based on the Action Plan for Dementia published by the National Council on Ageing and Older People in 1999. The Plan outlines the complexity and range of issues involved in the effective management of dementia and emphasises the need for the development of co-ordinated, multi-layered and well-resourced services, which are responsive to the individual needs of people with dementia and those who care for them. A number of recommendations are outlined in the Plan including; an increase in funding, changes to service delivery mechanisms, expansion of Old Age Psychiatry services, increased supports for family carers and the provision of day care and respite services.

Considerable progress has been made in service development since the publication of the report and, in each of the years 1999 to 2005, the Department and the HSE provided additional funding to Psychiatry of Old Age (over €5 million) and to the Alzheimer Society of Ireland (over €2 million) for services delivered. The Health Service Executive is also making progress in the provision of stand-alone Dementia Units on a gradual basis. Since the report was published supports have also been enhanced in relation to community nursing, paramedical services and home help services. In terms of dementia specific services, new day care centres and residential units have been designed and developed in partnership with the Alzheimer Society of Ireland. Home care services have also been specifically developed to meet the needs of persons with Alzheimer's and their carers. All of the above provisions apply to all Dementia sufferers, regardless of age.

There is a complementary link between Government policy in the area of the care of older people and in care for people with dementia. Both policies stress the need to provide support in dignity and independence, through the provision of appropriate services to the people concerned and their carers. The Government is fully committed to providing such support and service improvement, including the expansion of community and residential care services for people with Dementia. This commitment was

reflected in the additional funding of €150 million allocated in the 2006 Budget towards improving services for older people and palliative care. Approximately two thirds of this money is allocated to community support for older people. This is the largest ever increase in funding for services for older people.

The additional funding provided for Home Care Packages and the Home Help Scheme will further enhance the supports available to families caring for people with dementia at home. The Health Service Executive works closely with the Alzheimer's Society of Ireland and this has resulted in greater awareness of the needs of people with dementia and the development of a wide range of supports.

Health Services.

187. **Mr. Naughten** asked the Minister for Health and Children when the decision was taken by her Department to locate the proposed school of podiatry in a large centre of population; and if she will make a statement on the matter. [28434/06]

Minister for Health and Children (Ms Harney): As outlined in my responses to the Deputy's previous questions on the matter, responsibility for the establishment of a school of podiatry, including its location, will be a matter, in the final instance, for the Department of Education and Science.

However, as the Deputy was previously advised, the delivery of clinical training, which is a significant core component of the course, has been the subject of discussions between officials of my Department and the Department of Education and Science in terms of how best it could be facilitated in an integrated fashion with the Health Service Executive (HSE) services. The HSE has advised the two Departments of its view that the school of podiatry would be best located in a large centre of population, one that is associated with a multidisciplinary health professional environment and which is linked to a major teaching hospital. My Department is in continuing discussions with the Department of Education and Science and the HSE to progress this matter.

Question No. 188 answered with Question No. 128.

Proposed Legislation.

189. **Mr. Stagg** asked the Minister for Health and Children if she will provide an update on the timeframe for a promised new Medical Practitioners Act; her views on the concerns raised by the Medical Council that there are no national audit figures; her further views on the fact that a doctor struck off for misconduct abroad could not also be struck off the Irish medical register with-

out the council holding its own fitness to practise inquiry; and if she will make a statement on the matter. [29535/06]

Minister for Health and Children (Ms Harney):

The draft Heads of the Medical Practitioners Bill were circulated on 18th July 2006 in order to allow for interested parties to make comments on the legislative proposals. The closing date for receipt of these comments was 15th September 2006 and officials in my Department are now analysing the submissions which have been received. It is my intention to publish the Bill during this session.

In relation to the two other matters raised in the Deputy's question, I would refer him to my response to question number 21331/06 of 1 June 2006. First, the concerns raised by the Medical Council in relation to audit are under consideration in my Department in the context of clinical governance and the role of the Health Information and Quality Authority.

Second, I am informed by the Medical Council that if a doctor whose name is on the General Register of the Medical Council in Ireland is struck off for misconduct in another jurisdiction, the Medical Council can only impose a sanction following the holding of its own fitness to practise inquiry. This situation is underpinned by the Supreme Court in a judgment from 2004, which reaffirmed the constitutional rights of an accused doctor to a fair hearing. The effect of this judgment is that individual complainants must give evidence and this evidence may be cross-examined. The individual who makes the complaint must be willing to give evidence to that inquiry and, if living overseas, cannot be compelled to do so. The Medical Council informs me that it has accommodated overseas witnesses by use of video-link thus avoiding the need to travel. The Medical Council states that it cannot simply rely on the findings and transcripts of medical regulatory authorities in other jurisdictions.

I am informed by the Council that if a doctor is struck off for misconduct in another jurisdiction and then applies for registration in Ireland, the application can be refused.

Hospital Services.

190. **Dr. Cowley** asked the Minister for Health and Children when she will sanction the installation of a digital x-ray computer system for Mayo General Hospital; her views on whether having a picture archiving and communications system installed would replace the antiquated system of physically developing x-ray film which takes time and is expensive; and if she will make a statement on the matter. [29554/06]

Minister for Health and Children (Ms Harney):

The Deputy's question relates to the manage-

ment 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. However, as the Deputy was previously advised, the delivery of clinical training, which is a significant core component of the course, has been the subject of discussions between officials of my Department and the Department of Education and Science in terms of how best it could be facilitated in an integrated fashion with the Health Service Executive (HSE) services.

Health Services.

191. **Mr. G. Mitchell** asked the Minister for Health and Children if her attention has been drawn to the long delays for occupational therapist services in the Health Service Executive; and if she will make a statement on the matter. [29581/06]

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. However, as the Deputy was previously advised, the delivery of clinical training, which is a significant core component of the course, has been the subject of discussions between officials of my Department and the Department of Education and Science in terms of how best it could be facilitated in an integrated fashion with the Health Service Executive (HSE) services.

192. **Mr. Timmins** asked the Minister for Health and Children the audiology services and facilities available to primary and post primary students in Counties Wicklow, Carlow and Wexford; and if she will make a statement on the matter. [29468/06]

Minister for Health and Children (Ms Harney):

The Health Act 2004 provided for the Health Service Executive (HSE), which was established on 1 January 2005. Under the Act, the Executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for audiology services. Accordingly, my Department has requested the Chief Officers of the HSE areas to investigate the matter raised and to reply directly to the Deputy.

193. **Mr. Timmins** asked the Minister for Health and Children the number of recommendations in the Report on Sudden Cardiac Death that were due to commence or be put in place before the end of 2006 which have been initiated; and if she will make a statement on the matter. [29469/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Service Executive has overall responsibility for the implementation of the Report of the Task Force on Sudden Cardiac Death. It has established a Steering Group to oversee implementation of the recommendations contained in the report and has appointed a project co-ordinator. A project plan that outlines timeframes, budget and responsibilities is being developed.

Implementation of many of the most immediate recommendations in the report is already under way and it is planned to start implementing the others before the end of the year. My Department will continue to monitor the progress being made by the HSE in implementing the recommendations of the Task Force.

Accident and Emergency Services.

194. **Mr. Sargent** asked the Minister for Health and Children if she is confident that we will see a marked improvement in accident and emergency services in winter 2006; and if she will make a statement on the matter. [29567/06]

205. **Mr. Broughan** asked the Minister for Health and Children the plans that the task force on accident and emergency set up in March 2006 has implemented to combat another accident and emergency crisis this coming winter; the progress of each point from her accident and emergency ten point plan; the numbers of MRI Scanners, Acute Medical Units, Minor injury, chest pain and respiratory clinics provided since publication of the plan and the location of each; and if she will make a statement on the matter. [29534/06]

808. **Mr. Durkan** asked the Minister for Health and Children if plans have been put in place to resolve the extensive use of hospital trolleys at hospitals throughout the country; the net effect of such measures; and if she will make a statement on the matter. [30019/06]

812. **Mr. Durkan** asked the Minister for Health and Children the provisions made to prevent congestion and delays at accident and emergency locations; and if she will make a statement on the matter. [30023/06]

813. **Mr. Durkan** asked the Minister for Health and Children if she has satisfied herself regarding the adequacy of nursing and medical staff at acci-

dent and emergency departments; and if she will make a statement on the matter. [30024/06]

Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 194, 205, 808, 812 and 813 together.

Tackling the problems in A & E departments is the Government's top priority in health. Our objectives are to reduce the numbers waiting for admission, the time spent waiting for admission, and the turnaround time for those who can be treated in A & E and do not require admission.

A & E services are improving around the country. Compared to this time last year, the average number of patients in A & E departments awaiting admission is down by approximately 50%. The average time that patients spend waiting for admission has also been reduced.

The HSE established a dedicated Task Force to work with hospitals to improve the efficiency and effectiveness of services in A & E departments. Teams from the Task Force undertook site visits to each of the hospitals identified as experiencing consistent difficulties in A & E services, to discuss individual issues and potential high-impact solutions. The Task Force's conclusions and recommendations will inform the HSE's actions in relation to A & E over the coming months.

A & E departments are not stand-alone services; they are a critical part of a complex healthcare system. Their ability to function efficiently and effectively is heavily dependent on well-functioning practices and processes within the entire acute hospital system, and the availability of integrated primary and community services.

In order that A & E targets and objectives can be achieved over the clinical winter months, the HSE is introducing a broad-based Winter Initiative to build on its existing range of initiatives. The Winter Initiative will be similar to those in place in other health systems internationally. Its purpose is to ensure that the services required to address the particular demands of the winter season are in place and operating optimally. It will focus on a range of measures, including preventative measures, public communications, discharge initiatives, continuing care and home supports. Tackling the issue of care for older people is an important and integral part of the Initiative. The HSE is implementing a number of measures aimed at achieving increases in extended care provision.

I do not accept that the difficulties experienced in managing A & E services relate to inadequate staffing levels. There have been significant increases in staffing levels in A & E departments in recent years and the resources available compare favourably with services internationally.

I believe that the actions and initiatives being taken by the HSE will result in the sustained

improvements in A & E services that patients and their families deserve. However, as the Deputy was previously advised, the delivery of clinical training, which is a significant core component of the course, has been the subject of discussions between officials of my Department and the Department of Education and Science in terms of how best it could be facilitated in an integrated fashion with the Health Service Executive (HSE) services.

Ambulance Service.

195. **Ms McManus** asked the Minister for Health and Children the reason for the delay in publishing the report of the Review of the Ambulance Command and Control Centre in central Dublin which called for the establishment of a joint ambulance control in Dublin staffed by the Dublin Fire Brigade and Health Service Executive staff; to provide a timeframe for publication; to explain the levels of involvement of staff in any report on this subject; if she will detail the interim measures that are to be put in place to ensure that the concerns from the Devine Report are addressed; and if she will make a statement on the matter. [29516/06]

Minister for Health and Children (Ms Harney): Emergency ambulance services in the greater Dublin area are provided by both the Health Service Executive (HSE) and Dublin City Council through Dublin Fire Brigade. The HSE has advised that the review of Command and Control arrangements, referred to by the Deputy, has been undertaken by a group comprising of representatives from the HSE and Dublin City Council. My Department is advised that the report of the Review Group is at an advanced stage and will be completed shortly. The HSE has advised that the Review Group met with the various staff representations on several occasions in the course of its work. My Department has requested the Parliamentary Affairs Division of the HSE to have a more detailed reply issued directly to the Deputy on this matter. Department of Education and Science and the HSE to progress this matter.

Mental Health Services.

196. **Mr. Deasy** asked the Minister for Health and Children the person that is accountable for the implementation of the Mental Health Report, A Vision for Change; and if she will make a statement on the matter. [29579/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The implementation of the recommendations in a Vision for Change will be a matter primarily for the Health Service Executive in accordance with the provisions of the Health Act 2004.

In March 2006, I appointed an independent Monitoring Group to monitor progress on the implementation of the recommendations in A Vision for Change. In addition, the Health Service Executive recently established an Implementation Group to ensure that mental health services develop in a synchronised and consistent manner across the country and to guide and resource service managers and clinicians in making the recommendations in A Vision for Change a reality. Both of these Groups will play an important role in ensuring that the recommendations are implemented in a co-ordinated and timely manner.

Health Services.

197. **Mr. M. Higgins** asked the Minister for Health and Children the findings of the working group established by the Health Service Executive following publication of the Pollock Report into services for people with cystic fibrosis in Ireland; the agreed proposal for the development and reconfiguration of services of cystic fibrosis patients in Ireland; and if she will make a statement on the matter. [29527/06]

Minister for Health and Children (Ms Harney):

I wish to see significant improvement in the level of services available to persons with cystic fibrosis and, in this context, additional revenue funding of €4.78m was allocated in 2006 specifically for the development of services in this area. I am aware of the current deficits which are widely acknowledged and which have been identified most notably in the Pollock Report, and by the Health Service Executive Working Group on Cystic Fibrosis which is looking at this issue.

My Department is advised that the report of the Working Group is almost complete and will include recommendations in relation to a range of service improvements required for persons with CF, in particular the need to increase the level of clinical, nursing and allied health professional staffing in CF units around the country.

Hospital Services.

198. **Mr. Penrose** asked the Minister for Health and Children her views on reports that funding has been withheld from healthcare projects in certain hospitals worth almost €4.5 million; her views on whether the method of assessing budget overruns needs to be examined; if she will provide a list of projects that are awaiting funding around the country; and if she will make a statement on the matter. [29549/06]

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

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2004. This includes responsibility for considering new capital proposals or progressing those in the health capital programme.

Accordingly, my Department is requesting the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Mental Health Services.

199. **Mr. Hayes** asked the Minister for Health and Children her views on a recent study commissioned by the Alzheimer Society which found that services for people with dementia are fragmented, unsuitable and poorly resourced and that there is lack of information about the services available and the difficulty in navigating a complex health and social care system in which services are often unresponsive to the real needs of people with dementia and their carers; the steps she intends to take to improve this situation; and if she will make a statement on the matter. [29589/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy may be aware that the development of services for people of all ages with Alzheimer's Disease is based on the Action Plan for Dementia published by the National Council on Ageing and Older People in 1999. The Plan outlines the complexity and range of issues involved in the effective management of dementia and emphasises the need for the development of co-ordinated, multi-layered and well-resourced services, which are responsive to the individual needs of people with dementia and those who care for them. A number of recommendations are outlined in the Plan including; an increase in funding, changes to service delivery mechanisms, expansion of Old Age Psychiatry services, increased supports for family carers and the provision of day care and respite services.

Considerable progress has been made in service development since the publication of the report and, in each of the years 1999 — 2005, the Department and the HSE provided additional funding to Psychiatry of Old Age (over €5 million) and to the Alzheimer Society of Ireland (over €2 million) for services delivered. The Health Service Executive is also making progress in the provision of stand-alone Dementia Units on a gradual basis. Since the report was published supports have also been enhanced in relation to community nursing, paramedical services and home help services. In terms of dementia specific services, new day care centres and residential units have been designed and developed in partnership with the Alzheimer's Society of Ireland. Home care services have also been specifically developed to meet the needs of persons with Alzheimer's and their carers. All of the above

provisions apply to all Dementia sufferers, regardless of age.

There is a complementary link between Government policy in the area of the care of older people and in care for people with dementia. Both policies stress the need to provide support in dignity and independence, through the provision of appropriate services to the people concerned and their carers. The Government is fully committed to providing such support and service improvement, including the expansion of community and residential care services for people with Dementia. This commitment was reflected in the additional funding of €150 million allocated in the 2006 Budget towards improving services for older people and palliative care. Approximately two thirds of this money is allocated to community support for older people. This is the largest ever increase in funding for services for older people.

The additional funding provided for Home Care Packages and the Home Help Scheme will further enhance the supports available to families caring for people with dementia at home. The Health Service Executive works closely with the Alzheimer's Society of Ireland and this has resulted in greater awareness of the needs of people with dementia and the development of a wide range of supports.

I assume that the Deputy is referring to the recent study Perceptions of Stigma in Dementia commissioned by the Alzheimer Society of Ireland. The HSE welcomes the report which will further inform the strategic development of services for people with Dementia, their families and carers. The HSE acknowledges the need for services to be developed in a flexible manner to meet the specific needs of clients and to ensure a continuum of care and will continue to work closely with the Society to further enhance the provision of a quality, seamless service.

Health Service Staff.

200. **Ms O. Mitchell** asked the Minister for Health and Children her views on the Health Service Executive practice of not routinely replacing a number of health professional grade staff who are on maternity leave or parental leave; if she feels that this practice compromises patient care and leads to added pressure on the health professional on their return to work; and if she will make a statement on the matter. [29588/06]

Minister for Health and Children (Ms Harney): It is a matter for the Health Service Executive (HSE) to deploy its staff to maximum effect within the approved employment ceiling.

I understand from the HSE that the operational needs of a service are assessed on an ongoing basis by the appropriate line manager. Any absences arising, whether planned or otherwise, are considered within this context and arrangements are put in place where it is con-

sidered appropriate. Such decisions are not made in a routine manner but are considered in an informed environment taking all factors into account.

I am assured by the Executive that the requirements of patient care and safety are always placed first in terms of priority when such operational decisions are being made.

Child Care Services.

201. **Mr. Stanton** asked the Minister for Health and Children her view on whether the equal opportunities child care programme was successful in improving quality in the child care sector; and if she will make a statement on the matter. [22213/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Deputy will be aware that there have been significant improvements in the provision of supports for the development of quality child care over the last number of years. These improvements are mainly as a result of the EU co-funded Equal Opportunities Childcare Programme 2000 — 2006 (EOCP) and the equal opportunities and social inclusion perspective which have characterised its delivery. The principal objective of the EOCP was to facilitate the development and expansion of quality child care facilities to address the needs of parents, in reconciling their child care needs with their participation in employment, education and training.

As a result of the EOCP, by the end of 2005 parents had access to over 29,600 new child care places and to a further 23,700 existing child care places where quality improvements were EOCP supported. It is expected that over 41,000 new quality child care places will be created by the Programme's end. Furthermore, almost €183 million has been allocated to date under the EOCP in staffing assistance to community based not for profit organisations with a focus on disadvantage. These staffing grants assist child care services to meet the costs associated with quality child care at an affordable rate for the parents concerned.

An integral part of the EOCP has been its specific provision for Quality Improvement projects, with over €67 million of programme funding to date being allocated to this area. This has included EOCP funding for the City and County Childcare Committees (CCCs) and for 7 National Voluntary Childcare Organisations (NVCOs) to ensure a co-ordinated approach to the promotion of quality child care. The CCCs offer a wide variety of services to childcare providers including training, information and networking. They provide information and advice to existing and prospective child care providers and are the first point of contact for applicants for capital grants under the new National Childcare Investment Programme 2006 — 2010 (NCIP). The CCCs are also an important source of information and

advice for parents in regard to local child care facilities.

In 2006 the CCCs received some €7.9 million funding under the EOCP and a further €4 million in funding to reflect their expanded role under the NCIP. In addition, they received €1 million funding for the National Childminding Initiative which is a quality measure which supports quality awareness in the Childminding sector. Since 2000, EOCP funding of almost €20 million, including over €2.7 million in 2006, has been provided to the NVCOs supported by the programme. This has been used to provide supports for the NVCO members, for EOCP beneficiaries and for the broader child care sector and includes a range of activities in regard to quality assurance and promotion, best practice, networking and information provision, and professional development and training.

The National Childminding Initiative, which is delivered by the CCCs, includes provision for small capital developmental grants to Childminders of up to €630, which can be used to buy safety equipment or toys, or make minor adjustments to the Childminder's home to enhance or establish a Childminding service. The grants are linked to the completion of a Quality Awareness Lecture Programme (QAP) and to training, information and networking actions. Funding totalling over €6.5 million has been made available for the initiative and, since January 2004, some 3,422 Childminders have participated in the QAP. A further quality initiative, the Partnerships for Quality Childcare, was launched in May 2005 and provided funding of €573,000 for 7 collaborative projects between the CCCs and NVCOs.

With the announcement in December 2005 of the new National Childcare Investment Programme 2006-2010 (NCIP) with an allocation of €575 million, it is my intention to continue to support and enhance the development of quality child care in Ireland. The new investment programme is designed to deliver 50,000 additional child care places in a way which meets the needs of parents and their children for a range of child care services centred on the needs of the child. The NCIP is part of a new broadly based Child care Strategy, the aim of which is to deliver a more comprehensive approach to early years care and education. I believe this will build on the existing successes under the EOCP in delivering quality child care services.

Hospitals Building Projects.

202. **Mr. Howlin** asked the Minister for Health and Children the major hospital building projects that are in the planning pipeline; the stage that each has reached; and if she will make a statement on the matter. [29526/06]

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

[Ms Harney.]

Health Service Executive under the Health Act 2004. This includes responsibility for considering new capital proposals or progressing those in the health capital programme.

Accordingly, my Department is requesting the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 203 answered with Question No. 154.

National Emergency Plan.

204. **Mr. Stagg** asked the Minister for Health and Children as she informed Dáil Éireann on 1 June 2006 that the iodine tablets distributed to each household here by her Department are useless against nuclear contamination arising from an accident at the Sellafield nuclear complex, if she will advise householders accordingly; if she will further advise on the environmentally safe disposal of the tablets; the alternative safety plans against nuclear contamination she will put in place; and if she will make a statement on the matter. [22626/06]

Minister for Health and Children (Ms Harney): Radioactive iodine is no longer produced at Sellafield and an accident at that installation would not result in a release of radioactive iodine. Therefore the use of iodine tablets as a counter measure in such an instance would not be indicated. However, there is still a potential risk from other nuclear installations in the U.K. and elsewhere.

In 2005 a Review Group established by my Department to examine the issue agreed that the use of stable iodine should continue as a counter measure under the National Emergency Plan for Nuclear Accidents and that the shelf-life of the tablets be extended to January 2009, subject to yearly monitoring. A public notice was placed in national newspapers advising that the tablets have maintained their efficacy and should continue to be stored in a cool, dry place in their original sealed packaging. The issue of the safe disposal of the tablets does not therefore arise.

In recent years the threat to Ireland has significantly reduced due to the closure of a number of the older reactors in the UK, in particular the Calder Hall reactors at Sellafield. A programme of further closures is planned. In the unlikely event of a nuclear incident, the health response would be in accordance with the National Emergency Plan for Nuclear Accidents produced by the Department of the Environment, Heritage and Local Government.

Question No. 205 answered with Question No. 194.

Vaccination Programme.

206. **Mr. Howlin** asked the Minister for Health

and Children if her attention has been drawn to the fact that pneumococcal meningitis has a fatality rate of about 20 per cent and that it is associated with a higher risk of permanent neurological damage such as deafness and epilepsy; that many countries around the world provide for the routine immunisation of babies against this disease, yet Ireland does not have a pneumococcal vaccination as part of the childhood immunisation schedule; the steps she intends to take to address this; and if she will make a statement on the matter. [29525/06]

Minister for Health and Children (Ms Harney):

Ireland's recommended immunisation programme is based on the guidelines of the National Immunisation Advisory Committee of the Royal College of Physicians of Ireland. These guidelines are prepared with the assistance of an active committee from associated disciplines in paediatrics, infectious diseases, general practice and public health. Vaccines are continually evolving and guidelines change given the nature of these developments.

The inclusion of the pneumococcal vaccine in the Primary Childhood Immunisation Programme is being considered by the National Immunisation Advisory Committee as part of its review of the immunisation guidelines. No decision has yet been reached. My Department and the Health Service Executive will be guided by the expert advice from the NIAC in this regard.

The Immunisation Guidelines for Ireland currently recommend vaccination against pneumococcal disease for persons who are at increased risk of the disease and its complications, particularly for those with:

- Asplenia or severe dysfunction of the spleen, including surgical splenectomy
- Chronic renal disease or nephrotic syndrome
- Chronic heart, lung or liver disease illness including cirrhosis
- Diabetes mellitus
- Sickle cell disease
- Immunodeficiency or immunosuppression due to disease or treatment, including HIV infection at all stages
- Patients with CSF leaks, either congenital or complicating skull fracture or neurosurgery
- Persons aged 65 years or older.

Child Protection.

207. **Mr. Durkan** asked the Minister for Health and Children if she approves or acquiesces to situations whereby 16 year old girls or younger leave home without parents' consent in the company of older men; if it is the policy of her

Department to take any action in such circumstances; if such situations in respect of minors, are approved or given tacit recognition; if her attention has been drawn to the serious consequences in the event of such activity going unchallenged; if the Constitution embraces such activity; and if she will make a statement on the matter. [29553/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Child Care Act 1991 focuses on the child and the promotion of the child's welfare. It also places a specific duty on the Health Service Executive to identify children who are not receiving adequate care and protection and to promote their welfare by providing child care and family support services. This Act underpins the basic tenet that the welfare of the child is of paramount importance. Therefore, should a case such as that outlined by the Deputy, come to the attention of the Health Service Executive, there is an onus on the HSE to determine whether such a young person is at risk and is in need of care and protection. As the Deputy will be aware the intervention required would of course be dependent on the circumstances of the individual case and the needs identified by the HSE assessment.

In addition to the legal obligations put in place by the Child Care Act, Section 17 of the Non-Fatal Offences against the Person Act, 1997 sets out provisions relating to the unlawful detaining of children under 16 years of age and this section is summarised as follows: — It is an offence for a person to, without lawful authority or reasonable excuse, intentionally take or detain a child under the age of 16 years or cause a child under that age to be so taken or detained, so as to remove the child from lawful control of any person who has lawful control of that child, or so as to keep him or her out of the lawful control of any person entitled to lawful control over the child.

Health Services.

208. **Mr. Quinn** asked the Minister for Health and Children if her attention has been drawn to the fact that there have been calls for an improvement for allergy services for children here; her views on the lack of specialist allergy services in place to support general practitioners; and if she will make a statement on the matter. [29538/06]

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.

Mental Health Services.

209. **Mr. Kenny** asked the Minister for Health

and Children if she is satisfied that the catchment areas proposed for the mental health services are consistent with the organisation of the Health Service Executive into the four regions and the 32 (33) LHO areas; and if she will make a statement on the matter. [29580/06]

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.

Question No. 210 answered with Question No. 118.

Medicinal Products.

211. **Ms Lynch** asked the Minister for Health and Children the steps she intends to take to combat rogue websites selling medicines such as anti-depressants, valium and viagra to people without prescription; the current situation regarding the monitoring of these on-line pharmacies; and if she will make a statement on the matter. [29529/06]

Minister for Health and Children (Ms Harney): I am aware of serious concerns regarding the on-line sale of medicinal products, since such sales do not have any requirement for the type of consultation and safety precautions which would normally accompany the sale of a medicinal product. Anyone purchasing medicinal products via the Internet would normally have such products delivered by post. It is an offence in this country to supply prescription only medicines by mail order and provisions exist under the Prescription and Control of Supply Regulations to take action against anyone supplying prescription only medicines in this way. The Irish Medicines Board is responsible for investigating breaches of the medicines legislation in Ireland and the Board works closely with the Customs and Excise authorities to enforce these provisions.

The Board monitors the activities of on-line pharmacies and takes action against such pharmacies where possible. However the difficulties associated with policing the Internet in general also apply to on-line sales of medicinal products. The vast majority of internet pharmacies are based outside Ireland and this poses great challenges in the area of enforcement. The Irish Medicines Board works in partnership with medicines enforcement agencies in Europe and elsewhere to address this and has in the past taken action against on-line pharmacies outside Ireland where appropriate.

Hospital Support Group.

212. **Mr. Boyle** asked the Minister for Health and Children if she will explain her reference to a local hospital support group in Clare as an animal welfare lobby in a speech she gave in the county on 5 September 2006, a recording of which was broadcast on radio. [29559/06]

Minister for Health and Children (Ms Harney):

The Deputy will wish to note that I was in Clarecastle, Co Clare to perform the opening of the new Process, Research & Development and Quality Assurance laboratories at the Roche Ireland Pharmaceutical facility. I was informed en route that there were two groups protesting at the opening. One was an animal welfare group and the other was the local hospital support group.

Famine Commemoration.

213. **Mr. Deenihan** asked the Taoiseach if plans are now in place to commemorate the 160th anniversary of Black 47 in 2007; and if he will make a statement on the matter. [28784/06]

The Taoiseach: Commemorations are organised from time to time in respect of the anniversaries of signal events of historic importance, usually in relation to a 25th, 50th, 75th or 100th Anniversary with even longer intervals thereafter. The Deputy will recall a major commemorative programme arranged for the 150th anniversary of the Great Famine.

Deputies will appreciate that there is not scope for official commemorations each year of all anniversaries and that the arrangements for commemorations during 2007 have not yet been decided. I would not like to anticipate the outcome of consideration of the form and content of an appropriate commemorative programme for 2007.

Having regard to its special significance in our national history, I have been satisfied to direct particular consideration by Officials of the Great Famine, especially having regard to the anniversary of 'Black 47' in 2007.

National Disability Survey.

214. **Mr. F. McGrath** asked the Taoiseach the reason the national disability survey 2006 has no box or section in relation to standards and quality of disability services particularly in relation to health and education. [29242/06]

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

The National Disability Survey (NDS) is currently being undertaken by the CSO. The survey broadly follows the definitions and principles outlined in the World Health Organization's International Classification of Functioning, Disability and Health (ICF). The survey questionnaires were finalised by the CSO in conjunction with a Consultative Group com-

prising representatives from Government Departments, the National Disability Authority, and organisations working within the disability sector. Advice was also received from a broad range of other organisations and experts, both national and international.

The overall objective of the Survey is to provide a more comprehensive picture of persons reporting a disability in the Census of Population through an analysis of such factors as: the type of disability, the degree of severity, the ability to use transport and the built environment, and the extent to which people with a disability are enabled to participate in education, employment, and social life. The survey also collects an extensive range of information on aids and supports that people use or need but do not have. Examples of such aids include: voice amplifier; computer or keyboard; speech and language therapy; learning support software; medical services; counselling; psychotherapist; addiction services; relaxation techniques; and nebulisers.

The section on education identifies whether people need(ed) modified building features to attend school or college; specific supports or aids to follow their course (such as personal assistants; note-takers; adjustments to the curriculum and talking books). That section also identifies whether people stopped their education sooner than intended.

The focus of the survey is therefore on persons with disabilities and not directly on the standard and quality of the disability services provided. The data collected in the survey will, however, provide many indications of the extent to which the various needs of persons with disabilities are currently being met or not.

Live Register.

215. **Dr. Cowley** asked the Taoiseach the live register figures for each of the areas of Ennis, Shannon, Kilrush, Ennistymon and Tulla in 2004, 2005 and for the first six months of 2006; and if he will make a statement on the matter. [28153/06]

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

The exact information as requested by the Deputy is not available as there is currently no Department of Social and Family Affairs Local/Branch Office in Shannon, Co. Clare. The Live Register figures for all the Local/Branch Offices in Co. Clare for each month from 2004 to date are set out in the table below.

The Live Register series gives a monthly breakdown of the number of people claiming Unemployment Assistance, Unemployment Benefit and other claimants registered with the Department of Social and Family Affairs. Figures are published for each county and each Local Social Welfare Office. A breakdown by postal district is

not available. The most recent information available is for August 2006. It should be noted that:

(a) the Live Register is not a definitive measure of unemployment as it includes part-time workers, seasonal and casual workers entitled to Unemployment Assistance or Benefit. Statistics on unemployment are

measured at regional level by the Quarterly National Household Survey.

(b) the exact area covered by each Local Office is not limited to the immediate locality of the particular office. For instance, in the Tallaght Local Office there may be registered, persons from the Blessington area.

Live Register Co. Clare and Offices, 2004 to August 2006

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Average
<i>Persons</i>													
<i>County Clare total</i>													
2004	4,349	4,281	4,160	4,029	3,835	3,848	4,028	4,064	3,689	3,734	3,714	3,851	3,965
2005	3,993	3,984	3,914	3,679	3,592	3,719	3,922	3,901	3,600	3,670	3,771	3,945	3,808
2006	4,063	4,007	3,840	3,703	3,568	3,858	4,099	4,091					
<i>Ennis Office total</i>													
2004	2,529	2,508	2,445	2,375	2,273	2,300	2,446	2,443	2,237	2,245	2,190	2,244	2,353
2005	2,360	2,349	2,315	2,169	2,141	2,264	2,374	2,365	2,212	2,189	2,216	2,283	2,270
2006	2,371	2,335	2,272	2,215	2,174	2,348	2,523	2,521					
<i>Ennistymon Office total</i>													
2004	731	700	670	633	594	591	597	604	544	561	596	629	621
2005	641	639	626	564	527	519	549	542	494	549	589	637	573
2006	660	649	606	552	516	545	571	564					
<i>Kilrush Office total</i>													
2004	649	638	629	625	588	584	599	623	547	567	569	600	602
2005	600	594	571	571	550	560	594	591	525	558	572	604	574
2006	614	612	561	543	529	552	579	584					
<i>Tulla Office total</i>													
2004	440	435	416	396	380	373	386	394	361	361	359	378	390
2005	392	402	402	375	374	376	405	403	369	374	394	421	391
2006	418	411	401	393	349	413	426	422					

Source: Live Register, Central Statistics Office.

State Bodies.

216. **Mr. Boyle** asked the Taoiseach the number of positions in State bodies under the aegis of his Department which are affected by the increase in non-executive chairpersons' fees of State bodies recently sanctioned by the Government. [28154/06]

The Taoiseach: No position in any of the State Bodies under the aegis of my Department was affected by the increase in the non-executive Chairpersons' fees of State Bodies recently sanctioned by the Government.

Departmental Appointments.

217. **Mr. Boyle** asked the Taoiseach the number of task forces which have been created by his Department; and their function, size, mem-

bership, reporting mechanism and period of existence since 1997. [28155/06]

The Taoiseach: A Task Force on Road Haulage Issues was established in September 2000 to draw up an agreed Programme of Action for submission to Government for regulation of abuses in the industry and increasing the professionalism of the industry generally. The Task Force completed its work in November 2000.

Membership of the Task Force included representatives from the Departments of the Taoiseach, Public Enterprise, Finance, Environment and Justice, the Revenue Commissioners, Gardaí and the Irish Road Haulage Association (IRHA).

The Task Force on Asset Management was established in November 2001 to consider opportunities for developing a broader based asset management business in Ireland. The focus of the

[The Taoiseach.]

Task Force is in the areas of education, regulation and marketing. The Task Force reports to the IFSC Clearing House Group which operates under the aegis of my Department. The Clearing House Group identifies and considers issues of major concern to the long-term development of the international financial services industry in Ireland.

Membership of the Task Force includes representatives from the industry including IAIM (Irish Association of Investment Managers), from relevant Government departments, IDA Ireland, the Financial Regulator and the HEA.

A pan-European Pensions Task Force was set up in late 2003 to look at the legislative, fiscal and regulatory requirements involved in the transposition of the IORP Pensions Directive into national law. The Task Force also seeks to focus on developments in the international pensions areas and to make recommendations for legislative, regulatory, administrative and marketing initiatives that would position Ireland as a domicile of choice for the location of, and services to, multi-jurisdictional pension funds. The Task Force also reports to the IFSC Clearing House Group.

Membership includes representatives from the industry including, from relevant Government Departments, IDA Ireland, the Revenue Commissioners and the Financial Regulator.

The Task Force on Active Citizenship was established in April, 2006 to review the evidence regarding trends in citizen participation across the main areas of civic, community, cultural, occupational and recreational life; to examine those trends in the context of international experience and analysis; to review the experience of organisations involved in the political, caring, community, professional and occupational, cultural, sporting and religious dimensions of life regarding influences, both positive and negative, on the levels of the citizen participation and engagement, and to recommend measures which could be taken as part of public policy to facilitate and encourage a greater degree of engagement by citizens in all aspects of life and the growth and development of voluntary organisations as part of a strong civic culture.

The membership of the Task Force is as follows:

Ms. Mary Davis (Chairperson), Chief Executive, Special Olympics Ireland

Mr. David Begg, General Secretary, ICTU

Mr. John Bennett, Disability Officer, UCD

Fr. Harry Bohan, Diocese of Killaloe and Céifin Centre for Values led Change

Ms. Elaine Bradshaw, Chair, Keep Kilkenny Beautiful Committee

Ms. Caroline Casey, Chief Executive, The Aishling Foundation

Ms. Mary Cunningham, Director, National Youth Council of Ireland

Mr. Arthur Duignan, Assistant Director, CREATE

Cllr. John Gallahue, Governing Body, Limerick Institute of Technology

Mr. Gerry Kearney, Secretary General, Dept of Community, Rural and Gaeltacht Affairs

Mr. Sean Kelly, Outgoing President, GAA

Ms. Maighr ad U  Mh irtin, Cathaoirleach, Foras na Gaeilge

Mr. Seamus McAleavey, Northern Ireland Council for Voluntary Action

Mr. Dermot McCarthy, Secretary General, Department of the Taoiseach

Sr. Bernadette McMahon, Vincentian Partnership for Social Justice

Ms. Sylvia Meehan, Irish Senior Citizens Parliament

Mr. Bobby Molloy, former Minister

The Venerable David Pierpoint, Archdeacon of Dublin

Dr. Mary Redmond, Arthur Cox and co-founder of The Wheel

Mr. John Trethowan, Business in the Community Ireland.

Departmental Expenditure.

218. **Mr. Boyle** asked the Taoiseach the budgetary allocation for each of the public bodies, executive agencies, advisory bodies and task forces operating under his Department. [28156/06]

The Taoiseach: The budgetary allocation for each of the public bodies, executive agencies, advisory bodies and taskforces operating under my Department is listed in the schedule below.

Budgetary Allocation since January 2006	Name of Agency
€	
337,050	* Ireland Newfoundland Partnership
Nil	**National Statistics Board
38,042,000	***Chief State Solicitor's Office
1,923,000	National Economic & Social Development Office
952,000	National Economic & Social Council

Budgetary Allocation since January 2006	Name of Agency
€	
704,000	National Economic & Social Forum
1,460,000	National Centre for Partnership & Performance
200,000	Taskforce on Active Citizenship

* The Ireland Newfoundland Partnership was established in 2001 as a non-statutory body to advance implementation of the Memorandum of Understanding signed by both Governments in 1996, reaffirmed in 1999 and again in July 2004. The Partnership facilitates co-operation in the business, marine, education and cultural sectors and is funded from the vote of the Department of the Taoiseach.

** Funded from CSO budgetary allocation. The total expenditure for the 5 months January to May 2006 was €15,124, of which €13,967 related to stipend payments.

*** The Vote for the Chief State Solicitor's Office as published in the 2006 Book of Estimates is €38,042,000.

Census of Population.

219. **Mr. Deasy** asked the Taoiseach the number of people living in the city and county of Waterford for each of the years from 1997 to date in 2006; and if he will make a statement on the matter. [27856/06]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The information requested by the Deputy is taken from the censuses of 1996, 2002 and 2006 and is contained in the table.

Population of Waterford City and County, 1996, 2002 and 2006*

Year	Waterford City	Waterford County	Waterford City and County
1996	42,540	52,140	94,680
2002	44,594	56,952	101,546
2006	45,775	62,167	107,942

* Preliminary.

Statistics on Farming.

220. **Mr. Deasy** asked the Taoiseach the number of full-time farmers in Waterford in each of the years from 1995 to date in 2006; and if he will make a statement on the matter. [27852/06]

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 table shows figures for the South-East region in June 1995, 1997, 2000 and 2003 (the latest year currently available).

Number of farms in the South-East region — June 1995, 1997, 2000 and 2003

Year	Farmwork is sole occupation of farm owner	Farmwork is not sole occupation of farm owner	Total
1995	13,700	5,600	19,300
1997	13,400	5,200	18,600
2000*	10,500	6,400	16,900
2003	9,900	5,900	15,900

*June 2000 Census of Agriculture figure.

The South-East region comprises counties Carlow, Kilkenny, Tipperary South Riding, Waterford and Wexford. Figures at county level are available from the 2000 Census of Agriculture. There were 2,800 farms in County Waterford on 1 June 2000; on 1,700 of these, farm work was the owner's sole occupation.

that the only way to acquire experienced parliamentary draftspersons is to give them the necessary experience; his further views on whether the outsourcing of this work means that staff are not getting this experience; his plans to deal with this staff shortage; and if he will make a statement on the matter. [27305/06]

Departmental Staff.

221. **Mr. Gormley** asked the Taoiseach the number of people currently employed in the drafting section of the Attorney General's Office; the plans to recruit more staff; his views on whether more permanent staff are required and

The Taoiseach: The current sanctioned staffing levels for permanent staff in the Office of the Parliamentary Counsel is 19. However, this figure can increase to 25 provided such an increase is offset by an identical reduction in the number of Contract Drafter positions. At present there is 1 vacancy for a permanent member of staff.

[The Taoiseach.]

Earlier this year, in conjunction with the Public Appointments Service, the Office held a recruitment competition for permanent drafting staff. Only three applicants were successful at all stages of the competition and were offered positions. Of these, two accepted the offer and both have taken up duty in the last few months. The remaining person declined the offer. The Office intends to run another recruitment competition early in the New Year when the pool of eligible experienced candidates will have increased.

The Office has sanction to fill up to eight Contract Drafter positions in total. Currently, it engages seven Drafters on a contract basis. However, not all of these work full-time and consequently their contribution is equivalent to five full-time Drafters.

Most Contract Drafters engaged by the Office have significant drafting experience in common-law jurisdictions similar to our own. In the past, all have previously held senior drafting positions, including former heads of office of the UK Office of Parliamentary Counsel, the Canadian Federal Drafting Office and the Office of the Scottish Parliamentary Counsel.

During their time in the Office, the Contract Drafters are also involved in the training of newer staff who can then benefit from the experience of both the contract staff and the permanent staff more senior to themselves. There is a formal training programme for new drafters with heavy emphasis on practical experience. The work of the Contract Drafters is structured to ensure that there is liaison between both contract and permanent staff to facilitate a transfer of skills.

The continued engagement of Contract Drafters is currently necessary having regard to the extensive Government Legislation Programme. The timescale within which complex and lengthy Bills are required to be produced puts a premium on experience which is significantly provided by the Contract Drafters, whereas the more recently recruited staff have not yet acquired such experience. However, the engagement of Contract Drafters does not impinge on the experience opportunities provided to permanent staff. When it is felt that there are sufficient experienced permanent staff available to the Office, the engagement of Contract Drafters will be phased out. In that regard the position will be regularly reviewed.

Commemorative Events.

222. **Mr. Lowry** asked the Taoiseach if the Government have plans to commemorate the 160th anniversary of the death of Daniel O'Connell on 15 May 2007, the Liberator and founder of the Repeal Association; and if he will make a statement on the matter. [28133/06]

The Taoiseach: Commemorations are organised from time to time in respect of the anniversaries of signal events of historic importance, usually in relation to a 25th, 50th, 75th or 100th Anniversary with even longer intervals thereafter.

Having regard to their significance in our history, I would acknowledge that special consideration is justified with regard to Daniel O'Connell. However, Deputies will appreciate that there is not scope for official commemorations each year of all anniversaries and that the arrangements for commemorations during 2007 have not yet been decided.

I would not like to anticipate the outcome of consideration of the form and content of an appropriate commemorative programme for 2007. It is anticipated that some commemorative event will take place to mark the 160th anniversary of the death of Daniel O'Connell.

Disability Employment Statistics.

223. **Mr. Bruton** asked the Taoiseach if he has established national data for employment for people with disabilities. [27683/06]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The Central Statistics Office has been developing its data sources with a view to providing national data on persons with disabilities including information on their employment. The 2002 census questionnaire for the first time included two questions on disabilities as follows:

14 Do you have any of the following long-lasting conditions:

		Yes	No
(a)	Blindness, deafness, or a severe vision or hearing impairment?		
(b)	A condition that substantially limits one or more basic physical activities such as walking, climbing stairs, reaching, lifting or carrying?		

15 Because of a physical, mental or emotional condition lasting 6 months or more, do you have any difficulty in doing any of the following activities: *Answer (a) and (b) if aged 5 years or over.*

		Yes	No
(a)	Learning, remembering or concentrating?		
(b)	Dressing, bathing or getting around inside the home?		

Answer (c) and (d) if aged 15 years or over.

		Yes	No
(c)	Going outside the home alone to shop or visit a doctor's surgery?		
(d)	Working at a job or business?		

Persons with a disability, aged 15-64 years

	Total	Employed	Employment rate
Census 2002	170,700	50,073	29.3%
QNHS Q2 2002	274,200	109,900	40.1%
QNHS Q1 2004	298,300	110,800	37.1%

In interpreting these results account needs to be taken of the different survey methodologies used (i.e. self completion in the case of the census form compared with face to face interviews in the QNHS) and in particular differences in the scope of the questions used to determine the existence of disability.

The 2006 census questionnaire also included two questions on disability which were based on the 2002 questions as follows:

15 Do you have any of the following long-lasting conditions?

(a) Blindness, deafness or a severe vision or hearing impairment

(b) A condition that substantially limits one or more basic physical activities such as walking, climbing stairs, reaching, lifting or carrying

(c) A learning or intellectual disability

(d) A psychological or emotional condition Other, including any chronic illness

16 IF 'YES', to any of the conditions specified in Question 15, do you have any difficulty in doing any of the following activities?

(a) Learning, remembering or concentrating

(b) Dressing, bathing or getting around inside the home

(c) Going outside the home alone to shop or visit a doctor's surgery

(d) Working at a job or business or attending school or college

(e) Participating in other activities, for example leisure or using transport

Information from Census 2006 on persons with disabilities is due to be published in 2007. In order to improve the comparability between the

The Quarterly National Household Survey (QNHS) for the second quarter of 2002 included an EU-wide module on disability in the labour force in which the definition of disability used was agreed at EUROSTAT level. This definition had a wider scope than that used in the census. The module was repeated in the first quarter of 2004 with some amendments to the questions to follow more closely the International Classification of Functioning, Disability and Health (ICF).

The national level data derived from the above three sources are contained in the table.

sources, the two questions included in the 2006 census were also included in the QNHS in the first and fourth quarters of 2005 and have been included in the questionnaire specification for the first quarter of 2007. The intention is to include these questions in the first quarter survey from now on.

A final source of comprehensive data on persons with disabilities will be the dedicated National Disability Survey. The fieldwork phase of this survey, involving interviews with approximately 17,000 persons, is currently being conducted throughout the country. The selection of the persons to be sampled was based on the responses to the disability questions in the 2006 census. The results are expected to be published during 2007.

Dublin and Monaghan Bombings.

224. **Mr. F. McGrath** asked the Taoiseach if his attention has been drawn to the fact that the British authorities had the Dublin Monaghan bombers in custody but failed to bring them to justice. [28459/06]

The Taoiseach: Judge Henry Barron dealt with these issues comprehensively in the Report of the Independent Commission of Inquiry into the Dublin and Monaghan Bombings. The issues in question were the subject of careful scrutiny and detailed investigation by the Commission.

Judge Barron's Report quotes directly from the minutes of the meeting in September 1974 and of a further meeting in November 1974.

(Full details of Judge Barron's work on this matter can be obtained on pages 129 and 130 of the Interim Report of the Joint Oireachtas Committee on Justice, Equality, Defence and Women's Rights.)

Census Statistics.

225. **Ms Shortall** asked the Taoiseach the number of persons at work aged 15 years and over, usually resident in the State, as recorded by each census from 1981 to present who travelled to work by means of lorry or van. [28886/06]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The information requested by the Deputy is contained in the table.

Persons at work aged 15 years and over who travelled to work by lorry or van

Year	Number
1981	21,671
1986	30,475
1991	39,987
1996	49,368
2002	109,180

Source: Censuses of Population.

Figures from the most recent Census will be available in 2007.

Dublin and Monaghan Bombings.

226. **Aengus Ó Snodaigh** asked the Taoiseach if he will confirm that a meeting took place in September 1974 between the then British Prime Minister, the Northern Ireland Secretary of State and Irish Ministers during which the Northern Ireland Secretary of State informed the Irish Ministers that he had signed internment orders for the people he believed to be responsible for the Dublin bombing; the persons who attended the meeting; the meeting's agenda; the actions which were taken on foot of the meeting; and if a follow-up meeting took place. [29294/06]

The Taoiseach: Judge Henry Barron dealt with these issues comprehensively in the Report of the Independent Commission of Inquiry into the Dublin and Monaghan Bombings. The issues in question were the subject of careful scrutiny and detailed investigation by the Commission.

Judge Barron's Report quotes directly from the minutes of the meeting in September 1974 and of a further meeting in November 1974. (Full details of Judge Barron's work on this matter can be obtained on pages 129 and 130 of the Interim Report of the Joint Oireachtas Committee on Justice, Equality, Defence and Women's Rights.)

Census Statistics.

227. **Ms C. Murphy** asked the Taoiseach if figures released by the Central Statistics Office in July 2006 via the Census 2006 Preliminary Report will be used by his Department for any reason; if so, what the figures will be used for; and if he will make a statement on the matter. [29310/06]

The Taoiseach: The Census 2006 Preliminary Report contains provisional results which are based on summaries returned by each of the 4,400 census enumerators.

The definitive population results, based on the scanned Census Forms, will be released in a series of subject-matter volumes between April and December 2007. The results in the Preliminary Report are therefore subject to revision. They will nonetheless be useful in informing the work of my Department, and indeed all Departments, across a wide range of policy areas, not least in supporting development of national economic and social infrastructure in a manner that is appropriately responsive to demographic change.

Road Fatality Statistics.

228. **Ms Shortall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of persons killed on Irish roads in 2005 by road user type, that is pedestrians, pedal cyclists, motor cyclists, car users and other road users. [28887/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the statistics requested are not available at the Garda National Traffic Bureau. The Road Safety Authority which comes under the aegis of the Department of Transport is tasked with the compilation of statistics relating to road collisions and deaths within the State.

Internet Banking Fraud.

229. **Mr. Kehoe** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to the fact some people in the State have been victims of an on-line banking swindle (details supplied); if his Department has drawn up guidelines for victims of phishing and the advice he would give to such victims in order for them to recover their lost money; and if he will make a statement on the matter. [29743/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed that An Garda Síochána has received in excess of 20 complaints from members of the public relating to fraudulent withdrawals from their bank accounts. The offences are committed using a technique known as "phishing". "Phishing" is the term used to describe the theft or attempted theft of personal information using e-mail and "bogus" web-sites. It is a relatively recent phenomenon.

The act of "phishing" constitutes a number of offences contained in the Criminal Justice (Theft and Fraud Offences) Act 2001. In addition, a provision to give the Council of Europe Convention on Cybercrime the force of law in Ireland is included in the Criminal Justice (Miscellaneous Provisions) Bill. The Government has approved

the drafting of the Bill along the lines of a General Scheme and the General Scheme has been forwarded to the Office of the Parliamentary Counsel for drafting of the Bill.

I am informed that a number of persons have been prosecuted on charges of theft offences relating to “phishing” incidents where the proceeds of fraudulent withdrawals have been transferred to an apparently legitimate account which has been used to facilitate the withdrawal of the stolen funds. A number of other similar investigations are ongoing at this time.

I understand that An Garda Síochána is working with the Banking industry to counteract this phenomenon. A High-Tech Crime forum has been established with all relevant stakeholders including An Garda Síochána and the Financial Services Industry including the banking sector. This forum facilitates the rapid dissemination of information related to “phishing” and other methods being used in an attempt to compromise banking services.

I am also informed that The Irish Bankers Federation participates in the MakeITSecure campaign, a national information campaign aimed at educating consumers on how to use IT securely, particularly in relation to financial transactions. MakeITSecure is a coalition of partners from the private sector as well as the Department of Communications, Marine and Natural Resources. The campaign was launched by the Minister for Communications, Marine and Natural Resources, Mr. Noel Dempsey T.D., in November 2005. This website focuses on four areas — identity theft, “phishing”, spyware and child safety on-line. MakeITSecure aims to help individuals, families and businesses protect themselves by showing the main risks and offering some solutions to make their internet experience more secure.

Its aim is to raise public awareness of on-line security and provide practical information to help people use on-line resources safely and securely. The campaign provides key messages to consumers in relation to “phishing” and how to avoid it. Each institution reviews individual cases of “phishing” on a case by case basis.

I am also informed that in December 2003, the Financial Regulator issued a press release on the topic and continues to do so on a regular basis, the most recent press release being issued in June of this year. A factsheet informing consumers as to how to protect themselves from fraud was also published in June 2004 and is available from the Financial Regulator’s website. All the information and communication from the Financial Regulator has reinforced the same warnings — that no bank would ever ask their customers to confirm any of their financial information by email or by entering details into a website.

I am informed that the Irish Payment Services Organisation is also very active in raising awareness of such issues. I understand that most financial institutions publish warnings on their own

website when they are the subject of such activities. Victims of “phishing” attacks are advised by An Garda Síochána and the industry to report any such attack immediately to An Garda Síochána for investigation.

An Garda Síochána’s primary function relates to the investigation of the criminal conduct through which the monies have been lost by the injured parties as opposed to the recovery of funds. However criminal courts may make orders restoring funds which have been identified as the proceeds of crime following conviction of the offender. I am confident that every assistance is given by An Garda Síochána to injured parties and their representatives in their effort to recover monies. If a consumer is a victim of this crime, he or she should report the matter to the Gardaí and to their bank. The best line of defence against this type of fraud is to educate consumers so they are aware that they should not disclose their personal financial information to anyone.

Travel Documents.

230. **Mr. Boyle** asked the Tánaiste and Minister for Justice, Equality and Law Reform the consideration which has been given to adding biometric features to travel documents issued to persons granted residency here on asylum or refugee grounds. [30112/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Arrangements are in train to update, from a security perspective, the travel document issued to persons granted refugee status in the State under the Refugee Act 1996. Any enhancement of this document from a biometric viewpoint will be considered in that context.

Proposed Legislation.

231. **Mr. Naughten** asked the Tánaiste and Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 1055 of 29 September 2004, if he will report on the issue; and if he will make a statement on the matter. [30285/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my reply to Parliamentary Question No. 273 (Ref No: 28740/06) of today’s date.

Censorship of Publications.

232. **Ms McManus** asked the Tánaiste and Minister for Justice, Equality and Law Reform his views on a system of censorship for magazines and a rating system similar to that in place for films in view of the fact that a magazine (details supplied) which is not suitable for children aged 12 to 16 years is aimed at them; and if he will make a statement on the matter. [28170/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy will be aware, the task of censorship in relation to books and magazines is carried out by the Censorship of Publications Board. I have no plans to introduce legislation to provide for an age related certification scheme as envisaged by the Deputy.

Private Security Industry.

233. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform the action he will take to assist small security firms with the cost of a new licence; and if a person (details supplied) in Dublin 5 will be given the maximum advice and assistance. [28226/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Private Security Authority, established under the Private Security Services Act 2004 is the regulatory body with responsibility for regulating and licensing the private security industry in the State. The Authority is independent in the exercise of its statutory functions.

I am informed by the Authority that it has put a licence fee structure in place which reflects the variety between the different sectors of the industry and takes account of companies and employees who might be working in multiple sectors. Fees also take account of the relative size of companies operating in any given sector. Moreover, the Authority is obliged to become self-financing so licence fees must reflect the overall operating costs of the Authority.

The two-year licence fee was set taking into account the huge variety of cost models in the various sectors of the industry. These range from low turnover, high staffing levels in the guarding sector, to lower staffing levels but higher turnover in other sectors such as electronics.

The private security industry itself supports regulation and has actively campaigned for it for many years. The provision of a regulatory environment for the industry will understandably lead to structured cost implications. However, it is the industry which will benefit from regulation and it is in line with Government policy that industry should fund such a development. I can inform the Deputy that this matter was examined by the Board of the PSA at its meeting of 21 November 2005, which re-affirmed its previous decision in relation to the fee structure and decided that this issue would be revisited by the Board in the context of a review of licensing in two years time.

Staff of the Authority are available to offer advice and assistance to persons applying for private security services licenses. In this regard, the Authority can be contacted on phone number 062 31588. Alternatively, information is available on the Authority's website — www.psa.gov.ie.

Crime Prevention.

234. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform the action he will take in relation to anti-social activity at an area (details supplied) in Dublin 5; and if Garda patrols will be increased. [28227/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the area referred to is regularly patrolled by uniform and plain clothes Gardaí with a view to ensuring a concentrated and visible Garda presence in the area. These patrols are backed up by Divisional Garda Units, including the Traffic Corps, Mountain Bike, Drug Unit, Task Force and the District and Divisional Detective Units. I understand that Gardaí attached to the Community Policing Unit have a good relationship with the local community.

I am further informed by the Garda authorities that current policing plans in the area are designed to achieve, inter alia, the prevention of anti-social and public order offences; the prevention of crime including crimes of violence against persons and property and the maintenance of an environment conducive to the improvement of quality of life of the residents. This strategy will continue to be central to the delivery of a policing service to the area.

Courts Service.

235. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if there is evidence of corruption or cover-up in relation to a person (details supplied); and if he has satisfied himself that all parties acted in a proper and honest manner. [28279/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As I have informed the House previously, this matter has been before the courts and a conviction recorded. The court also ordered compensation to be paid, and I understand this was done. As the Deputy is aware, the courts are, subject only to the Constitution and the law, independent in the exercise of their judicial functions and it is not open to me to comment or intervene in any way on the conduct or decision of any individual court case which is entirely a matter for the presiding judge.

Crime Prevention.

236. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if a safety and security plan will be put in place in areas (details supplied) in Dublin 9 to deal with anti-social activities and assaults on young people; and if he will make same a priority issue. [28280/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by

the Garda authorities that the area referred to is policed by Gardaí at Clontarf Garda station. Additional patrols are provided by Divisional Units, including the Traffic Corps, Mountain Bike, Drug Unit, the Divisional Task Force and the District and Divisional Detective Units. Gardaí attached to the Community Policing Unit are assigned to this area and have a good working relationship with the local community. Additional resources have been allocated to Clontarf Garda station enabling local Garda management to assign members on beat patrols.

Current policing plans in the area are predicated on the prevention of public order offences; the prevention of crime including crimes of violence against persons and property and the maintenance of an environment conducive to the improvement of quality of life of the residents. The strategy is central to the delivery of a policing service to the area.

237. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if a crime prevention plan will be put in place in an area (details supplied) in Dublin 3; and if he will work with Dublin City Council on this matter. [28281/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the area referred to is regularly patrolled by uniform and plain clothes Gardaí from Clontarf and Raheny Garda stations. I understand that the Gardaí attached to the Community Policing Units of both stations have a good relationship with the local community. Also, additional resources have recently being allocated to the Community Policing Units at both stations.

I am advised that local Garda management regularly meet with Dublin City Council to address any issues which may arise in relation to the area concerned. I am further informed by the Garda authorities that current policing plans in the area are designed to achieve, inter alia, the prevention of anti-social and public order offences; the prevention of crime including crimes of violence against persons and property and the maintenance of an environment conducive to the improvement of quality of life of the residents. This strategy will continue to be central to the delivery of a policing service to the area.

Dublin and Monaghan Bombings.

238. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he has investigated the evidence of a person (details supplied) in relation to the Dublin Monaghan Bombings in 1974 and the issue of the Boyne Bridge opening and lack of security. [28299/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Report of the Independent Commission of Inquiry ('Barron Inquiry') into the Dublin and Monaghan Bombings of 1974 details its interaction with the person in question on the matter.

A Commission of Investigation, the sole member of which is Mr Patrick MacEntee, S.C., Q.C., is currently inquiring into certain aspects of the State's response to the bombings. In that context, I am aware that the person in question has continued to raise issues with the Commission and others in respect of the bombings.

I consider that the most appropriate forum for the consideration of the issues raised is the Commission, which will report in due course to the Taoiseach as the 'specified Minister'. In the interim, no further action is contemplated on my part, and I am informed that this is also the case with the Garda authorities.

Crime Prevention.

239. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will put in a safety and security plan for residents at a location (details supplied) in Dublin 5 in order to reduce vandalism and anti-social activities. [28300/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the area referred to is regularly patrolled by uniform and plain clothes Gardaí from its local Garda station with a view to ensuring a concentrated and visible Garda presence in the area. These patrols are backed up by Divisional Garda Units, including the Traffic Corps, Mountain Bike, Drug, Task Force and the District and Divisional Detective Units. I understand that Gardaí attached to the Community Policing Unit have a good relationship with the local community.

I am further informed by the Garda authorities that current policing plans in the area are predicated on the prevention of anti-social and public order offences, the prevention of crime including crimes of violence against persons and property and the maintenance of an environment conducive to the improvement of quality of life of the residents. This strategy will continue to be central to the delivery of a policing service to the area.

Crime Levels.

240. **Mr. Bruton** asked the Tánaiste and Minister for Justice, Equality and Law Reform the total number of instances of headline crime in homicide, assault, sexual assault, arson, drugs, theft, burglaries and robberies in relation to Garda stations (details supplied) in each of the past five years; and if he will make a statement on the matter. [28303/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the figures requested are not readily available at Garda sub-District level and could only be obtained with the expenditure of an inordinate amount of Garda time and resources.

Headline crime statistics for the Southern Division of the Dublin Metropolitan Garda Region, which includes the Garda sub-Districts of Tallaght, Terenure and Rathfarnham, are available in the relevant Garda Annual Reports, copies of which are available in the Oireachtas Library.

Visa Applications.

241. **Ms O. Mitchell** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a decision will be made on a visa application for a person (details supplied); and if he will make a statement on the matter. [28333/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The application referred to by the Deputy was received in the Visa Office on 2nd August, 2006. The decision of the Visa Officer to refuse this application was taken on 15th September, 2006. It is open to the applicant to appeal this decision; however, to date, no appeal has been received. All appeals must be submitted within two months of the initial refusal date.

Prison Medical Service.

242. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform the assistance given to prisoners who have suffered sexual abuse as young children; and if he will make this a priority issue. [28354/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Both the Prison Psychology Service and the Probation Service provide and facilitate a range of services to prisoners who have been victims of sexual abuse in childhood. The precise nature of the service will vary depending on the needs of the individual and as appropriate to circumstances. The support available includes referral to the National Counselling Service for victims of abuse which will generally establish an engagement with the person concerned and offer counselling on return to the community. The Prison Psychology Service also provides more in-depth therapeutic interventions for those who are assessed as having sufficient time left to serve and the necessary personal stability to undergo such difficult and intensive counselling whilst in custody.

243. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of prisoners with psychiatric prob-

lems and intellectual disabilities in prison. [28355/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): In 2003 a team from the Central Mental Hospital, with the cooperation and support of the Irish Prison Service, undertook the first systematic survey of mental illness in the Irish prison population. The findings of this study confirm that the rates of diagnosed mental illness among prisoners are significantly higher than in comparable community populations. This finding is common to prison populations in many jurisdictions.

The study found that drug and alcohol dependence and harmful use were by far the most common problems, present in between 61% and 79% of prisoners. The rate for all mental illnesses ranged from 16% in male committals to 27% in sentenced men, while the comparable figures for females were 41% and 60% respectively.

My Department has previously published the findings of a study entitled 'A Survey of the Level of Learning Disability among the Prison Population in Ireland'. As I have previously stated (as indicated in my reply to Deputy Neville's question of 25 February 2003), there are strong reservations about interpreting the main finding of the study as suggesting that over 28% of the prisoner population in the country have a mental handicap. Any such suggestion is strongly disputed by people who work with prisoners in a professional capacity on a daily basis and there is a reasonable basis for argument that this unexpectedly high figure could be accounted for by measurement of factors attributable to educational deficit and social disadvantage, rather than learning disability per se.

Prison Education Service.

244. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason for closing down educational and therapeutic facilities for prisoners. [28356/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The range of interventions and programmes employed within the prisons to encourage prisoners to bring about positive development in themselves include:

- individual and group counselling on offending issues;
- programmes in the areas of education, vocational training and lifeskills;
- drug treatment;
- specific programmes to address criminal behaviour;
- one-to-one counselling and support; and

- facilitating the involvement of voluntary organisations in providing appropriate prisoner support services.

There has been no termination of prisoner education programmes. As in any adult education setting, the range of courses or programmes available at the different education units will, of course, vary in accordance with prisoners' needs and local circumstances. In several institutions there is a high level of turnover of the prisoner population, which requires a flexible approach with regard to the curriculum content. Thus, on an ongoing basis, some courses may be discontinued and new ones offered in their place, but it would not be appropriate to regard such alterations as a termination of education programmes.

I am arranging to forward the Directory of Prison Education 2006 to the Deputy. The Directory, which gives more details of what is available in the Education Units of different prisons, is prepared annually by the Irish Prison Service's Co-ordinator of Education. Budgetary restraint measures introduced in 2004, in the absence of agreement with the Prisoner Officers' Association on the Change Programme, did impact on the level of some other services to prisoners, even though every effort was made by the prison authorities, and the providers of the services concerned, to minimise the difficulties involved. While the effect on services varied from institution to institution it typically involved more limited access to libraries, gyms, workshops, schools and revised visiting arrangements. In-reach services also experienced some disruption in their services to prisoners as a result of increased waiting times in gaining access to prisoner areas.

The new working arrangements under the agreed Proposal for Organisational Change should, however, not only restore but enhance prisoner regimes in the years ahead, particularly in terms of improving availability and facilities, and making the most of out-of-cell time for prisoners.

Treatment of Prisoners.

245. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason a prisoner with major psychiatric problems was sharing a cell with other prisoners (details supplied); and the person responsible for making the final decision concerning cell allocation. [28357/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy is no doubt aware, I have appointed Mr Michael Mellett to carry out an independent inquiry into the circumstances surrounding the tragic death of Mr Gary Douch while in custody in Mountjoy Prison and in particular:

- to establish what action was taken by the Irish Prison Service, management and staff to safeguard Mr Douch;
- to clarify whether Mr Douch had expressed special concerns about his safety;
- to establish what procedures were followed and their adequacy;
- to establish the procedures used to allocate prisoners to the cell in which Mr Douch died;
- to establish the level of monitoring during the night of 31 July/1 August 2006;

and to make any observations and recommendations he sees fit. I intend that the report by Mr Mellett will be published in due course, with the exception of any parts which could be deemed prejudicial to potential criminal proceedings. As the Deputy will appreciate, this tragic incident is also the subject of an ongoing Garda investigation and it would not be appropriate for me to comment further at this point in time.

Citizenship Applications.

246. **Ms O. Mitchell** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a decision will be made on applications for citizenship for persons (details supplied); and if he will make a statement on the matter. [28358/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Applications for certificates of naturalisation were received from the persons referred to in the Deputy's question on 7 October 2005. 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.

Garda Operations.

247. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if allegations in relation to persons (details supplied) in County Cork will be investigated; and if an inquiry is needed on this case. [28366/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that this matter is the subject of ongoing civil litigation regarding a dispute over lands which are used for the grazing of sheep and other livestock in the area referred to. I am further informed that arising from this dispute various allegations and counter allegations have been made by the parties involved. I am assured by the Garda authorities that all allegations of a

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criminal nature are fully investigated by local Gardaí.

Public Order Offences.

248. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if a proper traffic and safety plan will be put in place for the residents of an area (details supplied) in Dublin 3 on the days of matches at Croke Park; and if the law on anti-social behaviour and drinking on the streets in these areas will be implemented. [28377/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Policing arrangements for public events and in locations generally, along with the allocation of Garda resources, are solely a matter for the Garda Commissioner. However, where such events take place the Garda authorities work closely with the residents in order to avoid as much disruption as possible.

I am informed by the Garda authorities that an extensive traffic management plan is put in place on each event day in the greater Croke Park area. This plan includes a Garda cordon area around the stadium and extending out to the following junctions — Ballybough Road/Clonliffe Road junction, Drumcondra Road Lower/Clonliffe Road junction and the North Circular Road/Russell Street junction. These junctions and all access routes through the cordon area are manned by Gardaí in order to regulate access.

The outer cordon area is supplemented by members on beat duty at various locations. Divisional Traffic Corps units patrol the outlying areas of the north inner city prior to, during and subsequent to any event within Croke Park, ensuring traffic flow is maintained. A comprehensive risk assessment is carried out prior to each event and a safety plan is put in place that runs in conjunction with the traffic plan. The safety of patrons attending Croke Park, and local residents, is at the core of all plans implemented on event days.

In relation to anti-social behaviour and the consumption of alcohol on the streets in the area concerned, I am advised that Gardaí on duty on match days are directed to pay particular attention to those areas where the likelihood of both anti-social behaviour and street drinking may occur.

Visa Applications.

249. **Mr. P. Breen** asked the Tánaiste and Minister for Justice, Equality and Law Reform when an application for a visa will be processed for a person (details supplied) in County Clare; and if he will make a statement on the matter. [28382/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The application referred to by the Deputy was received in the Visa Office on 8th August, 2006. The decision of the Visa Officer to refuse this application was taken on 15th September, 2006. It is open to the applicant to appeal this decision; however, to date, no appeal has been received. All appeals must be submitted within two months of the initial refusal decision.

Deportation Orders.

250. **Mr. P. Breen** asked the Tánaiste and Minister for Justice, Equality and Law Reform when an application for refugee status will be processed for a person (details supplied) in County Clare; and if he will make a statement on the matter. [28385/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 19 July, 2003 and applied for asylum. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal.

Subsequently, in accordance with Section 3 of the Immigration Act, 1999, as amended, he was informed by letter dated 27 October, 2004, that the Minister proposed to make a deportation order in respect of him. He was given the options, to be exercised within 15 working days, of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State; leaving the State before an order is made or consenting to the making of a deportation order. Representations have been received on behalf of the person concerned.

This person's case file, including all representations submitted, will be considered under Section 3(6) of the Immigration Act, 1999, as amended, and Section 5 of the Refugee Act, 1996 (Prohibition of Refoulement). I expect the file to be passed to me for decision in due course.

Citizenship Applications.

251. **Mr. P. Breen** asked the Tánaiste and Minister for Justice, Equality and Law Reform the status of an application for naturalisation by a person (details supplied) in County Clare; if same will be expedited; and if he will make a statement on the matter. [28397/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Applications for certificates of naturalisation from the persons referred to in the Deputy's question were received in the Citizenship Section of my Department on 16 June 2005. The average processing time for applications for naturalisation for adults is approximately 24 months at the present time. However, I understand that the persons con-

cerned are refugees. In accordance with the Government's obligations under the United Nations Convention relating to the Status of Refugees of 28 July 1951, every effort is made to ensure that applications from persons with refugee status are dealt with as quickly as possible, having regard to the general volume of applications on hand. I will inform the Deputy and the persons concerned when I have reached a decision on the applications.

Family Reunification.

252. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position regarding the family reunification case of a person (details supplied) in Dublin 3; and if they will be given the maximum support. [28418/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question made a Family Reunification application on behalf of his wife in September 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 dealt with in chronological order. This application will be considered by my Department and a decision will issue in due course.

Road Traffic Offences.

253. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason a person (details supplied) in Dublin 3 was treated in a bad and unprofessional manner by the Gardaí and the justice system. [28447/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that two fixed charge notices dated 30 August and 1 September 2005 were served on the registered owner of a vehicle, a company where the person referred to is employed. The fixed charge notices were then passed by the company to the person referred to as he was the driver of the vehicle at the times in question. Prior to passing the fixed charge notice to the driver of the vehicle the company should have completed the fixed charge notice identifying the person referred to as the driver on both occasions in compliance with section 103(4) of the Road Traffic Act 1961 (as amended).

I am further informed that although the notice was addressed to the company and not the person referred to, the person referred to forwarded payment along with the declaration section completed on both notices. The declaration states that the notice only applies if the person paying the

fixed charge is the person referred to in the notice.

The National Processing Office accordingly accepted the original notices as a nomination of driving. Consequently new notices were issued in the name of the nominated driver who then had 56 days to pay the fixed charges, but did not. I am further informed that contact was then made with the National Processing Office indicating duplicate notices had been received. They were not in fact duplicate notices, as the initial notices referred to the company as vehicle owner while the second notices referred to the person referred to as the driver. On 21 August 2006 correspondence was sent to the person referred to outlining the appeals procedure which is the only option available to him at this time.

Crime Prevention.

254. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will put in a safety and security plan for an area (details supplied) in Dublin 17; and to stop the use of pellet guns in this area. [28467/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that local Garda management is aware of one incident at the location mentioned. This incident is currently the subject of an ongoing Garda investigation. I am further informed that current policing plans for the area concerned are predicated on the prevention of anti-social and public order offences, the prevention of crime, including crimes of violence against persons and property, and the maintenance of an environment conducive to the improvement of quality of life of the residents. This strategy is, and will continue to be, central to the delivery of a policing service to the area.

Dublin-Monaghan Bombings.

255. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if a person (details supplied) will be given the maximum support and expenses for their medical treatments for the injuries sustained; and the action he will take regarding the permanent incapacity to work issue. [28468/06]

287. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will compensate a survivor of the 1974 Dublin bombings (details supplied) and if he will ensure that the finances left over from the Commission go to the victims rather than going back to central Government. [28868/06]

304. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will ensure that the €1 million left in the fund is distributed to the survivors of the Dublin-

[Mr. F. McGrath.]

Monaghan bombings 1974 in order to cover medical expenses for over 30 years. [29025/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 255, 287 and 304 together.

The Remembrance Commission provides assistance under a number of categories in accordance with the criteria set out in the Scheme of Acknowledgement, Remembrance and Assistance to Victims of the Conflict in Northern Ireland.

I am informed by the Remembrance Commission that the person referred to in the Deputy's questions has obtained payments in respect of medical expenses incurred by him to date and an exceptional payment, as provided for under the Scheme. I have also been informed that the Commission will continue to consider applications from this person for expenses as they arise and assist him in every way possible.

The Scheme provides for an economic hardship payment. A person who has been rendered incapable of working due to a conflict related injury may, on submission of supporting documentation, receive a payment of up to €15,000. However, this applies only to a person permanently incapable of working. The Government has approved the expenditure of up to €9 million over the lifetime of the Commission. The needs of all victims will be taken into consideration by the Government when making decisions on funding.

Registration of Title.

256. **Mr. Kehoe** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position regarding the application by a person (details supplied) in County Wexford to the Land Registry; and if he will make a statement on the matter. [28469/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand that the Registrar of Titles has forwarded the requested information 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, which was introduced on that date, for Deputies and Senators wishing to make enquiries in relation to the current status of Land Registry/Registry of Deeds applications. As outlined in my letter, the facility was introduced, inter alia, to provide a speedier and more cost effective service to Members of the Oireachtas.

Garda Stations.

257. **Mr. Allen** asked the Tánaiste and Minister for Justice, Equality and Law Reform the opening hours of the Garda Station at Glanmire, County Cork; and his views on opening the

station on a seven day week 24 hour day basis. [28494/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength (all ranks) of An Garda Síochána increased to a record 12,762 on Friday, 8 September, 2006, following the attestation of 249 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,060 (or 19%) in the personnel strength of the Force during that period. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

I have been further informed by the Garda authorities that the personnel strength of Glanmire Garda Station as at 31 December, 1997 was 14 (all ranks). The personnel strength of Glanmire Garda Station as at 20 September, 2006 was 20 (all ranks). This represents an increase of 6 (or 42%) in the number of personnel allocated since that date. The Garda authorities state that the current opening hours of Glanmire Garda Station are from 10am to 6pm Monday to Saturday and from 12pm to 1pm on Sundays. Gardaí at Glanmire operate a 24-hour mobile patrol for the area.

Garda Management state that the extension of the opening hours at Glanmire Garda Station would necessitate the employment of additional personnel on indoor administrative duties who may be more effectively employed on outdoor duties. Local Garda Management also state that they are satisfied that the arrangements currently in place in Glanmire are adequate to meet the present policing needs of the area.

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 three groups of newly attested Gardaí under this accelerated recruitment programme came on stream in March, June and September of this year and the fourth such group will become fully attested members of the Force later this year. 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 Glanmire Garda Station will be given the fullest consideration.

Crime Prevention.

258. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform the action he will take regarding the regular vandalising of phone boxes and a bus shelter (details supplied) particularly late at night. [28512/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that Gardaí at Coolock Garda station are aware of two incidents of damage to the bus shelter referred to in the last seven months. I am further informed that three people have been arrested in relation to these incidents, which remain under investigation. I am further informed by the Garda authorities that current policing plans in the area are designed to achieve, inter alia, the prevention of anti-social and public order offences; the prevention of crime including crimes of violence against persons and property and the maintenance of an environment conducive to the improvement of quality of life of the residents. This strategy will continue to be central to the delivery of a policing service to the area concerned.

Citizenship Applications.

259. **Mr. Carey** asked the Tánaiste and Minister for Justice, Equality and Law Reform when it is expected that the application of a person (details supplied) for naturalisation will be decided; and if he will make a statement on the matter. [28539/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to in the Deputy's question was received in the Citizenship Section of my Department on 4 April 2005. I understand that processing of the application has commenced and that the case file will be submitted to me for a decision in the near future. I will advise the Deputy and the person in question once I have reached a decision on the application.

Visa Applications.

260. **Mr. G. Mitchell** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will grant a holiday visa to a person (details supplied) from Turkey; and if he will make a statement on the matter. [28637/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The application referred to by the Deputy was received in the Visa Office on 5th September, 2006 and is awaiting examination by a Visa Officer. A decision in respect of this application will be made in the coming weeks.

Garda Investigations.

261. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will ensure that the rights of a person (details supplied) in Dublin 5 are protected; and to work with Irish Rail on this matter. [28640/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that an allegation was made in the context of a civil dispute between the person referred to and Irish Rail. A complaint, alleging assault at Connolly Station, was investigated by Gardaí. The Law Officers directed no prosecution due to insufficient corroborative evidence to support the allegation.

Closed Circuit Television Systems.

262. **Mr. Gormley** asked the Tánaiste and Minister for Justice, Equality and Law Reform the steps he will take in relation to complaints regarding full litter bins being taken from their standards along the southside of the Grand Canal between Leeson Street and Baggot Street in the early hours of the morning and subsequently thrown into the canal; his views on whether closed circuit television should be installed to help the Gardaí identify and bring the culprits to justice; and if he will make a statement on the matter. [28641/06]

Citizenship Applications.

263. **Mr. P. Breen** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a citizenship application form will be completed for a person (details supplied) in County Clare; and if he will make a statement on the matter. [28642/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I informed the Deputy in response to Parliamentary Question 542 on 8 November, 2005 that a serious difficulty had arisen in the case of this application for post nuptial citizenship which would, in all likelihood, prevent a positive finalisation of the matter. This remains the position. My officials in Citizenship Section have advised the person accordingly.

Registration of Title.

264. **Mr. P. Breen** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a waiver will be processed for a person (details supplied) in County Clare; and if he will make a statement on the matter. [28643/06]

295. **Mr. P. Breen** asked the Tánaiste and Minister for Justice, Equality and Law Reform when documentation will be processed for a person (details supplied) in County Clare by the Chief

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State Solicitor's office; and if he will make a statement on the matter. [28876/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 264 and 295 together.

I understand that a reply as to the current status of this application has issued directly to the Deputy from the Land Registry and that the provision of a waiver in this instance is a matter between the lodging solicitors and the Chief State Solicitor's Office, and therefore outside the remit of my Department.

Deportation Orders.

265. **Mr. Ring** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will grant permission to remain to a person (details supplied) living in County Mayo. [28644/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 29 December, 2004 and applied for asylum. Her application was refused following consideration of her case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal.

Subsequently, in accordance with Section 3 of the Immigration Act, 1999, as amended, she was informed by letter dated 23 November, 2005, that the Minister proposed to make a deportation order in respect of her and afforded her three options in accordance with Section 3(3)(b)(ii) of the 1999 Act, as amended, namely: to leave the State voluntarily, to consent to the making of a deportation order or to submit within 15 working days, representations to the Minister, in writing, setting out the reasons why she should be allowed to remain temporarily in the State. Representations have been received on behalf of the person concerned.

This person's case file, including all representations submitted, will be considered under Section 3(6) of the Immigration Act, 1999, as amended, and Section 5 of the Refugee Act, 1996 (Prohibition of Refoulement). I expect the file to be passed to me for decision in due course.

Visa Applications.

266. **Mr. Ring** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will grant a visa on appeal to a person (details supplied) to enable them to visit here. [28645/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The application referred to by the Deputy was received in the Irish Embassy in New Delhi on 2nd August, 2006. The decision of the Visa Officer to refuse this

application was taken on 8th August, 2006. The application was refused because the Visa Officer could not be satisfied, on the basis of the documentation supplied, that the applicant had demonstrated a sufficient obligation to return home following her visit or that she had shown sufficient evidence of her finances. In addition, it was considered that no relationship history was shown between the applicant and the reference in Ireland. It is open to the applicant to appeal this decision; however, to date, no appeal has been received. All appeals must be submitted within two months of the initial refusal decision.

Citizenship Applications.

267. **Mr. Ring** asked the Tánaiste and Minister for Justice, Equality and Law Reform when an application for naturalisation will be approved for a person (details supplied) in County Mayo. [28646/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to in the Deputy's question was received in the Citizenship section of my Department on 7 July 2006. Applications received in the second half of 2004 are currently being processed and there are approximately 10,000 applications awaiting processing before that of the person in question. It is likely that processing of the application of the person in question will commence in the second half of 2008. I will inform the Deputy and the person concerned when I have reached a decision on the application.

Private Security Authority.

268. **Mr. Ring** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of licenses which have issued by the Private Security Authority per month to contractors installing intruder alarms since the mandatory licensing was introduced on 1 August 2006; and the number of licences currently valid. [28647/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Private Security Authority (the Authority) commenced licensing the intruder alarm installer sector in November 2005. As the Deputy may be aware the "critical date" for licensing in the intruder alarm installer sector was 1st August 2006. Since this date it has been an offence for unlicensed contractors to provide a service in this sector.

Section 52 of the Private Security Services Act 2004 provides that an applicant whose application is submitted to the Authority by the critical date may continue trading pending the Authority's determination on the application. The Authority received the majority of intruder alarm installer

applications in the week leading up to the critical date. The number of contractor licences issued to intruder alarm installers per month to date is as follows:

Year	Number
March 2006	9 licences issued
April 2006	4 licences issued
May 2006	14 licences issued
June 2006	19 licences issued
July 2006	15 licences issued
August 2006	30 licences issued
September 2006 (to date)	27 licences issued

The Deputy may wish to note that it takes approximately 6 weeks for the Authority to process an application once the applicant has met all the licensing requirements.

Illegal Immigrants.

269. **Ms O. Mitchell** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will take immediate steps to ensure adequate manning of an adequate number of immigration booths at Dublin Airport to prevent the queues which have now become commonplace; and if he will make a statement on the matter. [28715/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The number of people travelling through Dublin Airport is in excess of twenty million per annum, a huge increase on the eight million passengers in 1995. Senior Garda management at the Garda National Immigration Bureau are in regular contact with the Dublin Airport Authority to ensure the most efficient immigration facility possible is provided, within the existing structures, for the increasing numbers of persons who must be processed in compliance with immigration laws and regulations.

The development of Dublin Airport to cater for the ever-increasing number of people travelling through the airport is a matter for the Dublin Airport Authority. An additional pier is under construction and is due for completion in late 2007, while a proposed second terminal is expected to be operational in the second half of 2009. Enhanced immigration facilities will be a feature in both and Garda management at the GNIB will liaise with the Airport Authority in this regard. Over 8,000 persons have been refused permission to land at Dublin Airport since 2004 and every effort is being made to keep any inconvenience to travellers at a minimum while enforcing immigration legislation.

Road Traffic Offences.

270. **Ms O. Mitchell** asked the Tánaiste and Minister for Justice, Equality and Law Reform

the guidelines issued to the Gardaí in relation to the operation of mandatory alcohol testing. [28716/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that the issue of guidelines in relation to the operation of Mandatory Alcohol Testing (MAT) and the content of such guidelines is an operational matter for the Garda Commissioner. I am informed that in choosing a location for a MAT checkpoint regard is had to where it would be most effective and to the objective of reducing fatalities caused by drink driving.

Section 4 of the Road Traffic Act 2006 provides the legal basis for Mandatory Alcohol Testing. MAT checkpoints may only be established under written authorisation of a member of An Garda Síochána not below the rank of Inspector. An authorisation shall be in writing and shall specify the date on which, and the public place in which, the checkpoint is to be established and the hours at any time between which it is operated.

Section 4 of the Act confers a statutory power to administer the breathalyser to a motorist stopped at a MAT checkpoint without a member of An Garda Síochána being required to form an opinion that the motorist has consumed alcohol, been involved in a collision or breached a provision of the Road Traffic Acts. This statutory power is without prejudice to any powers, including the powers under section 12 (roadside breath testing) (as inserted by the Act of 2003) of the Road Traffic Act 1994, conferred on a member of An Garda Síochána by statute or at common law.

To monitor and ensure standardisation and consistency of the MAT checkpoint a systematic method of data collection is in place. Members operating MAT checkpoints are requested to be mindful of An Garda Síochána Code concerning precautions to be taken by members when operating checkpoints.

Visa Applications.

271. **Ms Shortall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the basis for the decision not to allow a holiday visa in the case of persons (details supplied); the way this decision was arrived at; the documentation or other material required by his Department to convince them that the applicants will return when their holiday visa expires; and if he will immediately review this case. [28718/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The applications referred to by the Deputy were received in the Visa Office on 22nd June, 2006. The decision of the Visa Officer to refuse the applications was taken on 18th July, 2006. The applications were refused because the Visa Officer was not satisfied, on the basis of the documentation supplied,

[Mr. McDowell.]

that the applicants had demonstrated a sufficient obligation to return home; that the applicants would observe the conditions of the visa and that the applicants had established a clear link to the reference in Ireland. In relation to the first person in question, information in respect of the immigration status of the reference in Ireland was not supplied and in respect of the second person in question it was considered by the Visa Officer that insufficient evidence of finances was demonstrated.

Appeals were received in respect of both applications on 1st September, 2006, however, the decisions to refuse were upheld by the Visa Appeals Officer on 7th September, 2006 on the basis that the applicants had failed to demonstrate sufficient obligations to return home and that they would observe the conditions of the visa. As each application is entitled to one appeal only, no further review in this matter can be granted; however, it is open to the applicants to make fresh applications. Comprehensive guidelines on the documentation required for a visit visa can be found on my Department's website (www.justice.ie).

Decentralisation Programme.

272. **Ms Enright** asked the Tánaiste and Minister for Justice, Equality and Law Reform when the Garda Ombudsman's Office will be decentralised to Roscrea; if this is dependent on achieving start up in Dublin; if accommodation has been obtained in Roscrea; and if he will make a statement on the matter. [28719/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I can confirm that the decision to decentralise part of the new Garda Ombudsman Commission involving 23 posts (the same number decided upon by the Government before the new complaints mechanism was established) still stands. The Office of Public Works is continuing with its work in relation to finding a property solution for this decentralisation project in Roscrea.

Proposed Legislation.

273. **Mr. Naughten** asked the Tánaiste and Minister for Justice, Equality and Law Reform, further to Parliamentary Question No 1055 of 29 September 2004, if he will report on the issue; and if he will make a statement on the matter. [28740/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have nothing further to add to my reply to Question No. 405 of 20 June 2006.

Registration of Title.

274. **Mr. Perry** asked the Tánaiste and Minister

for Justice, Equality and Law Reform when a persons (details supplied) in County Sligo Land Registry application will be processed; and if he will make a statement on the matter. [28743/06]

Tánaiste and 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 TDs 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.

275. **Mr. Perry** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a decision will be made on a person's (details supplied) Land Registry application; and if he will make a statement on the matter. [28748/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand that the Registrar of Titles 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, which was introduced on that date, for Deputies and Senators wishing to make enquiries in relation to the current status of Land Registry/Registry of Deeds applications. As outlined in my letter, the facility was introduced, inter alia, to provide a speedier and more cost effective service to Members of the Oireachtas.

276. **Mr. Perry** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will intervene with the Land Registry on the applications of a person (details supplied) in County Sligo; and if he will make a statement on the matter. [28758/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand that the Registrar of Titles has responded directly to the Deputy and confirmed that the applications have been marked 'expedite'. I would like to refer the Deputy to my letter of 26 May, 2006 to Members of the Oireachtas regarding a new service, which was introduced on that date, for Deputies and Senators wishing to make enquiries in relation to the current status of Land Registry/Registry of Deeds applications. As outlined in my letter, the facility was introduced, inter alia, to provide a speedier and more cost effective service to Members of the Oireachtas.

Citizenship Applications.

277. **Mr. Quinn** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he

will make a speedy decision on a certificate of naturalisation application from a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [28819/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation was received from the person in question on 1 July 2005. Applications received in the second half of 2004 are currently being processed and there are approximately 4000 applications awaiting processing before that of the person in question. No circumstances, other than those referred to by the Deputy, have been advanced by the person concerned as to why her application should not be processed in chronological order. Due to the continuing increase in the volume of applications for naturalisation, it is likely that the application of the person in question will be finalised by late 2007.

Crime Prevention.

278. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will put in place a safety and security plan to deal with the anti-social activities in an area (details supplied); and to work with the Clontarf Garda Station on this matter. [28820/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the area referred to is regularly patrolled by uniform and plain clothes Gardaí from Clontarf and Raheny Garda stations with a view to ensuring a concentrated and visible Garda presence in the area. These patrols are backed up by Divisional Garda Units, including the Traffic Corps, Mountain Bike, Drug Unit, Task Force and the District and Divisional Detective Units. I understand that Gardaí attached to the Community Policing Unit have a good relationship with the local community. Additional resources have recently been allocated to the relevant local Garda station enabling local Garda management to assign Gardaí to full time beat patrols in the area.

I am further informed by the Garda authorities that current policing plans in the area are designed to achieve, inter alia, the prevention of anti-social and public order offences; the prevention of crime including crimes of violence against persons and property and the maintenance of an environment conducive to the improvement of quality of life of the residents. This strategy will continue to be central to the delivery of a policing service to the area.

Garda Investigations.

279. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason a person was not arrested following

their admission to having committed a serious offence (details supplied) in County Donegal. [28821/06]

280. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason a full investigation was not held in a case (details supplied). [28822/06]

281. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason a file was not prepared as in normal procedure and forwarded to the Director of Public Prosecutions for his directions, as was the case in other cases (details supplied). [28823/06]

282. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform the names of those who gave the authority to the two senior Gardaí to approach the Director of Public Prosecutions personally on a Detective's (details supplied) behalf. [28824/06]

283. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason the Gardaí in charge of the safe keeping of the exhibits in a case (details supplied) were not brought to book. [28826/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 279 to 283, inclusive, together.

At the outset I should say that as Minister for Justice, Equality and Law Reform, I play no role in the prosecution of offences and both the decision to initiate a prosecution and the subsequent conduct of that prosecution are functions exclusively assigned (with limited exceptions) to the DPP under the Constitution and the relevant statutory provisions.

The issues to which the Deputy refers have their origin in the circumstances surrounding the arrest and detention of seven persons at Burnfoot in Donegal in May 1998 and the investigation relating thereto. Those precise circumstances formed part of the terms of reference of the Morris Tribunal as approved by resolution of Dáil and Seanad Éireann on 28 March 2002. I concur with the view expressed by Mr Justice Morris in the recent Burnfoot report that the question of whether or not immunity was correctly granted to a Detective Garda is a matter for the Director of Public Prosecutions. Indeed Mr Justice Morris also pointed out that it was perfectly obvious that immunity would be essential if there were to be any hope of the Detective Garda giving evidence at the criminal trial of Detective Sgt John White — even though the Detective Garda in question never held out for immunity.

Section 6 of the Prosecution of Offences Act 1974 makes it unlawful for persons other than defendants or complainants in criminal proceedings, or persons likely to be defendants or

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their legal or medical advisors, member of their families or social workers to communicate with a member of the Garda Síochána or the Director for the purposes of influencing a decision — including a decision to withdraw or not to initiate criminal proceedings. It is of relevance to point out that Mr Justice Morris has stated that the documentation from the Gardaí seeking the immunity from the Director was both “logical and proper”.

With regard to the investigation itself, in February 1999, the Garda Commissioner established an investigation team under Assistant Commissioner Kevin Carthy to examine allegations made in relation to members of the Garda Síochána in Donegal. A number of investigation files were submitted to the Director of Public Prosecutions — including a file relating to the case to which the Deputy refers. On 13th June 2001 a Detective Garda made a statement to a Chief Superintendent in relation to the planting of a firearm at Burnfoot, Co. Donegal on 22 May 1988. The Detective Garda implicated a Detective Sergeant in the matter. The Chief Superintendent made an operational decision not to arrest the member in question as he was entitled to. He handed the matter over to the Assistant Commissioner and his investigation team.

I am informed that an investigation file was submitted to the Director of Public Prosecutions. It is normal practice for senior Garda officers to consult with the Director of Public Prosecutions in criminal cases and this occurred in this case also. I am informed that the DPP directed that the Detective Sergeant be charged with the unlawful possession of a firearm on 22 May 1988. I am further informed that on 20 June 2001 verbal directions were issued by him granting the Detective Garda immunity from prosecution.

With regard to the question of the lost exhibits I am informed by the Garda authorities that an investigation under the Garda Síochána (Discipline) Regulations is ongoing and another has been completed. Two other members involved in these matters have since retired and are therefore not subject to those Discipline Regulations.

Garda Strength.

284. **Mr. Kehoe** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of gardaí working in each of the different Garda stations throughout Counties Carlow and Kilkenny; and a breakdown of the figures for the past 10 years. [28828/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel that the personnel strength (all ranks) of An Garda Síochána increased to a record 12,762 on Friday 8 September following the attestation of 249 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,060 (or 19%) in the personnel strength of the Force during that period. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

Garda Divisional boundaries do not correlate with county boundaries. I have been further informed that the personnel strength (all ranks) of each of the Garda Stations in the Carlow/Kildare and Waterford/Kilkenny Garda Divisions, as at 31 December, 1997-2005, inclusively, and as at 20 September, 2006 was as set out in the tables hereunder:

Carlow/Kildare Division

	97	98	99	00	01	02	03	04	05	20/09/06
<i>District: Naas</i>										
Naas	69	71	76	74	76	78	80	78	80	91
Celbridge	12	12	14	14	19	19	19	17	19	20
Clane	5	5	6	5	6	6	6	6	5	7
Kill	3	3	3	3	3	3	3	3	3	3
Maynooth	9	13	14	14	14	14	15	15	15	15
<i>District: Kildare</i>										
Kildare	28	25	26	25	29	29	27	27	26	30
Robertstown	2	2	3	3	3	3	2	3	3	3
Kilcullen	3	3	3	3	3	3	3	3	3	2
Monasterevin	3	3	3	3	3	2	3	3	3	3
Newbridge	26	29	29	28	30	28	29	29	32	36
Rathangan	2	2	2	2	2	3	3	3	3	2
Carbury	2	2	2	1	2	2	2	2	2	2

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	97	98	99	00	01	02	03	04	05	20/09/06
Portlaoigh	2	3	3	2	3	2	2	2	2	2
Rathgormack	2	1	1	1	1	1	-	1	1	1
Leamybrien	1	1	1	1	1	1	1	1	1	1
<i>District: Kilkenny</i>										
Kilkenny	53	56	56	62	66	64	66	65	61	70
Freshford	1	1	1	1	1	1	1	1	1	1
Callan	4	4	3	4	4	4	4	4	4	4
Castlecomer	7	7	7	7	7	7	7	7	6	7
Ballyragget	1	1	1	1	1	1	1	1	1	1
<i>District: Thomastown</i>										
Thomastown	19	19	19	19	20	19	20	20	20	21
Bennetsbridge	1	2	2	2	2	2	1	1	1	1
Graigueanamagh	6	6	6	6	6	6	5	6	6	6
Stonyford	1	1	1	1	1	1	1	1	1	1
Ballyhale	1	1	1	1	1	1	1	1	1	1
Inistioge	1	1	1	1	1	1	1	1	1	1
Kilmoganny	1	1	1	1	1	1	1	1	1	1
Mullinavat	1	1	1	1	1	1	1	1	1	1
Borris	2	2	2	2	2	2	2	2	2	2
TOTAL	306	322	327	332	347	343	346	350	344	369

This represents an increase of 63 (or 21%) in the number of Garda personnel allocated to the Waterford/Kilkenny Division during that period.

In addition, I would point out to the Deputy that the Garda resources for these Divisions are further augmented by a number of Garda National Units such as the Garda National Drugs Unit, the Garda National Immigration Bureau (GNIB), the Criminal Assets Bureau (CAB) and other specialised units.

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 three groups of newly attested Gardaí under this accelerated recruitment programme came on stream in March, June and September of this year and the fourth such group will become fully attested

members of the Force later this year. 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 areas referred to by the Deputy will be given the fullest consideration.

Visa Applications.

285. **Mr. Noonan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if an extension of a holiday visa will be granted to a Bulgarian national (details supplied); and if he will make a statement on the matter. [28829/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): A wrap around information sheet accompanies every visa application form. That sheet makes it clear to the applicant that, in general, persons granted visas for particular purposes are not permitted to involve themselves in any activity or to remain in the State for any purpose other than that for which the visa was granted.

Every visa applicant is required to state on the application form the dates on which he or she proposes to enter and leave Ireland. He or she is also required to declare that the information supplied is correct and complete. A C Visa is granted for visits of less than 90 days. As a consequence it is not the general policy to extend permission to remain to persons who are admit-

ted initially for a period of 90 days or less on a C visa.

The person concerned was granted leave to land on the 28th July, 2006 and must make arrangements to leave the State on or before the 28th October, 2006 and provide the Immigration Division of my Department with details of her departure (ie: boarding pass or Bulgarian re-entry stamp.). Should she wish to return to the State it is of course open to her to make a fresh visa application outlining the purpose and duration of the intended journey.

286. **Mr. Connaughton** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position regarding visa applications by persons (details supplied); and if he will make a statement on the matter. [28830/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The applications referred to by the Deputy were received in the Visa Office on 30th August, 2006 and are currently awaiting examination by a Visa Officer. A decision in respect of these applications will be made in the coming weeks.

Question No. 287 answered with Question No. 255.

Crime Prevention.

288. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will put a safety and security plan in place at a venue (details supplied) on Thursday, Friday and Saturday nights from 11pm to 3am in order to deal with anti-social activities and to improve the quality of life for the local residents. [28869/06]

399. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he intends to put an effective safety and security plan in place at locations (details supplied) in order to assist the local residents who have to live with major anti-social activities; and to work with the Garda authorities on this matter. [29668/06]

400. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if there have been any prosecutions in relation to premises (details supplied) over the past five years; and if he will make a statement on the matter. [29669/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 288, 399 and 400 together.

I am informed by the Garda authorities that they maintain regular contact with the management of the premises referred to in order to address any public order issues which may arise from time to time. I am further informed that

additional Gardaí are deployed at weekends and when events are being held in the venue.

I am advised that there have been no prosecutions in relation to the premises referred to during the past five years and there are no prosecutions pending. I am further advised that current policing plans in the area are predicated on the prevention of anti-social behaviour and public disorder; the prevention of crime including crimes of violence against persons and property and the maintenance of an environment conducive to the improvement of quality of life of the residents. Garda units are directed to pay particular attention to locations where youths tend to congregate. This strategy will continue to be central to the delivery of a policing service to the area.

Citizenship Applications.

289. **Mr. Hayes** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a decision will issue in the case of a person (details supplied). [28870/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to in the Deputy's question was received in the Citizenship section of my Department on 3 July 2006. Applications received in the second half of 2004 are currently being processed and there are approximately 10,000 applications awaiting processing before that of the person in question. It is likely that processing of the application of the person in question will commence in the second half of 2008. I will inform the Deputy and the person concerned when I have reached a decision on the application.

Child Custody and Access.

290. **Ms Burton** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to the unprecedented levels of difficulty being experienced by fathers who are not in a marital relationship with the mother of their children in regard to access difficulties; if there are proposals for reform in the best interests of the child to provide protection under the law in respect of the right of unmarried fathers to have access to their children; and if he will make a statement on the matter. [28871/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Under section 11 of the Guardianship of Infants Act 1964, an unmarried father of a child may apply to the court for an order giving directions on any question affecting the welfare of the child including the question of access to the child. In making such orders the court has to regard the welfare of the child as the first and paramount consideration. Where appropriate and practicable, the Court in making any order takes into account the child's

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wishes in the matter having regard to the age and understanding of the child. In considering whether to make an order under section 11, the court, further to section 11D (as inserted in the Act of 1964 by the Children Act 1997) must have regard to whether the child's best interests would be served by maintaining personal relations and direct contact with both his or her father and mother on a regular basis.

The Act of 1964 (again by way of amendments in the Children Act 1997) encourages parties to a dispute in relation to a child to agree on the custody or guardianship of or access to a child. Prior to institution of proceedings the legal representatives of the parties must discuss with them the possibility of agreement. The Court may adjourn any proceedings to assist agreement between the parties. These legislative provisions are extensive. They permit the court in cases of disagreement to decide on arrangements for the child's care and upbringing having regard to the child's best interests. I am of course aware of the concerns of fathers regarding custody and access rights and can assure the Deputy that the operation of the law in this area is being kept under review in my Department.

Commissions of Investigation.

291. **Mr. Costello** asked the Tánaiste and Minister for Justice, Equality and Law Reform the steps he will take following publication of the Report of the Commission of Investigation into the Dean Lyons case; and if he will make a statement on the matter. [28872/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I published the Report of the Commission of Investigation into the Dean Lyons case on 1 September 2006. I sent a copy of the Report to the Garda Commissioner for his consideration. I also sent a copy to the Expert Group which I established in the light of concerns arising from the Dean Lyons case. The Group will be reporting to me on the adequacy of Garda training, protocols, regulations and procedures, in assessing the fitness of persons to be interviewed and on the recording of any bona fide reservations of an individual member of a Garda investigation team as to the truthfulness or accuracy of self-incriminating statements. I have already stated publicly that I will publish their report. The Expert Group comprises ex Asst Commissioner Tony Hickey, Mr Charles Smith ex Director of the Central Mental Hospital, a senior official from the DPP's office and a senior civil servant.

Traffic Fines.

292. **Ms Shortall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of parking fines issued in Dublin in each

of the past five years for which figures are available; the number of unpaid parking fines in Dublin in each of these years; and the number of unpaid fines in each of these years where the vehicle was foreign registered. [28873/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the number of parking fines issued by Gardaí and Traffic Wardens employed by the Garda Commissioner in the Dublin Metropolitan Region for the years 2001 to 2005 is set out in table 1 and the number of unpaid parking fines is set out in Table 2.

Table 1.

2005	2004	2003	2002	2001
43,508	68,415	54,437	58,077	70,933

Table 2

2005	2004	2003	2002	2001
13,651	39,952	22,712	22,925	37,664

I am also informed that statistics are not compiled in such a way as to identify unpaid fines for foreign registered vehicles and do not include parking fines issued by Traffic Wardens and other personnel employed by local authorities. It should be noted that under road traffic legislation, if an individual does not wish to pay on foot of a fine on the spot/fixed charge notice, that person has the right to allow his/her case to be proceeded with in the Courts and may defend it there accordingly.

293. **Ms Shortall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the procedures in place to ensure fines for road traffic offences issued to non-residents are paid; and the Garda activity levels in this regard. [28874/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that legislation providing for the issue of fixed charge notices requires that motorists detected for committing offences be issued with a fixed charge notice, irrespective of their residency status. The legislation also provides that in the event that the individual fails to pay the fixed charge within the prescribed time frame a prosecution can be initiated.

I am also informed that while the responsibility to pay a fixed charge rests with the recipient of the notice An Garda Síochána has taken significant steps to provide convenient accessible payment facilities to those wishing to pay. An Post has been engaged and is providing over the counter payment facility at almost 1,000 Post Offices

nationwide while a postal payment option is also being operated through BillPost.

Road Traffic Offences.

294. **Ms Shortall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the procedures in place to ensure that serious road traffic offences committed by non-residents are fully prosecuted; and the Garda activity level in this regard. [28875/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that all road traffic offences that come to the attention of An Garda Síochána are investigated, whether these are committed by residents or non-residents. I am also informed that legislation providing for the issue of fixed charge notices requires that motorists detected for committing offences be issued with a fixed charge notice, irrespective of their residency status. The legislation also provides that the paying of the fixed charge is a discretionary option which rests with the recipient of the fixed charge notice. Prosecutions for such offences can only be initiated where the recipient of the notice does not pay the fixed charge within the stipulated statutory period of 56 days from the date of the notice.

I am also informed that prosecutions may be initiated immediately for some road traffic offences which fall outside the fixed charge system e.g. dangerous driving and drink driving (where evidential breath testing is used and a certificate of alcohol concentration is immediately available). Depending on the circumstances, primarily the likelihood of the person not turning up in court, the person may be held in custody to be brought before the next available court sitting. The judge will decide, based on the evidence of the prosecution and submissions by the defence, whether the person will then be dealt with or remanded on bail or in custody.

The Director of Public Prosecutions (DPP) may apply for a European Arrest Warrant for the arrest of a person in a European country where the offence carries a penalty of a period of at least 12 months or, where a sentence has been passed, for sentences of at least four months. Subject to certain qualifying conditions an extradition request may be commenced by An Garda Síochána for the arrest of a person in the United States of America or Australia.

Question No. 295 answered with Question No. 264.

Citizenship Applications.

296. **Mr. O'Shea** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will expedite the processing of the naturalisation

application of a person (details supplied) in County Waterford in order to facilitate the urgent obtaining of a passport; and if he will make a statement on the matter. [28877/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to in the Deputy's question was received in the Citizenship section of my Department on 20 July, 2006. Applications received in the second half of 2004 are currently being processed and there are approximately 10,000 applications awaiting processing before that of the person in question. A request that her application be expedited has been received from the applicant herself and this is currently under consideration.

Residency Permits.

297. **Mr. O'Shea** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will locate the official records of a person (details supplied) in County Waterford; and if he will make a statement on the matter. [28878/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question was previously considered for deportation under Section 3 of the Immigration Act 1999 when included as a minor on his stepsister's immigration file. Consideration of deportation was put on hold when his stepsister made an application for permission to remain in the State under the revised arrangements for parents of Irish children born before 1 January 2005, commonly referred to as the IBC/05 scheme.

The stepsister of the person concerned was granted permission to remain in the State under the IBC/05 scheme on 12 October 2005. It is unclear which correspondence the Deputy is referring to in the details provided. However the position is that it is open to the person in question to make an application for permission to remain in the State on the basis of family dependency to a person granted under this scheme i.e. his stepsister.

Residency Permits.

298. **Mr. O'Shea** asked the Tánaiste and Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 228 of 16 February 2006 the progress made in regard to a decision being reached on the application for residency on humanitarian grounds of the person who is the subject of the Parliamentary Question; and if he will make a statement on the matter. [28879/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned, a Nigerian national arrived in the State on 23 June, 1999 and applied for asylum. Her claim for refugee status was considered under the

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process then applicable and was refused by the Asylum Division of my Department. She was notified of the decision on 25 May, 2000. She appealed this decision to the appropriate body at the time, the Appeals Authority, which affirmed the decision of the Asylum Division. She was notified of this decision on 27 July, 2000.

In accordance with section 3 of the Immigration Act 1999, the person concerned was informed on 27 July, 2000 that the Minister proposed to make a deportation order in respect of her. She was, in accordance with the Act, given the options of making representations within 15 working days setting out the reasons why she should not be deported i.e. be allowed to remain temporarily in the State; leaving the State before the deportation order was made; or consenting to the making of the deportation order. Representations setting out reasons why she should not be deported were subsequently received.

A decision has been reached to give the individual concerned leave to remain in the State and she will be notified of this decision shortly.

Closed Circuit Television Systems.

299. **Mr. Carey** asked the Tánaiste and Minister for Justice, Equality and Law Reform if, as part of the provision of a new Garda station in Ballymun, planning for closed circuit television is being progressed in order that there will not be a time delay between the provision of the Garda station and the provision of CCTV; and if he will make a statement on the matter. [28961/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am advised by the Garda authorities, who are responsible for the deployment of personnel and resources, that no formal application for a Garda CCTV system in Ballymun has been received by the CCTV Advisory Committee. All applications for Garda CCTV Systems must be made to the CCTV Advisory Committee by the local Garda Divisional Officer. The CCTV Advisory Committee was established by the Garda Commissioner to advise on all matters related to the use of CCTV as an aid to policing and to assess applications for Garda CCTV systems.

Applications for Garda CCTV systems are assessed by the Advisory Committee on the basis of Garda operational needs and take into account the following criteria: crime/public order statistics in the area; population and level of activity there; the recommendation of local Garda management; any special circumstances/needs that exist; the likely impact of a Garda CCTV system on the area.

I am further informed that Dublin City Council fund a CCTV system in the Ballymun area which is managed by Con-Sec Ltd. Gardai in Ballymun Garda Station can view a number of the cameras

in this CCTV system from three screens located within the Station.

300. **Mr. Carey** asked the Tánaiste and Minister for Justice, Equality and Law Reform if, as part of the provision of a new Garda station in Finglas, Dublin 11, planning for closed circuit television is being progressed in order that there will not be a time delay between the provision of the Garda station and the provision of CCTV; and if he will make a statement on the matter. [28962/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that the required infrastructure for the provision of monitoring facilities for the Garda CCTV system has been incorporated into design drawing for the new Garda Station in Finglas. As the Deputy is aware, a key issue to be addressed in the installation of the Finglas Town Centre CCTV system is the provision of suitable accommodation to house the monitoring equipment. It was initially hoped that this could be accommodated in Finglas Garda station. However, this station is not of an acceptable standard and I have already stated that immediate priority is being given to providing a new Garda station there.

I am advised that the Office of Public Works are currently in negotiations with the owners of a premises with a view to leasing the necessary accommodation for the monitoring of the CCTV cameras in Finglas until such time as the proposed new Station is built.

Garda Operations.

301. **Mr. Kehoe** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason no gardaí were sent to a recent disturbance (details supplied); if he will organise more Garda patrols in the area; and if he will make a statement on the matter. [28963/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The detailed allocation of Garda resources, including the allocation of personnel to various units, is a matter for the Garda authorities. However, I am informed by the Garda authorities that the incident referred to and the manner in which it was dealt with is being examined by senior Garda management.

Garda Recruitment.

302. **Mr. P. Breen** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of people from County Clare who have applied for positions in An Garda Síochána and the Garda Reserve for 2006 to the end of August; the number of people from County Clare who have successfully applied for positions in An Garda Síochána for each of the years 2005, 2004,

and 2003; and if he will make a statement on the matter. [29006/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): At the outset I should advise the Deputy that the Public Appointments Service (PAS) is responsible for the administration of the application process for Garda trainees. The closing date for the recent Garda trainee competition was 19th September, 2006. A county by county analysis of such applications is not available.

Recruitment of reserve members of An Garda Síochána is also being carried out by the Public Appointments Service. Applications for Reserve members are being accepted by both internet and phone. The total number of applicants for Reserve members as at 19 September, 2006 was 6,661. A county by county analysis of applications for Reserve members is not yet available from the Public Appointments Service. However, of the 3,664 phone applications, 112 were received from Co. Clare.

An Garda Síochána do not record details of successful applicants on a county by county basis. Therefore, it is not possible to provide the Deputy with this information.

Citizenship Applications.

303. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Justice, Equality and Law Reform the processing times for naturalisation applications and post-nuptial citizenship applications. [29020/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The average processing time for a certificate of naturalisation is approximately 24 months. The situation regarding post-nuptial citizenship is more complex as the statutory provisions providing for the process of post-nuptial citizenship were repealed in the Irish Nationality and Citizenship Act, 2001, which came into effect on 30 November 2002. A transition provision contained in the Act enabled persons who married Irish citizens prior to 30 November 2002 to make a declaration on or before 29 November 2005. The final months of the transition period saw a substantial increase in the number of declarations received. In my own Department, this resulted in 1859 declarations from persons residing in Ireland being received during 2005 — a significant increase on previous years. Of this number, approximately 250 remain to be finalised.

Declarations of persons resident outside Ireland are processed by the Department of Foreign Affairs and the processing time for those applications is therefore a matter for my colleague in that Department.

Question No. 304 answered with Question No. 255.

Garda Stations.

305. **Cecilia Keaveney** asked the Tánaiste and Minister for Justice, Equality and Law Reform when the new 24 hour station for north Inishowen will be operational in view of the fact that the concept was embraced almost a year ago; and if he will make a statement on the matter. [29039/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that it is proposed to develop a New Area Headquarters at Carndonagh, Co. Donegal. A brief of requirements has been agreed and has been forwarded to the Office of Public Works. I understand that OPW is currently advertising for suitable sites in the local and national press.

I have been further informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel that the personnel strength (all ranks) of An Garda Síochána increased to a record 12,762 on Friday 8 September with the attestation of 249 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,060 (or 19%) in the personnel strength of the Force during that period. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

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 three groups of newly attested Gardaí under this accelerated recruitment programme came on stream in March, June and September of this year and the fourth such group will become fully attested members of the Force later this year. 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 North Inishowen will be given the fullest consideration.

Garda Deployment.

306. **Mr. J. Breen** asked the Tánaiste and Minister for Justice, Equality and Law Reform if Garda numbers will be increased in County Clare in view of the significant increase in vandalism, assaults, illegal drug activity and public order offences in the county; and if he will make a statement on the matter. [29057/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are

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responsible for the detailed allocation of resources, including personnel that the personnel strength (all ranks) of An Garda Síochána increased to a record 12,762 on Friday 8 September following the attestation of 249 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,060 (or 19%) in the personnel strength of the Force during that period. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

I have been further informed by the Garda authorities, that the personnel strength of the Clare Division as at 31 December, 1997 was 219 (all ranks). The personnel strength of the Clare Division as at 21 September, 2006 was 320 Gardaí (all ranks). This represents an increase of 101 (or 46%) in the number of personnel since that date. In addition, I would point out that the Division's resources are further augmented by a number of Garda National Units such as the Garda National Drugs Unit, the Garda National Immigration Bureau (GNIB), the Criminal Assets Bureau (CAB) and other specialised units.

Garda authorities state that on 8 September, 2006, an additional forty Gardaí were allocated to Shannon Garda Station following a review of the on-going security operation at Shannon Airport. This was in addition to the original twenty Gardaí allocated on commencement of the security operation at Shannon Airport. The allocation of personnel to Clare Division is closely reviewed and monitored by local Garda management.

It should be borne in mind that any interpretation of the crime figures should factor in the increase in our population in the past ten years. In 1995, with a population of almost 3.6 million people, there were 29 crimes per 1,000 of the population. In the year ending June, 2006 (the most recent period for which figures are available), with a population of 4.23 million people, there were 24.9 crimes per 1,000 of the population.

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 three groups of newly attested Gardaí under this accelerated recruitment programme came on stream in March, June and September of this year and the fourth such group will become fully attested members of the Force later this year. 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 Clare will be given the fullest consideration.

307. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if support will be given to the residents of Moyross, Limerick by putting in at least two extra Garda squad cars 24 hours per day; and if he will work with other relevant authorities on this issue. [29106/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength (all ranks) of An Garda Síochána increased to a record 12,762 on Friday 8 September following the attestation of 249 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,060 (or 19%) in the personnel strength of the Force during that period. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

I am further informed that the personnel strength (all ranks) of Mayorstone Garda Station, which covers the Moyross area, as at 31 December, 1997 and 27 September, 2006 was 27 and 49, respectively. This represents an increase of 22 (or 81%) in the number of Gardaí allocated to Mayorstone Garda Station during that period.

The policing plan in place for the Moyross area of Limerick City is most comprehensive and this has been the situation for some time to allow Garda management monitor criminal activity. I am further informed that apart from routine patrols conducted by uniformed and plain-clothes units based at Mayorstone Garda Station, a number of additional patrolling initiatives are in place to deal with the unique policing situation in Moyross. I am also informed that a dedicated uniform mobile patrol, consisting of 1 Sergeant and 2 Gardaí, perform a specific night-time patrol of the Moyross area.

Garda management state that Community policing is an important element of the policing strategy in Moyross. A vehicle is allocated to the Unit which is utilised, full-time, in the Moyross area. A well established and active Youth Diversion Project is also in place, for many years, in the Moyross area. Garda management further state that there is well established and ongoing liaison between An Garda Síochána and the other leading agencies in Limerick City who provide services for the Moyross area.

Additional resources are being allocated to Limerick Division in the coming weeks and the Community Policing Unit will comprise of 1 Sergeant and 6 Gardaí. I am informed, however, that local Garda management do not consider

that the extra allocation of 2 patrol cars would be of major benefit at this time.

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 three groups of newly attested Gardaí under this accelerated recruitment programme came on stream in March, June and September of this year and the fourth such group will become fully attested members of the Force later this year. 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 Moyross will be given the fullest consideration.

Asylum Applications.

308. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to the asylum application by a person (details supplied) in County Mayo; and if he will make a statement on the matter. [29109/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner (ORAC) and the Refugee Appeals Tribunal (RAT), which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. While it is not the practice to comment on individual asylum applications, a decision will be made in this case, subject to the applicant's statutory entitlements, when I receive the recommendation of the Office of the Refugee Applications Commissioner, which I am advised was made recently.

Refugee Status.

309. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if full and fair examination of the application for refugee status has been undertaken in the case of a person (details supplied) in Dublin 8; if all aspects of the case have been fully considered; if he expects or intends to authorise grant of permanent or temporary residency; and if he will make a statement on the matter. [29110/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy will be aware, applications for refugee status in the State are determined by an independent process

comprising the Office of the Refugee Applications Commissioner (ORAC) and the Refugee Appeals Tribunal (RAT) which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. As this application is the subject of judicial review proceedings it would not be appropriate for me to comment further.

Residency Permits.

310. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will allow extended residency in the case of a person (details supplied) in County Meath to facilitate their education and to ensure availability of counselling and support services, in view of the instability in their homeland, if repatriated; and if he will make a statement on the matter. [29111/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned and her three children arrived in the State on 5 July, 2005 and applied for asylum on 6 July, 2005. She was interviewed in relation to her claim for refugee status on 20 July, 2005 by an officer of the Refugee Applications Commissioner. She was informed by letter dated 26 July, 2005 that the Refugee Applications Commissioner was recommending that she be refused refugee status, and that this recommendation also applied to dependants, if any, named in the Section 13 report of her application. The person concerned appealed this recommendation on 17 August, 2005 and her appeal was heard by the Refugee Appeals Tribunal on 13 June, 2006. The person concerned was notified by letter dated 17 August, 2006 that her appeal was rejected.

Subsequently, in accordance with Section 3 of the Immigration Act 1999, as amended, she was informed by letter dated 24 August, 2006 that the Minister proposed to make a deportation order in respect of her and her children. She was given the options, to be exercised within 15 working days, of, making representations to the Minister setting out the reasons why she and her children should be allowed to remain temporarily in the State; leaving the State before Deportation Orders were made; consenting to the making of Deportation Orders.

Representations have been made to my Department requesting that the person concerned and her three children be allowed to remain in the State. I expect the file in the matter to be submitted to me for decision in due course, at which time all aspects of her situation as notified by her legal representative will be considered.

311. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position regarding residency in the case of a person (details supplied) in Dublin 24; when they

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arrived here; the location or existence of their travel and identify documentation; when such documentation will be returned to them; and if he will make a statement on the matter. [29112/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The persons concerned with their child claimed asylum in the State on 16 October 1998. A formal declaration of refugee status issued to them by letter dated 6 November 2000. This communication also advised them of their rights and entitlements attaching to refugee status including entitlement to an Irish issued travel document. No application has been received from them for the return of any travel or identity documents such as passports. However, I should point out that the use of their own national passports or travel documents would be regarded as inconsistent with their refugee status given that the basis of their successful asylum claim was the inability of their home country to afford them the protection they sought.

Deportation Orders.

312. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the basis for his reply to Parliamentary Question No. 429 of 20 June 2006 wherein he stated that a person (details supplied) in County Kildare evaded their deportation in view of the fact that no such order was made or conveyed to them and that they worked in various employments for five years or more; and if he will make a statement on the matter. [29113/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to begin by reminding the Deputy that I advised him in an earlier Reply that the person concerned was served with a notice of his deportation order by registered post requiring him to present himself to the Garda National Immigration Bureau (GNIB), 13/14 Burgh Quay, Dublin 2, on 8 March 2002, in order to make arrangements for his deportation from the State. Notice of the deportation order was served on the person concerned at his last known address in the State. His legal representatives were provided with a copy of this correspondence also.

The Government decision of 26 July 1999 announcing the right to work in respect of certain categories of asylum seekers effectively meant that all asylum seekers whose applications were over 12 months old and which had not been finally determined, could lawfully seek employment in the State. This right to work ceased once the asylum application was finally determined and the person concerned was refused refugee status.

Asylum Applications.

313. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to the asylum application in the name of a person (details supplied) in County Meath; and if he will make a statement on the matter. [29114/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question made an application for permission to remain in the State under the revised arrangements announced by me on 15 January 2005 for parents of Irish children born before 1 January 2005, and commonly referred to as the IBC/05 scheme. It is a requirement under these revised arrangements that each applicant is resident in the State with their Irish child on a continuous basis since the child's birth and that evidence of such residence be provided with the application. The person in question has not provided satisfactory evidence of being continuously resident in the State since her child was born on 23 March 2003. Judicial Review proceedings were instituted on 6 January 2006 and accordingly, as the matter is *sub judice* I do not propose to comment further on the matter.

Citizenship Applications.

314. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform to the position in relation to an application for naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29115/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I informed the Deputy in my response to Parliamentary Question Number 220 on 2 March 2006 that it was likely that the application on behalf of the person concerned will be finalised in or around the end of this year. That is still the position. I will inform the Deputy and the person in question when I have reached a decision in the matter.

Asylum Applications.

315. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to refugee application in the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [29116/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I would refer the Deputy to my Reply to his Dáil Question No. 165 of 11 May 2006 and Dáil Question No. 236 of 25 May 2006. The position in the State of the person concerned remains as set out in those Replies.

Residency Permits.

316. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will allow the reinstatement of the family reunification application in the case of the two children of a person (details supplied) in County Dublin, who has residency status but whose application for reunification has been abandoned through no fault of their own; and if he will make a statement on the matter. [29117/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand that the person concerned made an application for Family Reunification in respect of two children in June 2003. In this regard she was asked on three separate occasions to provide passport-sized photographs of her children. On the third occasion she was informed that failure to submit the necessary photographs would result in her case being abandoned.

In February 2005, the person concerned was informed that her application had been deemed abandoned. However, following receipt of correspondence from her in March 2005, in which she stated that she wished her case to remain open, the file was reopened. Following a further request for the photographs, the person in question was written to in August 2005 and again in September 2006 and told that as she had failed to provide the necessary photographs, her application had been deemed abandoned and she must submit a fresh application.

Asylum Applications.

317. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will exercise his discretionary powers not to refer the application for refugee status to the UK in the case of a person (details supplied) in County Mayo; if he will personally intervene to prevent such tragedy; and if he will make a statement on the matter. [29118/06]

342. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the way in which investigations were undertaken to determine the safety and well-being in the case of a person (details supplied); if due regard has been taken of the situation in their homeland; and if he will make a statement on the matter. [29144/06]

344. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will arrange to have an application for residency processed in this jurisdiction in the case of a person (details supplied); and if he will make a statement on the matter. [29146/06]

364. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will defer action to transfer to the UK a person

(details supplied) in County Mayo, until such time as they have had an opportunity to have their appeal heard, in view of the fact that under Irish law such a person having indicated their intention to appeal is entitled to have their appeal heard and determined before taking precipitate action; and if he will make a statement on the matter. [29166/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 317, 342, 344 and 364 together.

I wish to advise the Deputy that the case of the person concerned falls under the terms of the Dublin II Regulation, Council Regulation (EC) No. 343/2003. This Regulation is intended to prevent the phenomenon of 'asylum shopping' across Europe and sets out criteria for determining which Member State is responsible for examining an asylum application where applications have been lodged in more than one member State. At the same time, it guarantees applicants that one State will process their application, thereby preventing the creation of 'refugees in orbit', a situation which had pertained in Europe prior to the introduction in 1995 of its predecessor, namely the Dublin Convention. Under the Dublin Convention, and now the Dublin II Regulation, the Office of the Refugee Applications Commissioner (ORAC) can, on the basis of relevant criteria, request another State to accept responsibility for an asylum application and have it processed in that other State.

The person concerned lodged an asylum claim in this State on 18 April, 2006. Following investigation it was established that the person had previously made an asylum application in the United Kingdom. It was therefore determined by the ORAC that, pursuant to the provisions of the Dublin II Regulation, the United Kingdom was the appropriate State to process the application as the person concerned had previously lodged an asylum claim there on 15 February, 2005, albeit under a different name, date of birth and nationality. The person concerned was afforded an opportunity to appeal the determination of the ORAC to the Refugee Appeals Tribunal which she duly did on 18 July, 2006 through her legal representatives, the Refugee Legal Service.

Following consideration of the Appeal, the Tribunal upheld the determination of the ORAC, that is, that the person concerned should have her asylum claim examined in the United Kingdom and she was formally notified of this decision by letter dated 30 August, 2006. The person concerned was kept informed of developments throughout the course of her asylum application in Ireland and was made aware as soon as it was possible to do so that her case came under the terms of the Dublin II Regulation.

The United Kingdom accepted responsibility for the case of the person concerned with the consequence that a Transfer Order was signed in

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respect of her on 14 July, 2006. This Order was issued to the person concerned on 17 July, 2006, requiring her to present herself to the Garda National Immigration Bureau (GNIB), 13/14 Burgh Quay, Dublin 2 on 24 July, 2006 to make arrangements for her transfer to the United Kingdom. As a consequence of the Transfer Order, she was transferred to the United Kingdom on 4 September, 2006.

The situation in the home country of the person concerned and her need, if any, for international protection are matters for the United Kingdom to consider as part of its examination of her asylum claim.

In relation to appeals under the Dublin II Regulation, I must point out to the Deputy that the making of an appeal to the Tribunal does not, of itself, operate to suspend the transfer of a person's asylum application nor indeed the person themselves. The appeal can be pursued from the receiving country. Of course, if an appeal is successful, arrangements are made to allow the person concerned to re-enter the State and have their asylum application determined substantively by the ORAC.

Residency Status.

318. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to residency in the case of a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [29119/06]

365. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will grant extended or temporary residency in the case of persons (details supplied) in Dublin 7; and if he will make a statement on the matter. [29167/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 318 and 365 together.

I refer the Deputy to Parliamentary Question No. 182 of Thursday, 22 June, 2006 (ref: 24284/06) and the written reply to that Question. The position is unchanged.

Deportation Orders.

319. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to a deportation matter in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [29120/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person referred to by the Deputy is a refused asylum seeker in respect of whom a deportation order was made on 28 June 2006. She recently made an

application for readmission to the asylum process under Section 17(7) of the Refugee Act, 1996 as amended. This application is currently being considered in my Department and a decision is expected to issue shortly.

Residency Permits.

320. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform when he expects to be in a position to authorise family reunification in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [29121/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question made a Family Reunification application on behalf of her husband in May 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 dealt with in chronological order. This application will be considered by my Department and a decision will issue in due course.

Citizenship Applications.

321. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform when he will be prepared to accept a new application for naturalisation in the case of persons (details supplied) in County Dublin; and if he will make a statement on the matter. [29122/06]

366. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason an application for citizenship has been refused in the case of persons (details supplied) in County Dublin; and if he will make a statement on the matter. [29168/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 321 and 366 together.

The persons referred to in the Deputy's question arrived in the State in 1997 and sought asylum. They subsequently withdrew their applications before a decision was reached and sought permission to remain on foot of their parentage of a child born in Ireland. Such permission was granted in August 1999.

In December 2002, both of the persons in question applied for naturalisation. However, it appears that they changed address since lodging their applications but did not inform officials in the Citizenship section of my Department of this change until October 2005. Consequently, all correspondence sent by my officials to the persons

in question was returned unopened during that period.

The applications were submitted to me for a decision in February 2006 and I decided to refuse both applications. The reasons for my decision were disclosed to the persons concerned in letters dated 18 April 2006. It is open to the persons in question to submit further applications provided they satisfy the statutory conditions at that time.

Residency Permits.

322. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to the residency application in the case of persons (details supplied) in County Dublin; and if he will make a statement on the matter. [29123/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The first named person is in fact the child of the second named person and was granted permission to remain in the State on 21 August 2006 on the basis of family dependency. The second named person was originally granted residency in the State on the basis of parentage of an Irish born child in 1997 and currently has permission to remain until 1st March 2009.

323. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform when he expects to approve the application for family reunification in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [29124/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The first named person arrived in the State on 25th October 1999 and claimed asylum. The second named person subsequently arrived in the State on 22 November 1999 and also claimed asylum. This couple became the parents of an Irish born child on 29 August 2000 and were granted residency in the State on that basis on 22nd May 2001. However, from the information provided no trace can be found of a current application for permission to enter or remain in the State for the third named person.

It should be noted that on the 18th July 2003 the Government announced its policy in relation to leave to remain for parents of Irish born children. A feature of that policy was that there would be no presumption in favour of allowing parents granted permission to remain in the State on the basis of parentage of an Irish born child to be joined in the State for residency purposes by other family members including other children. This position would apply to any application made by the third named applicant.

Refugee Status.

324. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to an application for leave to remain in Ireland in the case of a person (details supplied) in County Westmeath; and if he will make a statement on the matter. [29125/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned and her child made a claim for refugee status on 7 March 2003 which was refused on the 20 January 2004. She recently made an application for readmission to the asylum process under Section 17(7) of the Refugee Act, 1996 as amended. This application is currently being considered in my Department and a decision is expected to issue shortly.

Residency Permits.

325. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to a reunification or residency application in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29126/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question was granted permission to remain in the State under the revised arrangements announced by me on 15 January 2005 for non-national parents of Irish born children, born prior to 01 January 2005.

It should be noted that on the 18th July 2003 the Government announced its policy in relation to leave to remain for parents of Irish born children. A feature of that policy was that there would be no presumption in favour of allowing parents granted permission to remain in the State on the basis of parentage of an Irish born child to be joined in the State for residency purposes by other family members including other children. This feature was incorporated into the IBC/05 scheme as one of the conditions to which applicants were required to agree to if their application for residency in the State was to be considered favourably.

The person in question signed a statutory declaration that she would abide by this condition. Therefore any application for reunification or residency from a family member of the person in question who was outside the State could not be considered.

Asylum Applications.

326. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if due regard has been had for the life, safety and well being of a person (details supplied) in Dublin 2 in the event of them being transferred to the UK from where they are likely to be transferred to

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the Democratic Republic of Congo; and if he will make a statement on the matter. [29127/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The case referred to by the Deputy falls under the scope of the Dublin II Regulation (Council Regulation (EC) No. 343/2003). This Regulation is intended to prevent the phenomenon of ‘asylum shopping’ across Europe and sets out criteria for determining which Member State is responsible for examining an asylum application where applications have been lodged in more than one State. At the same time it guarantees applicants that one State will process their application, thereby preventing the creation of ‘refugees in orbit’, a situation which had pertained in Europe prior to the introduction in 1995 of its predecessor, namely, the Dublin Convention. Under the Dublin Convention, and now the Dublin II Regulation, the Office of the Refugee Applications Commissioner (ORAC) can, on the basis of relevant criteria, request another State to accept responsibility for an asylum application and have it processed in that other State.

The person concerned lodged an asylum claim in this State on 21 April, 2006. Following investigation, it was determined by the ORAC that, pursuant to the provisions of the Dublin II Regulation, the United Kingdom was the appropriate State to process the application as the person concerned had previously lodged an asylum claim in that State, on 19 November, 2004, albeit under a different name and date of birth.

The person concerned was offered an opportunity to appeal the determination of the ORAC, to the Refugee Appeals Tribunal, which he duly did on 4 August, 2006 through his legal representatives, the Refugee Legal Service. Following consideration of the Appeal, the Tribunal upheld the determination of the ORAC i.e. that the person concerned should have his asylum claim examined in the United Kingdom and he was formally notified of this decision by letter dated 25 August, 2006. The person concerned was kept informed of developments throughout the course of his asylum application in this State and was made aware as soon as it was possible to do so that his case came under the terms of the Dublin II Regulation.

The United Kingdom accepted responsibility for the case of the person concerned with the consequence that a Transfer Order was signed in respect of him on 19 July, 2006. [Transfers under Dublin II Regulation are non-suspensory and the making of an appeal to the Tribunal does not, of itself, operate to suspend the transfer on foot of any Transfer Order that might be made under Article 7(1) of the Refugee Act 1996 (Section 22) Order 2003 (SI No 423 of 2003). Furthermore, the appeal can be pursued from the receiving country, in this case the United Kingdom. Of course,

if the appeal is successful, arrangements are made to allow the person concerned to re-enter the State and have their asylum application determined substantively by the ORAC].

This Order was issued to the person concerned on 20 July, 2006, requiring him to present himself to the Garda National Immigration Bureau (GNIB), 13/14 Burgh Quay, Dublin 2 on 26 July, 2006 to make arrangements for his transfer to the United Kingdom. However, he failed to present as required and is now recorded as having evaded his transfer. He is currently illegally present in the State and is liable to arrest and detention. He should present himself to An Garda Síochána without further delay so that final travel arrangements can be made to effect his transfer to the United Kingdom.

In accordance with the provisions of the Dublin II Regulation, the United Kingdom, and not Ireland, is responsible for examining the asylum claim of the person concerned, given that he made his initial asylum claim there. In the event of the United Kingdom refusing his asylum application after due consideration, it is a matter for that country to decide whether to return him to his home country. In making that decision the UK like all other signatories (including Ireland) to the 1951 UN Convention of the Status of Refugees is obliged to satisfy itself as to the safety of returning the person, or *refoulement* as it is referred to, before making any return decision.

Residency Permits.

327. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform when residency status will be determined in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [29128/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 22 January, 2003 and applied for asylum. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal. Subsequently, in accordance with Section 3 of the Immigration Act, 1999, as amended, he was informed by letter dated 9 December, 2004, that the Minister proposed to make a deportation order in respect of him. He was given the options, to be exercised within 15 working days, of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State; leaving the State before an order is made or consenting to the making of a deportation order. Representations have been received on behalf of the person concerned.

This person’s case file, including all representations submitted, will be considered under Section 3(6) of the Immigration Act, 1999, as

amended, and Section 5 of the Refugee Act, 1996 (Prohibition of *Refoulement*). I expect the file to be passed to me for decision in due course.

Criminal Prosecutions.

328. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform when the summons was issued for a person (details supplied) in Dublin 20 to appear in court on 30 May 2006 on foot of which a fine of €200 was imposed; the nature of the offence for which the prosecution was made; and if he will make a statement on the matter. [29129/06]

333. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the origin of the 14 extra summonses served on a person (details supplied) in Dublin 20 in his reply Parliamentary Question No. 580 of 4 July 2006; if these summonses were in respect of alleged offences which took place prior to the court hearing at which the person was deemed to be in contempt of court or at a later date; if the summonses were in retaliation of the pursuit of the case; and if he will make a statement on the matter. [29135/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 328 and 333 together.

I am informed by the Garda authorities that the summons referred to was issued on 23 January, 2006 on foot of an application made on 20 October, 2005 in respect of an offence contrary to section 6 of the Criminal Justice (Public Order) Act, 1994, which allegedly occurred on 11 September, 2005.

I am further informed by the Garda authorities that all of the summonses referred to were issued in accordance with directions received from the Law Officers, on the basis of investigation files submitted arising from alleged road traffic offences in 2004 and 2005. All of the summonses were issued prior to 30 May 2006, the date the person concerned appeared before the Court.

Residency Permits.

329. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the residency status in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29130/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to Parliamentary Question No. 702 of Tuesday, 25 April, 2006 (ref: 15013/06) and the written reply to that Question. The position is unchanged.

Asylum Applications.

330. **Mr. Durkan** asked the Tánaiste and Mini-

ster for Justice, Equality and Law Reform if he will consider with a degree of leniency an application to review the asylum application in the case of a person (details supplied) in Dublin 6 as the likelihood that transfer to France is likely to result in immediate return to their homeland with severe implications; and if he will make a statement on the matter. [29132/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I would refer the Deputy to my reply to his Dáil Question No. 148 of 27 April, 2006. The position, as set out therein, remains the same.

The person concerned continues to evade his transfer to France, pursuant to the provisions of the Dublin II Regulation, and is therefore illegally present in the State. He should present himself to the Garda National Immigration Bureau without further delay. Given that the person concerned lodged his initial asylum claim in France on 2 July, 2004, it is entirely appropriate that he be transferred to that State to have his asylum claim determined there.

In the event of France refusing his asylum application after due consideration, it is a matter for that country to decide whether to return him to his home country. In making that decision France, like all other signatories (including Ireland) to the 1951 UN Convention on the Status of Refugees, is obliged to satisfy itself as to the safety of returning the person, or *refoulement* as it is referred to, before making any return decision.

Visa Applications.

331. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the procedure to be followed to facilitate a holiday visa for a person (details supplied) in County Dublin to enable them to visit their son; and if he will make a statement on the matter. [29133/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question is advised to submit a visa application for consideration to her nearest Irish Embassy or Consulate. As the Irish Embassy in South Africa is accredited to the Democratic Republic of Congo, the visa application should be submitted there. The postal address for the Irish Embassy in South Africa is: First Floor, Southern Life Plaza, 1059 Schoeman Street (Corner Festival Street), Arcadia 0083, Pretoria. Further contact details for the Irish Embassy may be found on the website of the Department of Foreign Affairs (www.dfa.ie). Comprehensive information on making a visa application is available on my Department's website (www.justice.ie).

Deportation Orders.

332. **Mr. Durkan** asked the Tánaiste and Mini-

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ster for Justice, Equality and Law Reform if he will review his decision to deport persons (details supplied) on the grounds of the existence of a serious threat to life and well-being in the event of repatriation; and if he will make a statement on the matter. [29134/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The persons to whom the Deputy refers arrived in the State on the 12th July, 2005 and sought asylum. It was decided to refuse refugee status and Deportation Orders in respect of the persons were made on the 11th August, 2005. Judicial Review proceedings challenging the Deportation Orders were instituted on the 15th January, 2006 and accordingly, as the matter is *sub judice*, I do not propose to comment further on this case.

Question No. 333 answered with Question No. 228.

Residency Permits.

334. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the residency status in the case of a person (details supplied) in County Wexford who has worked and studied here for the past two years; and if he will make a statement on the matter. [29136/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 3 June, 2004 and applied for asylum. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal. Subsequently, in accordance with Section 3 of the Immigration Act, 1999, as amended, he was informed by letter dated 18 October, 2005, that the Minister proposed to make a deportation order in respect of him. He was given the options, to be exercised within 15 working days, of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State; leaving the State before an order is made or consenting to the making of a deportation order. Representations have been received on behalf of the person concerned.

This person's case file, including all representations submitted, will be considered under Section 3(6) of the Immigration Act, 1999, as amended, and Section 5 of the Refugee Act, 1996 (Prohibition of *Refoulement*). I expect the file to be passed to me for decision in due course.

335. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the residency status in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29137/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question applied for permission to remain in the State on the basis of being a parent of an Irish citizen child, born before 1 January 2005, in accordance with the revised arrangements announced by me on 15 January 2005, commonly referred to as the IBC/05 scheme. The person concerned was granted permission to remain in the State under the provisions of the IBC/05 scheme on 4 October 2005. She currently has legal residency to remain in the State until 4 October 2007.

Deportation Orders.

336. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in regard to the application for revocation of a deportation order in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29138/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I would refer the Deputy to my Reply to his Dáil Question No. 190 of 1 June 2006. The application of the person concerned for revocation of her deportation order remains under consideration in my Department and a decision is expected soon.

Residency Permits.

337. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the residency status in the case of a person (details supplied) in Dublin 8; when he expected a decision to issue in this regard; and if he will make a statement on the matter. [29139/06]

340. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in regard to residency status in the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [29142/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 337 and 340 together.

As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. While it is not the practice to comment in detail on individual asylum applications, I am advised that the finalisation of the case referred to by the Deputy must await the outcome of Judicial Review proceedings.

338. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the residency status in the case of a person (details supplied) in County Dublin who is the father of an Irish born child; and if he will make a statement on the matter. [29140/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on the 24 November, 2005 and applied for asylum. His application was refused following consideration of the case by the Office of the Refugee Applications Commissioner and on appeal by the Refugee Appeals Tribunal. Subsequently, in accordance with Section 3 of the Immigration Act 1999, as amended, the applicant was informed by letter dated 21 July, 2006, that the Minister proposed to make a deportation order in respect of him. He was given the options, to be exercised within 15 working days of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State; leaving the State before an order is made or consenting to the making of a deportation order. Representations have been received on behalf of the person concerned.

This person's case file, including all representations submitted, will be considered under Section 3(6) of the Immigration Act 1999, as amended, and Section 5 of the Refugee Act, 1996 (Prohibition of *Refoulement*), as amended. I expect the file to be passed to me for decision in due course.

339. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the residency status in the case of a person (details supplied) in County Clare; if his attention has been drawn to the strong evidence of a humanitarian nature to the effect that a return to their homeland would have serious implications for their health and safety; and if he will make a statement on the matter. [29141/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner (ORAC) and the Refugee Appeals Tribunal (RAT), which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. While it is not the practice to comment on individual asylum applications, I am advised that a decision issued in relation to the applicant's appeal on 31 May 2006. However, Judicial Review proceedings, which were subsequently taken by the applicant, are still before the courts.

Question No. 340 answered with Question No. 337.

341. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in regard to an application for family reunification in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [29143/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The refugee in question made a Family Reunification application in respect of her husband and children in May 2005. She withdrew the application in respect of her husband in May 2006. A decision has recently been made on this application and the person in question has been informed of same.

Question No. 342 answered with Question No. 317.

Citizenship Applications.

343. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform when naturalisation will be concluded in the case of a person (details supplied) in County Longford; and if he will make a statement on the matter. [29145/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation was received in the Citizenship Section of my Department in August 2005 from the person referred to by the Deputy. Applications received in the second half of 2004 are currently being processed and there are approximately 4,500 applications awaiting processing before that of the person in question. I will inform the Deputy and the person concerned when I have reached a decision on the application.

Question No. 344 answered with Question No. 317.

Residency Permits.

345. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the progress to date in respect of residency and reunification status in the case of a person (details supplied) in County Galway; and if he will make a statement on the matter. [29147/06]

361. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position of the application for family reunification in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [29163/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question made a Family Reunification application on behalf of his brother in April 2005 and then an application for his son in November 2005. These

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applications were 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 dealt with in chronological order. These applications will be considered by my Department and a decision will issue in due course.

346. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will review the decision to grant residency in the case of a person (details supplied) in County Offaly, who has been appointed by the court as guardian of their two children, following separation; if he will use his discretion to allow the person to remain here to care for their children; and if he will make a statement on the matter. [29148/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question applied for permission to remain in the State on the basis of being the parent of an Irish child, born prior to 1 January 2005, in accordance with the revised arrangements announced by me on 15 January 2005, commonly referred to as the IBC/05 scheme. It is a requirement of this scheme that each applicant be of good character. The person in question has not satisfied this requirement and, as a result, his application for permission to remain under the IBC/05 scheme was refused. A letter was issued advising him of this decision on 07 December 2005.

A deportation order is already in force against the person concerned and the representations received from the person in question will be considered in the context of whether or not to implement this deportation order.

347. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position of the application for family reunification in the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [29149/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question made a Family Reunification application on behalf of her daughter in February 2006. 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 dealt with in chronological order. This application will be considered by my Department and a decision will issue in due course.

348. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the residency status and the position in respect of the family reunification application by a person (details supplied) in Dublin 2; and if he will make a statement on the matter. [29150/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my response to Parliamentary Question No. 69 of 15th June 2006 and No. 327 of 6th April 2006. The position is that there is no provision for the granting of Family Reunification to adult family members of naturalised Irish citizens.

349. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to the residency application in the case of persons (details supplied) in County Meath; and if he will make a statement on the matter. [29151/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The first named person was granted leave to remain in the State on 9 July, 2002 on the basis of being the father of an Irish born child.

The second named person arrived in the State on 12 November, 2004 and applied for asylum. Her application was refused following consideration of her case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal.

Subsequently, in accordance with Section 3 of the Immigration Act, 1999, as amended, she was informed by letter dated 4 May, 2006, that the Minister proposed to make a deportation order in respect of her. She was given the options, to be exercised within 15 working days, of making representations to the Minister setting out the reasons why she should be allowed to remain temporarily in the State; leaving the State before an order is made or consenting to the making of a deportation order. Representations have been received on behalf of the person concerned.

This person's case file, including all representations submitted, will be considered under Section 3(6) of the Immigration Act, 1999, as amended, and Section 5 of the Refugee Act, 1996 (Prohibition of Refoulement). I expect the file to be passed to me for decision in due course.

350. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to the residency application in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [29152/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am pleased to inform the deputy that the person in question was granted permission to remain in the State on 21 August 2006 on the basis of being a qualified

family dependent of a person who has residency based on parentage of an Irish born child.

351. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in regard to family reunification in the case of a person (details supplied) in County Cork; and if he will make a statement on the matter. [29153/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The refugee in question made an application for family reunification in respect of her five children in December 2003, this was refused in July 2005.

Following the receipt of further information, this application was reviewed and a decision has recently issued to the person in question.

I understand that the person in question also made an application for Family Reunification on behalf of her husband in February 2006. This application is under consideration and a decision will issue in due course.

352. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to the application for residency in the case of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [29154/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): It is not the practice to comment in detail on individual asylum applications.

As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted.

A final decision on this application will be made upon receipt of the decision of the Refugee Appeals Tribunal.

353. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he, ORAC or RAT had sight of or examined all of the documentation submitted in the case of a person (details supplied) in County Dublin in respect of a residency application; if he will therefore re-examine the issues with the objective of granting at least temporary residency; and if he will make a statement on the matter. [29155/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I would refer the Deputy to my Reply to his Dáil Question No. 61 of 15 June 2006. The status of the persons concerned remains as set out in that Reply.

354. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform to allow an extended period of residency in the case of a person (details supplied) in County Meath and her son, whom it is intended to refer to the United Kingdom for consideration of their application for refugee status; and if his attention has been drawn to all of the circumstances in the case; and if he will make a statement on the matter. [29156/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I would refer the Deputy to my Replies to Dáil Question Numbers 183 of 22 June, 2006 and 74 of 15 June, 2006, in relation to the cases of the persons concerned.

Since my last reply in this matter, the United Kingdom accepted responsibility for examining the child's asylum application and both mother and son were transferred to the United Kingdom, in accordance with the provisions of the Dublin II Regulation on 24 August, 2006.

355. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will reconsider the application for family reunification in the name of a person (details supplied) in County Kildare in respect of their child and sibling; and if he will make a statement on the matter. [29157/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As I informed the Deputy in my answer to his question on 8 February 2006, my Department has received no correspondence to date in relation to a request for a review of this case. If such a request is received it will be considered.

356. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will agree to grant extended residency on personal safety and humanitarian grounds in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [29158/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 19 December, 2003 and applied for asylum. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal.

Subsequently, in accordance with Section 3 of the Immigration Act, 1999, as amended, he was informed by letter dated 21 November, 2005, that the Minister proposed to make a deportation order in respect of him. He was given the options, to be exercised within 15 working days, of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State; leaving the State before an

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order is made or consenting to the making of a deportation order. Representations have been received on behalf of the person concerned.

This person's case file, including all representations submitted, will be considered under Section 3(6) of the Immigration Act, 1999, as amended, and Section 5 of the Refugee Act, 1996 (Prohibition of Refoulement). I expect the file to be passed to me for decision in due course.

357. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform when he expects the application for family reunification to be processed in the case of a person (details supplied) in County Galway who has applied for naturalisation and whose wife has residency status in another EU country; and if he will make a statement on the matter. [29159/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question made a Family Reunification application on behalf of his wife in May 2006.

The application was forwarded to the Refugee Applications Commissioner for investigation as required under Section 18 of the Refugee Act 1996.

When this investigation is completed, the Commissioner will prepare and forward a report to my Department. The application will then be considered by my Department and a decision will issue in due course.

358. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform when residency status will be awarded in the case of a person (details supplied) in County Dublin on the grounds of being the father of an Irish born child; and if he will make a statement on the matter. [29160/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 18 July, 2003 and applied for asylum. His application was deemed to be withdrawn as he failed to inform the Refugee Applications Commissioner of his address, as provided for in Section 9(4A)(b) of the Refugee Act.

Subsequently, in accordance with Section 3 of the Immigration Act, 1999, as amended, the Minister decided to refuse the person concerned a declaration as a refugee. As the person concerned had not provided the Department with his address, this letter could not be issued.

My Department has no record of receiving an application for residency, on behalf of the person concerned, on the basis of his parentage of an Irish born child.

This person's case file, including all representations submitted, will be considered under Section 3(6) of the Immigration Act, 1999, as amended, and Section 5 of the Refugee Act, 1996

(Prohibition of Refoulement). I expect the file to be passed to me for decision in due course.

359. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to the residency application of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29161/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): A decision has been reached to grant the individual concerned temporary leave to remain in the State and he will be notified of this decision shortly.

Refugee Status.

360. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in regard to the determination of refugee status in the case of a person (details supplied) in County Kerry; if all of the compelling circumstances leading to this person seeking refugee status here have been taken into consideration; and if he will make a statement on the matter. [29162/06]

424. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in regard to the determination of refugee status in the case of a person (details supplied) in County Kerry, if all of the circumstances leading to their reasons for seeking refugee status here have been taken into consideration; and if he will make a statement on the matter. [29885/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 360 and 424 together.

As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted.

While it is not the practice to comment in detail on individual asylum applications, I am advised that the finalisation of the case referred to by the Deputy must await the outcome of Judicial Review proceedings.

Question No. 361 answered with Question No. 345.

Deportation Orders.

362. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if a decision to deport will be deferred in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [29164/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I would refer the Deputy to the Reply I gave to his Dáil Question No. 696 of Tuesday 21 March 2006. The status of the persons concerned remains as set out in that Reply.

363. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will re-examine the decision to deport in the case of a person (details supplied) in County Galway, in view of the compelling evidence of a serious threat to well-being and welfare if deported; if he will have the case fully re-examined to take into account all of the circumstances; and if he will make a statement on the matter. [29165/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 7 March, 2003 and applied for asylum. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, by the Office of the Refugee Appeals Tribunal.

The person concerned was informed by letter dated 22 September, 2004, that the Minister proposed to make a deportation order in respect of him and afforded him three options in accordance with Section 3 (3) (b) (ii) of the Immigration Act, 1999, as amended, namely to leave the State voluntarily, to consent to the making of a deportation order or to submit, within 15 working days, representations to the Minister, in writing, setting out the reasons why he should be allowed to remain temporarily in the State.

His case was examined under Section 3 (6) of the Immigration Act, 1999 as amended, and Section 5 of the Refugee Act, 1996 on the Prohibition of Refoulement. Consideration was given to representations received on his behalf from his legal representatives for temporary leave to remain in the State. On 10 December 2004, I refused temporary leave to remain in the State and signed a deportation order in respect of him. Notice of this order was served by registered post requiring him to present himself to the Garda National Immigration Bureau (GNIB), 13/14 Burgh Quay, Dublin 2, on 20 January 2005, in order to make travel arrangements for his deportation from the State. The person concerned failed to present himself as required and was classified as evading his deportation. He should present himself to the GNIB without delay. The effect of the deportation order is that the person concerned must leave the State and remain thereafter outside of the State.

The Deputy may wish to note that, in addition to the eleven factors contained in Section 3 (6) of the Immigration Act, 1999 (as amended), I must, as stated earlier, also have regard for Section 5 of the Refugee Act, 1996 (as amended) on the Prohibition of Refoulement before making a

deportation order. This essentially means that the safety of returning a person, or refoulement as it is commonly referred to, is fully considered in every case when deciding whether or not to make a deportation order i.e. that a person shall not be expelled from the State or returned in any manner whatsoever to a State where, in my opinion, the life or freedom of that person would be threatened on account of his or her race, religion, nationality, membership of a particular social group or political opinion. My Department uses extensive country of origin information drawn from different independent sources, including the UNHCR, in evaluating the safety of making returns to Angola and other third countries. In this case, I am entirely satisfied that there are no refoulement related reasons to prevent the deportation of the person concerned.

I am satisfied that the applications made by the person concerned for asylum and subsequently for temporary leave to remain in the State, together with all refoulement issues, were fairly and comprehensively examined and, as such, the decision to deport him is justified. The enforcement of the deportation order is now an operational matter for the Garda National Immigration Bureau.

Question No. 364 answered with Question No. 317.

Question No. 365 answered with Question No. 318.

Question No. 366 answered with Question No. 321.

Residency Permits.

367. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if permission will be given to a person (details supplied) in County Kildare to do an apprenticeship; and if he will make a statement on the matter. [29169/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person referred to by the Deputy entered the State on foot of a D Study Visa in 2004 and was granted permission to remain in the State on student conditions.

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 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 may also apply for long term residency.

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This particular long term permission does not exempt the person from employment permit requirements.

Time spent in the state on student conditions cannot be counted towards long term residency.

The criteria for qualification for participation on a FÁS Scheme is a matter for FÁS itself and it is open to the person concerned to contact FÁS regarding his eligibility.

368. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the residency status in the case of a person (details supplied) in Dublin 2; and if he will make a statement on the matter. [29170/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I would refer the Deputy to my reply to his Dail Question No. 684 of 21 March, 2006. The position in the State of the person concerned remains as set out in the reply.

Citizenship Applications.

369. **Mr. Kehoe** asked the Tánaiste and Minister for Justice, Equality and Law Reform if a person (details supplied) is now eligible to apply for naturalisation; and the way in which they commence this process; and if he will make a statement on the matter. [29192/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to in the Deputy's question was received in the Citizenship Section of my Department on 17 August 2005.

The average processing time for applications for naturalisation for adults is approximately 24 months at the present time. However, I understand that the person concerned is a refugee. In accordance with the Government's obligations under the United Nations Convention relating to the Status of Refugees of 28 July 1951, every effort is made to ensure that applications from persons with refugee status are dealt with as quickly as possible, having regard to the general volume of applications on hand.

I will inform the Deputy and the person concerned when I have reached a decision on the application.

Prisoner Transfers.

370. **Mr. Carey** asked the Tánaiste and Minister for Justice, Equality and Law Reform if an application for repatriation has been made to his Department in respect of a person (details supplied); and if he will make a statement on the matter. [29193/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I can confirm that my Department received a formal application for

transfer of the person concerned from the United Kingdom authorities in January, 2005. Having considered the application, I was not satisfied that the person concerned would normally be resident in this jurisdiction, were it not for his imprisonment in the United Kingdom. In addition, I noted that the majority of the person's immediate family reside in the United Kingdom. As such, I was not prepared to consent to the transfer and the person concerned was notified in writing of my decision.

The primary purpose of the Council of Europe Convention on the Transfer of Sentenced Persons is to facilitate the repatriation to their home country of persons, who were it not for their imprisonment in another jurisdiction, would ordinarily be resident there. The Convention does not confer an automatic right on any prisoner to be transferred nor does it confer an obligation on any state to comply with a transfer request.

Residency Permits.

371. **Mr. Wall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the mechanism available to a person (details supplied) in County Kildare to take custody of their sister and take care of her here. [29261/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned was granted a C visit visa to enter the State for a period of three months. It now appears that she is seeking an extension of her permission to remain in the State.

A wrap-around information sheet accompanies every visa application form. That sheet makes it clear to the applicant that, in general, persons granted visas for particular purposes are not permitted to remain in the State for any purpose other than that for which the visa was granted.

Every visa applicant is required to state on the application form the dates on which he or she proposes to enter and leave Ireland. He or she is also required to declare that the information supplied is correct and complete.

A C Visa is granted for visits of less than 90 days. As a consequence it is not the general policy to extend permission to remain to persons who are admitted initially for a period of 90 days or less on a C Visa, save in very exceptional and unforeseen circumstances.

The person concerned must leave and reapply from outside the State should she wish to return. She should include in her new visa application the purpose and duration of her intended stay.

372. **Mr. O'Shea** asked the Tánaiste and Minister for Justice, Equality and Law Reform when the relevant documentation will be requested regarding the application for residency here on the basis of family dependency of persons (details supplied) in County Waterford in relation to their

son; and if he will make a statement on the matter. [29276/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): A request for further documentation has issued to the person in question in order to further process his application for residency in the State. On receipt of the requested information a decision will be made on the case.

Asylum Applications.

373. **Mr. O'Shea** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a person (details supplied) in County Waterford will have their appeal heard in relation to their unsuccessful application for refugee status; and if he will make a statement on the matter. [29277/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): It is not the practice to comment in detail on individual asylum applications.

As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner (ORAC) and the Refugee Appeals Tribunal (RAT), which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted.

I have been informed that the applicant in question has an appeal registered with the Refugee Appeals Tribunal and a final decision will be made by me upon receipt of the decision of the RAT.

Census of Population.

374. **Ms C. Murphy** asked the Tánaiste and Minister for Justice, Equality and Law Reform if figures released by the Central Statistics Office in July 2006 via the Census 2006 Preliminary Report will be used by his Department for any reason; if so, what the figures will be used for; and if he will make a statement on the matter. [29308/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I can inform the Deputy that, until such time as the definitive Census 2006 figures are available, my Department will only use the limited data released in the Census 2006 Preliminary Report as background information for the purposes of general briefing, policy review and planning in a number of areas.

Visa Applications.

375. **Ms C. Murphy** asked the Tánaiste and Minister for Justice, Equality and Law Reform the inconsistencies which were being referred to in the refusal to grant a visitor's visa to a person

(details supplied); and if he will make a statement on the matter. [29317/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The application referred to by the Deputy was received in the Irish Embassy in Moscow on 5th May, 2006. The decision of the Visa Officer to refuse this application was taken on 16th May, 2006.

The application was refused because, inter alia and in the view of the visa officer, there were inconsistencies in the account of how the applicant became acquainted with the reference.

Following a re-examination of the case on appeal, the decision to refuse was upheld on 11th August, 2006. As each applicant is entitled to one appeal only, no further review in this matter can be granted; however it is open to the applicant to make a fresh application.

Garda Deployment.

376. **Ms C. Murphy** asked the Tánaiste and Minister for Justice, Equality and Law Reform if, further to the recently conducted evaluation at Weston Aerodrome by the Garda National Immigration Bureau, immigration officers will be deployed to the aerodrome; and if he will make a statement on the matter. [29318/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Section 6 of the Immigration Act, 2004 states that a non-national coming by sea or air from outside the State shall not, without the consent of the Minister for Justice, Equality & Law Reform, land elsewhere than at an approved port. A non-national who lands in the State in contravention of the said section of the Act of 2004, is deemed to be a non-national who has been refused a permission to land in the State, and is guilty of an offence.

The Immigration Act, 2003 (Approved Ports) Regulations 2003, came into operation on 19th September 2003. In these regulations "the Order" means the Alien's Order 1946 (S.R. & O. No. 395 of 1946). For the purposes of the Order, the ports specified in Part 1 of the Schedule to the said Regulations set out the approved ports for non-nationals arriving in the State from places outside the State other than Great Britain or Northern Ireland. Part 2 of the Schedule to the said Regulations set out the approved ports for non-nationals arriving in the State from Great Britain and Northern Ireland.

Weston airport is not among the ports specified in either Part 1 or Part 2 of the Immigration Act, 2003 (Approved Ports) Regulations 2003. Therefore, a non-national who lands at that airport, without the consent of the Minister for Justice, Equality & Law Reform, is deemed to be a non-national who has landed without permission and commits an offence contrary to the provisions of Section 6(4) of the Immigration Act, 2004, in doing so.

[Mr. McDowell.]

The Minister for Justice, Equality & Law Reform, gave consent, pursuant to the provisions of Section 6(1) of Immigration Act, 2004, to non-nationals to arrive at Weston airport for a period surrounding the holding of the Ryder Cup golf tournament. During that period of time, Immigration Officers attached to the Garda National Immigration Bureau were present at the airport concerned, at times when non-nationals were due to arrive, for the purpose of implementing relevant provisions of immigration related legislation.

The purpose of recent meetings held between management at the Garda National Immigration Bureau and personnel involved in the operation of Weston airport is to ensure that the airport authorities are fully aware of immigration related legislation pertaining to Ports.

There are currently no plans to deploy Immigration Officers to Weston airport as recent representations for Ministerial consent for this airport to be prescribed as an approved port will require detailed consideration and will take some time to finalise.

Citizenship Applications.

377. **Mr. Kehoe** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a decision will be made regarding the granting of citizenship to a person (details supplied) in County Carlow. [29319/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to in the Deputy's question was received in the Citizenship Section of my Department on 5 April 2006.

The average processing time for applications for naturalisation for adults is approximately 24 months at the present time. However, I understand that the person concerned is a refugee. In accordance with the Government's obligations under the United Nations Convention relating to the Status of Refugees of 28 July 1951, every effort is made to ensure that applications from persons with refugee status are dealt with as quickly as possible, having regard to the general volume of applications on hand.

I will inform the Deputy and the person concerned when I have reached a decision on the application.

Crime Levels.

378. **Mr. Connolly** asked the Tánaiste and Minister for Justice, Equality and Law Reform the detection rate for the various categories of serious crime in Counties Cavan and Monaghan; and if he will make a statement on the matter. [29337/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Details of the number of crimes recorded and detected in the Cavan/Monaghan Garda Division are available in the Annual Reports of An Garda Síochána, copies of which are available in the Oireachtas library.

Road Traffic Offences.

379. **Mr. Wall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of convictions for speeding offences in Kildare for each of the past three years; and if he will make a statement on the matter. [29353/06]

381. **Mr. Wall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of convictions for drink driving offences in Kildare for each of the past three years; and if he will make a statement on the matter. [29355/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 379 and 381 together.

I have been informed by the Garda authorities that the statistics requested by the Deputy are currently being researched. I will contact the Deputy again when the information is to hand.

Drug Seizures.

380. **Mr. Wall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the amount of illegal substances confiscated by the Garda in Kildare for each of the past three years; the value of such substances; the convictions in court as a result of such confiscations; and if he will make a statement on the matter. [29354/06]

Tánaiste and 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.

Question No. 381 answered with Question No. 379.

Drug Related Offences.

382. **Mr. Wall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of convictions for the use of illegal substances by persons in Kildare for each of the past three years; and if he will make a statement on the matter. [29356/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda Authorities that the table shows the number of convictions recorded for drug related offences for the Garda Division of Carlow/Kildare for the years 2003 to 2005.

The figures provided relate to the offences of simple possession, possession for sale or supply, drug importation, cultivation or manufacture.

Number of convictions recorded for drug related offences for the Garda Division of Carlow/Kildare 2003-2005.

Year	Convictions
2005	123
2004	159
2003	212

Garda Lectures and Seminars.

383. **Mr. Wall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of lectures and seminars held in Kildare by the Garda in relation to the mis-use of drugs in the past year; and if he will make a statement on the matter. [29357/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been advised by the Garda Authorities that a total of sixty-three lectures and seminars in relation to the misuse of drugs have been held in the past year in Kildare.

Suicide Incidence.

384. **Mr. Wall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of suicides recorded by the County Kildare Coroner's Office for each of the past five years; and if he will make a statement on the matter. [29358/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I can inform the Deputy that Coroners are appointed by the relevant Local Authority to exercise quasi-judicial functions, in respect of which they are independent. While my Department does collate statistics from each Coroner as to the number of inquests held, these figures do not include a breakdown according to verdict.

Road Traffic Accidents.

385. **Mr. Wall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of fatal accidents in Kildare for each of the past five years; the number of such accidents that have been determined as drink related; and if he will make a statement on the matter. [29359/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the statistics requested are not available at the Garda National Traffic Bureau. The Road Safety Authority which comes under the aegis of the Department of Transport

is tasked with the compilation of statistics relating to road collisions and deaths within the State.

Garda Deployment.

386. **Mr. Wall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of gardaí per station in the Carlow/Kildare division; the status of the gardaí; the number of community based gardaí; the number of gardaí especially assigned to the detection and surveillance of the use of drugs and illegal substances per station; and the proposals to increase the stated numbers; and if he will make a statement on the matter. [29360/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel that the personnel strength (all ranks) of An Garda Síochána increased to a record 12,762 on Friday 8 September following the attestation of 249 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,060 (or 19%) in the personnel strength of the Force during that period. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

I have been further informed by the Garda authorities that the personnel strength of each Garda station in Carlow/Kildare Division, as at 31 December, 1997 and as at 27th September, 2006 was as set out in the table.

Station	31/12/97	27/09/06
Naas	69	91
Celbridge	12	20
Clane	5	7
Kill	3	3
Maynooth	9	15
Kildare	28	30
Robertstown	2	3
Kilcullen	3	2
Monasterevan	3	3
Newbridge	26	36
Rathangan	2	2
Carbury	2	2
Carlow	40	57
Leighlinbridge	1	1
Ballon	1	1
Myshall	1	1
Muinebheag	6	7
Athy	17	18
Castledermot	2	2
Baltinglass	18	24
Blessington	12	18

[Mr. McDowell.]

Station	31/12/97	27/09/06
Dunlavin	1	1
Hollywood	1	1
Donard	1	1
Shillelagh	1	1
Tinahely	2	2
Hacketstown	2	2
Rathvilly	1	1
Ballymore Eustace	1	1
Tullow	8	9
Ballytore	1	1

This represents an increase of 82 (or 29%) in the personnel strength of the Carlow/Kildare division during that period.

Local Garda Management report that Naas Garda Station is the only Garda Station in the Division in which community based Gardaí are currently allocated. There are currently three Gardaí allocated to the Community Garda Unit there.

There is currently one Sergeant and six Gardaí assigned to the detection and surveillance of the use of drugs and illegal substances in the Division. One Sergeant and two Gardaí are attached to Newbridge Garda station, two Gardaí are attached to Carlow Garda station and two Gardaí are attached to Naas Garda station.

Garda personnel assigned throughout the country, together with overall policing arrangements and operational strategy, are continually monitored and reviewed. Such monitoring ensures that optimum use is made of Garda resources and the best possible Garda service is provided to the general public.

I should 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 three groups of newly attested Gardaí under this accelerated recruitment programme came on stream in March, June and September of this year and the fourth such group will become fully attested members of the Force later this year. 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 Carlow/Kildare Division will be given the fullest consideration.

Citizenship Applications.

387. **Mr. Curran** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a decision will be made regarding an application

for naturalisation by a person (details supplied) in Dublin 22. [29361/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to in the Deputy's question was received in the Citizenship section of my Department in March, 2004.

Section 15 of the Irish Nationality and Citizenship Act, 1956, as amended, provides that applicants for naturalisation, other than spouses of Irish citizens, must have been resident in the State for five years of the nine year period prior to the date of application. Residence in this context means residence for which the applicant had the permission of the Minister for Justice, Equality and Law Reform and where such permission was not for the purpose of study or seeking asylum. Generally speaking, reckonable residence is calculated from stamps in applicants' passports and from Departmental and Garda records.

On further examination of the individual's application for a certificate of naturalisation it appears that he does not have the necessary reckonable residence in order to qualify for naturalisation. A letter to this effect issued to him earlier this week.

Implementation of Legislation.

388. **Ms Shortall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the sections and subsections of the Children's Act 2001 coming under the remit of his Department that have not commenced; and the date for their commencement. [29362/06]

389. **Ms Shortall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the statutory instruments, including reference numbers signed by him under the Children's Act 2001; and if he will make a statement on the matter. [29364/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 388 and 389 together.

The Children Act 2001 is the primary statutory framework for the youth justice system. It adopts a twin-track approach — child welfare and youth justice — to addressing the needs of children who may be in need of special care or protection and offending children. Responsibilities under the Act span three relevant Government Departments: my Department and the Departments of Health and Children and Education and Science.

While it was always the intention that the Children Act 2001 would be introduced on a phased basis, given the scale and complexity of the issues involved, and significant new sections and amendments introduced by the Criminal Justice Act 2006, a considerable portion of the Act has

already been brought into force by both the Minister for Justice, Equality and Law Reform and the Minister for Health and Children.

In relation to those provisions for which my Department has responsibility, Statutory Instrument (S.I.) 151 of 2002 commenced a range of provisions including provisions concerning the Garda Diversion Programme, the treatment of child suspects in Garda stations, the Children Court, child protection measures and some powers of the Court. S.I. 468 of 2004 commenced provisions in respect of family conferences. The Statutory Instruments list the sections and subsections commenced by them and copies follow for the information of the Deputy.

The provisions of the 2001 Act, as amended, which are under the remit of my Department, and which remain to be commenced, primarily concern the age of criminal responsibility, community sanctions and youth detention. While these matters come within my remit, it should be noted that functions under the Children Act 2001 have been delegated under S.I. 474 of 2002 to Mr. Brian Lenihan T.D., Minister for Children.

Provisions affecting the age of criminal responsibility have been amended by the Criminal Justice Act 2006 and will come into effect on 16 October 2006. The Criminal Justice Act 2006 amended a number of other provisions of the 2001 Act, primarily in respect of youth detention, responsibility for which will transfer from the Department of Education and Science to my Department. Preparations for the introduction of the new detention system are well underway. Significant work has also been carried out by the Probation Service to implement the community sanctions.

It is the intention of both myself and the Minister for Children to bring into force the remaining provisions of the Children Act 2001, as amended, in early 2007.

The table lists the sections and subsections which have yet to be commenced which come within the remit of my Department. The table also lists the new sections and amendments introduced by the Criminal Justice Act 2006 which await commencement.

Provisions of the Children Act 2001, as amended by the Criminal Justice Act 2006, which remain to be commenced

Part	Sections of original Children Act 2001 not commenced	New sections and amendments, introduced by Criminal Justice Act 2006, not commenced
1. Preliminary	Section 5 (some of schedule 2)	Amendments to sections 2 and 3.
4. Diversion Programme	—	Amendments to sections 18, 19, 23, 48 and 49
5. Restriction on Criminal Proceedings against Certain Children	Sections 52 to 54	Amendments to sections 52 to 54 (Note: Will commence automatically on 16 October 2006)
6. Treatment of Child Suspects in Garda Síochána Stations	Section 59 and part of section 61(1)(b)	Amendments to section 59
8. Proceedings in Court	Section 88	New sections 76A to 76C Amendments to sections 88, 91 and 93
9. Powers of Court in relation to Child Offenders	Sections 95 and 96, part of section 98, sections 99 to 107, 111 to 112, 115 to 132 and 137 to 156	Amendments to sections 96, 136, 149 and 155 New sections 156A and 156B
10. Children Detention Schools	Sections 157 to 224	Amendments to sections 157, 159, 161, 165, 185, 186, 198 and 215 New section 186A
12A. Anti-Social Behaviour by Children	N/A	New sections 257A to 257H
13. Miscellaneous	Sections 259, 262, 263 and 265	

STATUTORY INSTRUMENTS

S.I. No. 151 of 2002

CHILDREN ACT 2001 (COMMENCEMENT) ORDER 2002

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Children Act 2001 (Commencement) Order 2002

I, John O'Donoghue, Minister for Justice, Equality and Law Reform, in exercise of the powers conferred on me by section 2(1) of the Children Act 2001 (No. 24 of 2001), order as follows:

1. This order may be cited as the Children Act 2001 (Commencement) Order 2002.

2. The 1st day of May, 2002, is fixed as the day on which the Act shall come into operation with reference to the following provisions and purposes:

[Mr. McDowell.]

(a) sections 3, 4 and 6, in so far as their commencement is necessary for the purposes of the other provisions which are being brought into operation, either generally or with reference to any particular purpose, by this order,

(b) Parts 4, 6, (excluding section 59 and section 61(1)(b) in so far as it relates to a representative of a health board) and 7,

(c) sections 89 to 92 and 94,

(d) section 93, in so far as it relates to proceedings before the Court against a child or in relation to a child under the provisions of Part 9 of the Act that are being brought into operation by this order,

(e) the definitions in section 95 of—

(i) “compensation order”,

(ii) “district”, for the purposes of sections 133 and 136, and

(iii) “district of residence” for the purposes of sections 134 and 136,

(f) section 97 and paragraphs (a), (b), (d) and (f) of section 98,

(g) section 98(g), in so far as it relates to an order under section 133,

(h) sections 108, 109 and 110 (except subsection (1)(b)(iii)),

(i) section 110(1)(b)(iii), in so far as it relates to an order under section 133,

(j) sections 113 and 114,

(k) section 115, in so far as it relates to paragraph (i),

(l) sections 116 (except subsection (1)(a)) and 117, in so far as they relate to an order under section 133,

(m) sections 133 to 135,

(n) section 136 (except the words “or another community sanction” in subsection (1)(a)(ii)),

(o) sections 138 to 140, in so far as they relate to an order under section 133,

(p) Part 12,

(q) sections 258, 260 (in so far as it refers to supervision by a juvenile liaison officer), 261 (in so far as it relates to an order under section 133), 264, 266, 267(1) and 269 to 271,

(r) Schedule 1,

(s) Schedule 27—

(i) in so far as it relates to the following enactments:

Vagrancy (Ireland) Act 1847,

Offences against the Person Act 1861;

Children Act (1908) Amendment Act 1910,

Courts of Justice Act 1924,

Criminal Law Amendment Act 1935, and

(ii) for the purposes of the repeal of the following provisions of other enactments specified in the Schedule:

the unrepealed portions of Part II, and sections 94, 96, 98 to 101, 102(1), 102(2), 111, 113 to 115, 121 and 123, of the Children Act 1908,

sections 24, 26 and 27 of the Children Act 1941,

section 4 of the Children (Amendment) Act 1957.

GIVEN under my Official Seal this 23rd day of April, 2002.

JOHN O'DONOGHUE

Minister for Justice, Equality and Law Reform

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).

This Statutory Instrument brings into operation from 1 May 2002 certain provisions of the Children Act 2001 for which the Minister for Justice, Equality and Law Reform has responsibility. It also repeals provisions of the Children Act 1908 and other legislative provisions which now become obsolete.

STATUTORY INSTRUMENTS.

S.I. No. 468 of 2004.

CHILDREN ACT 2001 (COMMENCEMENT) ORDER 2004.

S.I. No. 468 of 2004.

CHILDREN ACT 2001 (COMMENCEMENT) ORDER 2004.

(a) Part 1 (other than section 5), sections 78 to 87, 267(2) and 268, and

(b) section 5, and Schedule 2, in so far as they relate to the provisions specified in the third column of the Schedule to this Order.

Session and Chapter or Number and Year	Short Title	Extent of Repeal
10 & 11 Vict. c. 84	Vagrancy (Ireland) Act, 1847	Section 3, the words “or causing or procuring or encouraging any child or children to do so”.

Session and Chapter or Number and Year	Short Title	Extent of Repeal
24 & 25 Vict. c. 100	Offences against the Per-son Act, 1861	Section 27
10 Edw. 7. c. 25	Children Act (1908) Amendment Act, 1910	The whole Act.
No. 10 of 1924	Courts of Justice Act, 1924	Section 80
No. 6 of 1935	Criminal Law Amendment Act, 1935	Section 11
8 Edw. 7. c. 67	Children Act, 1908	The unrepealed provisions of Part II, sections 94, 96, 98 to 101, 102(1), 102(2), 111, 113 to 115, 121 and 123
No. 12 of 1941	Children Act, 1941	Sections 24, 26 and 27
No. 28 of 1957	Children (Amendment) Act, 1957	Section 4

GIVEN under my hand, this 23rd day of July, 2004.

BRIAN LENIHAN,

Minister of State at the Department of Justice, Equality and Law Reform.

EXPLANATORY NOTE.

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

The primary purpose of this Statutory Instrument is to bring into operation from 29 July 2004 the provisions of the *Children Act 2001* which provide for the operation of the family conference that is convened by the Probation and Welfare Service on the directions of the Children Courts.

Garda Strength.

390. **Cecilia Keaveney** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to the Garda numbers for a village (details supplied) in County Donegal including the permanent sergeant; and if he will make a statement on the matter. [29410/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel that the personnel strength (all ranks) of An Garda Síochána increased to a record 12,762 on Friday 8 September following the attestation of 249 new

members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,060 (or 19%) in the personnel strength of the Force during that period. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

I have been further informed by the Garda authorities that the personnel strength of the station referred to by the Deputy, as at 25 September, 2006, was 2 Gardaí.

Garda management state that at present the Sergeant in Charge at Carrigans Garda Station is responsible for the supervision of the Garda Station referred to on a daily basis.

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 three groups of newly attested Gardaí under this accelerated recruitment programme came on stream in March, June and September of this year and the fourth such group will become fully attested members of the Force later this year. 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 station referred to by the Deputy will be given the fullest consideration.

Legislative Programme.

391. **Mr. Naughten** asked the Tánaiste and Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 498 of 30 May 2006, when he intends to publish the Sale of Alcohol Bill; and if he will make a statement on the matter. [29433/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Government Legislation Programme published earlier today provides for publication of the Sale of Alcohol Bill in early 2007. This Bill will repeal the Licensing Acts 1833 to 2004, as well as the Registration

[Mr. McDowell.]

of Clubs Acts 1904 to 2004, and replace them with provisions more suited to modern conditions.

Citizenship Applications.

392. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform when the naturalisation process will be completed in the case of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [29506/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my replies to Parliamentary Questions Nos 385 of 6 December 2005, 366 of 12 October 2005 and 988 of 28 September 2005.

I have already informed the Deputy that it was likely that the application on behalf of the person concerned will be finalised in or around the end of this year. That is still the position.

I will inform the Deputy and the person in question when I have reached a decision in the matter.

Asylum Applications.

393. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the residency status in the case of a person (details supplied) in County Wexford; and if he will make a statement on the matter. [29507/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 23 August, 2004 and applied for asylum. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal.

Subsequently, in accordance with Section 3 of the Immigration Act, 1999, as amended, he was informed by letter dated 30 September, 2005, that the Minister proposed to make a deportation order in respect of him. He was given the options, to be exercised within 15 working days, of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State; leaving the State before an order is made or consenting to the making of a deportation order. Representations have been received on behalf of the person concerned.

This person's case file, including all representations submitted, will be considered under Section 3(6) of the Immigration Act, 1999, as amended, and Section 5 of the Refugee Act, 1996 (Prohibition of Refoulement). I expect the file to be passed to me for decision in due course.

Citizenship Applications.

394. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the status of children born to asylum seekers here

after 5 January 2005; if such children have entitlement to an Irish passport or residency in the event of a grant or refusal of asylum to their parents; and if he will make a statement on the matter. [29508/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy will recall, following a Referendum of the Irish people, the 27th amendment to the Constitution changed the situation in relation to entitlement to Irish Citizenship.

As a result of this, Section 6 of the Irish Nationality and Citizenship Act 1956 was amended by the Irish Nationality and Citizenship Act, 2004. The changes came into effect on 1st January 2005. As and from that date a person born in the island of Ireland is not entitled to be an Irish citizen, unless that person's parents have been resident in the island of Ireland for a total of three years during the four years preceding that person's birth. Section 4 of the Irish Nationality and Citizenship Act, 2004 excludes the residence of parents in the asylum process at the time of the birth of the child from being reckonable for this purpose.

The subsequent result of the parents' asylum application, whether granted or refused, does not change the citizenship status of the child.

395. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in regard to application for naturalisation in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [29509/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I informed the Deputy in my responses to Parliamentary Questions No 425 on 16 May 2006 and 189 on 2 February 2006 that it was likely that the application on behalf of the person concerned would be finalised in the early part of 2007. That is still the position.

Visa Applications.

396. **Mr. Perry** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a decision will be made on a person's (details supplied) application for a visa; and if he will make a statement on the matter. [29650/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The application referred to by the Deputy was received in the Visa Office on 13th September, 2006. I am pleased to inform the Deputy that the visa application in question was approved on 20th September, 2006.

Registration of Title.

397. **Mr. Perry** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a

person's (details supplied) land registry application will be processed; and if he will make a statement on the matter. [29651/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand that the Registrar of Titles has forwarded the requested information 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, which was introduced on that date, for Deputies and Senators wishing to make enquiries in relation to the current status of Land Registry/Registry of Deeds applications. As outlined in my letter, the facility was introduced, inter alia, to provide a speedier and more cost effective service to Members of the Oireachtas.

Citizenship Applications.

398. **Mr. Perry** asked the Tánaiste and Minister for Justice, Equality and Law Reform when an application (details supplied) will be processed; and if he will make a statement on the matter. [29655/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Applications from the persons referred to in the Deputy's question were received in the Citizenship Section of my Department on 29 September 2004. I understand that processing of the 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.

Questions Nos. 399 and 400 answered with Question No. 288.

Departmental Staff.

401. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Justice, Equality and Law Reform if, in view of his recent comments that the Government does not need all the money it is raising, he will consider devoting additional resources to the immigration section to help clear the long backlogs in residency and citizenship applications, to facilitate access to the telephone helpline, which is currently available only at limited hours and at those times is extremely difficult to get through to; and to make it possible for immigration staff to respond to written and email inquiries, which is not happening at present. [29670/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The allocation of resources within the Irish Naturalisation and Immigration Service (INIS) of my Department is kept under ongoing review by its Director General having regard to overall sanctioned staff numbers. INIS was established by the Government in 2005 in order to provide a single contact

point or "one stop shop" for immigration services generally. A key priority of INIS is to continue to enhance customer service provision across the wide range of services which it provides including asylum determinations, citizenship applications, visas, repatriations, reception and integration services as well as other immigration related functions generally. With the ongoing decrease in asylum applications significant numbers of posts have been relocated from the asylum agencies to other immigration functions by INIS.

In relation to the immigration services referred to by the Deputy, as I outlined already, INIS is committed to providing a high quality service to all its customers and making every effort to process all residency applications and related queries in as timely a manner as possible. The Immigration Division of INIS has a team led system to deal with the various categories of applications for residency. Applications are dealt with strictly by date of receipt in order to have a system in operation which is fair to all customers. Where urgent residency applications are brought to the attention of the relevant section, every effort is made to facilitate them. There is an ongoing increase in the number of applications received for residency in the State. The resources allocated to process such applications are necessarily dependent on the prioritised work requirements of INIS at any one time. Because information technology plays a key role in enhancing and streamlining work processes, work is due to commence shortly on the development of a comprehensive new information technology system for the INIS which will contribute to the enhancement of service provision generally in that organisation. This new system should come into operation in late 2007.

Visa Applications.

402. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform to support the visa applications from persons (details supplied) in Dublin 9; and to assist the family on this matter. [29671/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The applications referred to by the Deputy were received in the Dublin Visa Office on 26th September, 2006 and are currently awaiting examination by a Visa Officer. A decision in respect of the applications will be made in the coming weeks.

Citizenship Applications.

403. **Mr. O'Shea** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position regarding the application for naturalisation of a person (details supplied) in County Waterford; and if he will make a statement on the matter. [29682/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation was received from the person referred to by the Deputy in May, 2006. I am advised by officials in the Citizenship section of my Department that the file has undergone initial processing and is due to be forwarded to me for a decision shortly. I will be in touch with both the Deputy and the applicant when I arrive at a decision in the matter.

404. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Justice, Equality and Law Reform the status of the citizenship application by a person (details supplied) and the reason for delay in processing same, in view of his reply to Parliamentary Question No. 173 of 8 June 2006, which stated that this application was likely to be finalised within the next few months. [29683/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I informed the Deputy in my reply on 8th June that based on current processing trends for minors that this application would be finalised in the next few months. The application of the person concerned will be dealt with shortly. I will be in touch with both the Deputy and the applicant when I have reached a decision in the matter.

405. **Mr. J. Higgins** asked the Tánaiste and Minister for Justice, Equality and Law Reform the status of an application for naturalisation by a person (details supplied) in County Offaly. [29751/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to in the Deputy's question was received in the Citizenship Section of my Department on 4 April 2005. I understand that processing of the application has commenced and that the case file will be submitted to me for a decision in the near future. I will advise the Deputy and the person in question once I have reached a decision on the application.

Road Traffic Offences.

406. **Mr. Kehoe** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of people arrested for drink driving between 15 December 2005 and 15 January 2006 and the number of those who have been convicted in court since. [29801/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that the statistics requested by the Deputy are currently being researched. I will contact the Deputy again when the information is to hand.

Garda Investigations.

407. **Mr. Costello** asked the Tánaiste and Minister for Justice, Equality and Law Reform when he expects to have the report from the Garda authorities as requested in Parliamentary Question No. 335 of 13 June 2006; and if he will make a statement on the matter. [29813/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have now received a Garda report in relation to the matters raised in the correspondence in question. The report does not support the allegations being made in the correspondence referred to.

Citizenship Applications.

408. **Mr. Costello** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he has made a decision regarding the application for naturalisation of a person (details supplied); and if he will make a statement on the matter. [29814/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to by the Deputy was received in the Citizenship section of my Department on 1 November, 2005. Applications are currently taking approximately 24 months to process. It is likely, therefore, that the case will be submitted to me for decision around the end of 2007. I will of course advise both the Deputy and the person concerned when I arrive at a decision in the matter.

Garda Deployment.

409. **Mr. Stagg** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of gardaí deployed in Clane, County Kildare, on each day between 18 to 24 September 2006; and the normal manning levels there. [29816/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy is currently being sought and will be forwarded to the Deputy in due course.

Garda Stations.

410. **Ms Shortall** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to the poor condition of part of Santry Garda station, Dublin 11 (details supplied); if he will ensure that funding is made available to address these problems; and if he will make a statement on the matter. [29832/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by Garda authorities that the Office of Public Works has identified the need to complete

a major overhaul of the electrical system at Santry Garda Station. This project is currently being brought to tender document stage by the Mechanical and Electrical Section of the Office of Public Works. In the interim, the Office of Public Works has been requested to address the issues referred to by the Deputy.

Road Safety.

411. **Ms Shortall** asked the Tánaiste and Minister for Justice, Equality and Law Reform when new speed cameras will be fully operational and the progress made in awarding and acting upon a contract in this regard. [29833/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Following the receipt of recommendations from a working group, consisting of representatives of my Department, the Department of Transport, the Garda Síochána and the National Roads Authority, the Government approved proposals by my colleague the Minister for Transport and me on what elements of the provision and operation of speed cameras might be outsourced by the Garda Síochána, how this might be done and what legislative changes would be necessary. Because of the characteristics of the State's road network, mobile cameras offer the most effective solution, although the use of fixed cameras may be relevant at a small number of locations.

Following the enactment of the Road Traffic Act 2006 there is now a legislative basis for outsourcing elements of the provision and operation of speed cameras. Work has commenced on the necessary procurement process. Given the complexity of the process and in order to ensure adherence to EU and national procurement regulations, including the prescribed time periods, procurement support services required to facilitate the outsourcing process have been engaged and are working with my Department, the Garda Síochána, the Department of Transport and the National Roads Authority in moving this process forward with all possible speed. Work is well advanced on the preparation of a call to the market for expressions of interest in tendering for the project. Following the call for expressions of interest, a number of candidates will be awarded pre-qualification status and short-listed to proceed to the next stage. A request for tenders will be made to the short-listed candidates, and the successful candidate will be selected on the basis of the tenders received.

In parallel with this process, work is ongoing with the Garda Síochána and the National Roads Authority on identifying locations that either have a speed related collision history or are of a type where a higher than expected frequency of collisions may be expected to occur. Monitoring of driver speeds by the outsourced service provider will focus on these locations. I can assure the Deputy that I attach a very high priority to

outsourcing and expanding the speed camera network and to ensuring there will be no undue delay in the procurement process. I expect the outsourcing of speed cameras to take place in the first half of 2007.

Private Security Industry.

412. **Mr. Ring** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will review the fee structure for the licensing of security employees under the Private Security Authority; if this practice is at odds with European law; and if he will make a statement on the matter. [29834/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Private Security Authority, established under the Private Security Services Act 2004 is the regulatory body with responsibility for regulating and licensing the private security industry in the State. The Authority is independent in the exercise of its statutory functions. I am informed by the PSA that the Authority has put a licence fee structure in place which reflects the variety between the different sectors of the industry and takes account of companies and employees who might be working in multiple sectors. Fees also take account of the relative size of companies operating in any given sector and the relative salaries of employees working in these sectors. Moreover, the Authority is obliged to become self-financing so licence fees must reflect the overall operating costs of the Authority. The two-year licence fee was set taking into account the huge variety of cost models in the various sectors of the industry. These range from low turnover, low pay, high staffing levels in the guarding sector, to lower staffing levels but higher turnover and higher pay in other sectors such as electronics.

The private security industry itself supports regulation and has actively campaigned for it for many years. The provision of a regulatory environment for the industry will understandably lead to structured cost implications. However, it is the industry, both employees and employers who will benefit from regulation and it is in line with Government policy that industry should fund such a development. The proportionality of the fees was considered by the Private Security Authority which includes industry employee and employer representatives. I am informed by the Private Security Authority that these fees do not interfere with the rights of the worker to earn his or her living in an occupation freely entered upon, under Article 1(2) of the 1996 revised European Social Charter. The industry is now widely regulated in an EU context and until the enactment of the Private Security Services Act 2004 Ireland had the least restrictive regulatory regime of any EU jurisdiction.

Garda Stations.

413. **Mr. Gregory** asked the Tánaiste and Minister for Justice, Equality and Law Reform if a final decision has been made to close Mountjoy Garda station, Dublin 7; if so, the timescale for its closure; the station which will then cover the Mountjoy sub-district; if the personnel from Mountjoy Garda station will be transferred to an enlarged Fitzgibbon Street Garda station; if, under the new arrangement, the areas of Cabra currently covered by Mountjoy and the Bridewell might be transferred to the Cabra Garda station in order that an enlarged Cabra Garda station could cover the entire Cabra area as a unit and not as currently whereby three Garda stations cover three separate areas of Cabra; and if he will make a statement on the matter. [29835/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Section 22 of the Garda Síochána Act, 2005 sets out the Garda Commissioner's obligation to produce an Annual Policing Plan. Such a Plan must include any proposal to cease stationing members in an existing station. I will carefully consider any proposal from the Commissioner in the matters referred to by the Deputy.

Garda Deployment.

414. **Mr. Gregory** asked the Tánaiste and Minister for Justice, Equality and Law Reform the amounts awarded by the Croke Park authorities for Garda cover for the 2006 All Ireland football semi-final; the All Ireland football final; the All Ireland hurling final; the cost of Garda cover in each case for inside the Croke Park Stadium and the cordon area outside the Stadium and the areas beyond the cordon area. [29836/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy is aware over the years numerous organisations have requested and have been given the assistance of Gardaí on a non-public duty basis. Traditionally, Gardaí have been made available for the performance of such duties and the State has charged for their services. This work is done by members of the Force who would otherwise be off duty. At present, organisers of events pay for the cost of non-public duties performed by Gardaí on duty inside the event location (e.g. at sporting events, major G.A.A. or soccer matches, rock concerts etc.). The cost of policing duties performed by Gardaí outside of the event location, such as traffic control, beat patrols and other policing duties which would be additional to those normally performed at the location are not paid for by the organisers of the event and fall to be paid from public funds. The Garda authorities point out that in many cases, it is difficult to define where public duty ends and where non-public duty liability of the organisations begins

but that the safety of the public must be the ultimate consideration.

I have been informed by the Garda authorities that the following amounts have been invoiced by the Garda Síochána to the GAA in respect of non-public duty carried out by members at Croke Park:

2006 All Ireland Football Semi-Finals

Kerry v Cork — €64,077.19

Dublin v Mayo — €62,209.35

2006 All Ireland Football Final

Kerry v Mayo — €66,550.98

2006 All Ireland Hurling Final

Kilkenny v Cork — €53,691.29

Garda management state that costs in respect of duty carried out by members outside of the stadium are not currently available.

Public Order Offences.

415. **Mr. Gregory** asked the Tánaiste and Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 193 of 25 May 2005 and the assurance of the Garda authorities that appropriate attention would be given to the issue of large scale drinking on the public footpaths and roadways outside licensed premises in the environs of Croke Park on major match days; the reason this assurance was not adhered to; the further reason large scale illegal public drinking was ignored by the Garda causing serious concern to local residents; and if he will make a statement on the matter. [29837/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Policing arrangements for public events and in locations generally, along with the allocation of Garda resources, are solely a matter for the Garda Commissioner. However, where such events take place the Garda authorities work closely with the residents in order to avoid as far as possible disruption to local communities. I am informed by the Garda authorities that every effort is made by local Garda management, on the occasions of major match days at Croke Park, to ensure appropriate attention is afforded to drinking on footpaths and roadways in the vicinity of licensed premises. Measures put in place include the placing of barriers outside public houses where there is a particular concern of crowding and drinking on footpaths and roadways. I am further informed that Gardaí on duty on such occasions, or in the vicinity of public houses where overcrowding onto footpaths is an issue, are pro-active in dealing with any attendant problems arising. In addition, Garda patrol vans are also on patrol to assist at any area of concern in relation to drinking on public streets.

I am assured that Gardaí on duty on occasions of match days do not ignore illegal public drinking. I am advised that local Garda management have received a number of complaints recently in relation to public drinking on the occasion of recent matches. In response local Garda management have put in place specific additional plans to cater for this problem, which include the use of the Garda Dog and Mounted Units. I am assured by the Garda authorities that they will continue to give the matter their ongoing attention.

Garda Operations.

416. **Mr. Gregory** asked the Tánaiste and Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 82 of 10 May 2006, the number of vehicles owned by the proprietors referred to; the locations from which they were removed and the location to where they were relocated; and the number of vehicles owned by the proprietor which remain in the area covered by the neighbourhood watch group. [29838/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that local Garda management indicate that no more than six vehicles were directly attributable to the proprietor referred to. I am also informed that in all cases the vehicles were removed from the streets in the area concerned and adjacent to the proprietor's premises. The vehicles were subsequently re-located to the proprietor's garage. I am further informed that local Garda management is currently not in receipt of any complaints relating to cars which are the property of the proprietor mentioned.

Garda Deployment.

417. **Mr. Gregory** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number and rank of community gardaí in the Cabra Garda station; and the specific areas to which each garda is assigned. [29839/06]

418. **Mr. Gregory** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number and rank of community gardaí in the Bridewell Garda station; and the specific areas to which each garda is assigned. [29840/06]

419. **Mr. Gregory** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number and rank of community gardaí in the Mountjoy Garda station; and the specific areas to which each garda is assigned. [29841/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 417 to 419, inclusive, together.

I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength (all ranks) of An Garda Síochána increased to a record 12,762 on Friday 8 September following the attestation of 249 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,060 (or 19%) in the personnel strength of the Force during that period. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

I have been further informed that the number and rank of Community Gardaí in the Garda Stations at Cabra, Bridewell and Mountjoy as at 25 September, 2006 was as set out in the table.

Station	Sergeant	Garda
Cabra	1	6
Bridewell	2	13
Mountjoy	1	11

I am advised that Gardaí attached to the Community Policing Unit at Cabra are assigned to the following areas, with the Sergeant in Charge of the unit having responsibility for its supervision: Cabra West — 2 Gardaí; Navan Road — 2 Gardaí; and Royal Canal Park — 2 Gardaí.

I am further advised that Gardaí attached to the Community Policing Unit at Bridewell are assigned to the following areas, with the Sergeants in Charge of the unit having responsibility for its supervision: area bounded by Capel Street, North King Street and the quays to Capel Street — 2 Gardaí; area bounded by Dorset Street, St. Mary's Place, Western Way, Constitution Hill, North King Street to Bolton Street — 2 Gardaí; area bounded by Constitution Hill, Phibsboro Road, Monck Place, Great Western Square, Grangegorman, North Circular Road, North Brunswick Street — 1 Garda; area bounded by Church Street, North Brunswick Street, Blackhall Place, Benburb Street, North Quays to Church Street — 2 Gardaí; area bounded by Parkgate Street, Infirmary Road, North Circular Road, O'Devaney Gardens, Montpelier — 1 Garda; area bounded by Oxmanstown Road, Palatine Square, Arbour Hill, Stoneybatter, Manor Street, Manor Place — 2 Gardaí; area bounded by North Circular Road, Prussia Street, Manor Street, Kirwan Street, Aughrim Street, Drumalee — 1 Garda; area bounded by Blackhorse Avenue/Grove, McKee Park, Glenbeigh Road, Ellesmere Road; and area bounded by Annamoe Road, Cabra Road, Charleville Road, North Circular Road to Hanlons Corner — 2 Gardaí.

I am also advised that Gardaí attached to the Community Policing Unit at Mountjoy are assigned to the following areas, with the Sergeant in Charge of the unit having responsibility for its

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supervision: Blessington Street, Berkely Road, Royal Canal Bank, Mater Hospital, Eccles Street, Goldsmith Street, Phibsboro Basin and surrounding areas — 2 Gardaí; Shandon, Innisfallon Parade, Glengarriff, Phibsboro Road, Connaught Street and surrounding areas — 2 Gardaí; Cabra area, St. Attracta Road, Christ the King — 2 Gardaí; Iona area, Hollybank Road, Botanic Road and surrounding areas — 3 Gardaí; and Dublin Industrial Estate, Glasnevin area, Glasnevin Cemetery, Charleville and surrounding areas — 2 Gardaí. Garda management state that Garda personnel assigned to the areas referred to by the Deputy, together with overall policing arrangements and operational strategy, are continually monitored and reviewed. Such monitoring ensures that optimum use is made of Garda resources, and the best possible Garda service is provided to the general public.

I should 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 three groups of newly attested Gardaí under this accelerated recruitment programme came on stream in March, June and September of this year and the fourth such group will become fully attested members of the Force later this year.

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 areas referred to by the Deputy will be given the fullest consideration.

Proposed Legislation.

420. **Mr. Bruton** asked the Tánaiste and Minister for Justice, Equality and Law Reform his plans for the regulation of casinos; if his announcement that the casinos would be banned still represents Government policy; and if he will make a statement on the matter. [29844/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): On 14th August 2006, I announced that the Government had agreed to my proposals for the establishment of a Committee (the Casino Regulation Committee) to report on the possibilities for a legislative basis for the strict regulation of casino-style operations in the State. The Casino Regulation Committee is due to report to the Government by the end of October, 2006 on: the possibilities for a legislative basis for the strict regulation of casino-style operations in the State; the form of regulation, the functions and powers of any regulatory body, the licensing system, codes of practice, investigation

of complaints, entry and inspection, appeals against decisions, the nature and type of offences, internet gambling etc.; the role of local authorities; and the requirements of the Financial Action Task Force.

The Committee is comprised of representatives from the Department of Finance, the Department of the Environment, Heritage and Local Government, the Department of Arts, Sport and Tourism, the Revenue Commissioners, the Garda Síochána and the Department of Justice, Equality and Law Reform. Mr Michael McGrath, a barrister with experience in the licensing area is chairman of this Committee. On the 18th August 2006 and on the 25th August 2006, the Committee advertised in the national newspapers inviting submissions from interested parties, groups or individuals in relation to the regulation of casinos. Submissions to the Casino Regulation Committee were to be made in writing to the Secretary of the Committee no later than Friday, 15th September 2006. These submissions will be evaluated by the Committee in the course of their deliberations.

Garda Deployment.

421. **Mr. O'Connor** asked the Tánaiste and Minister for Justice, Equality and Law Reform to report on his further efforts to increase Garda numbers in Tallaght; and if he will make a statement on the matter. [29845/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel that the personnel strength (all ranks) of An Garda Síochána increased to a record 12,762 on Friday 8 September following the attestation of 249 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,060 (or 19%) in the personnel strength of the Force during that period. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms. I have been further informed that the personnel strength (all ranks) of Tallaght Garda Station as at 31 December, 1997 and 26 September, 2006 was 133 and 173, respectively. This represents an increase of 40 (or 30%) in the number of Garda personnel allocated to Tallaght Garda Station during that period.

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 three groups of newly attested Gardaí under this accelerated recruitment programme came on stream in March, June and September of this year and the

fourth such group will become fully attested members of the Force later this year.

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 Tallaght Garda Station will be given the fullest consideration.

Garda Stations.

422. **Mr. O'Connor** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he has revisited the issue of the clear need for a new Garda station in Tallaght West; the discussions he has had with the Garda authorities on the issue; and if he will make a statement on the matter. [29846/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Garda authorities have advised my Department that their accommodation requirements for the operational policing of the Tallaght area will be best met by the re-development of the existing site at the Square and I have accepted this advice. With the enactment of the Garda Síochána Act, 2005, any proposal to open a new Garda station must be included in a draft annual policing plan in accordance with Section 22 of the 2005 Act. I can inform the Deputy that the plans to build a new Garda Divisional Headquarters and expanded station at Tallaght are being advanced. Following the preparation of the Garda brief of requirements, the Office of Public Works are in the process of preparing a sketch scheme. The sketch scheme will receive urgent consideration by my Department and the Garda authorities.

Residency Permits.

423. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the status of a residency application for a person (details supplied) in County Westmeath; if extended residency will be granted in this case; and if he will make a statement on the matter. [29884/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The persons in question applied for permission to remain in the State on the basis of being the parents of an Irish child, born prior to 1 January 2005, in accordance with the revised arrangements announced by me on 15 January 2005, commonly referred to as the IBC/05 scheme. It is a requirement under the revised arrangements that each applicant parent is residing with their Irish born child in the State on a continuous basis since the child's birth. Evidence of such residence is also required.

In this case, the child in question was born in the State on 14 January 2004. The applicant mother left the State with her child in October 2004 and claimed asylum in the U.K. on 9 November 2004, notwithstanding the fact that she had already claimed asylum in the State. She was returned to the State by the UK authorities under the terms of the Dublin Convention on 16 March 2005. Limited evidence was submitted by the applicant father as to his place of residence since the child's birth. However he cannot have been residing in the State with the child while the child was with his mother in the UK.

The applicants did not meet the criteria for the granting of permission to remain in the State under the revised processing arrangements insofar as continuous residency is concerned and their applications were refused on this basis. The immigration status of the persons concerned are currently being reviewed. In the event that either of the persons in question do not have permission to remain they will have an opportunity to make representations as to their continued presence in the State.

Question No. 424 answered with Question No. 360.

425. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he has verified the reason for refusal of residency status in the case of a person (details supplied) in Dublin 15; if a review will be undertaken; and if he will make a statement on the matter [29886/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question applied for permission to remain in the State under the revised arrangements for non-EU national parents of Irish children born prior to 1 January 2005, commonly referred to as the IBC/05 scheme. It is a requirement of this scheme that each applicant is of good character. Following information received from the Garda authorities it was confirmed that the person concerned has been convicted of a number of criminal offences. Accordingly he has not satisfied the requirement to be considered of good character and his application for permission to remain under the IBC/05 scheme was refused. He was advised of this decision on 7 June 2006. The immigration status of the person concerned is currently being reviewed. In the event that he does not have permission to remain he will have an opportunity to make representations as to his continued presence in the State.

Closed Circuit Television Systems.

426. **Mr. Wall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position regarding the provision of closed circuit television cameras in an area and town (details

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supplied) in County Kildare; and if he will make a statement on the matter. [29905/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy may be aware I launched the Community Based CCTV Scheme on 15 June 2005 in response to the demonstrated demand from local communities across Ireland for the provision of CCTV systems. This Scheme is designed to provide financial assistance to qualifying local organisations towards meeting the capital costs associated with the establishment of local community CCTV systems. I am pleased to say that Athy Town Council, together with other bodies in Athy, made a successful application under Stage 2 of this Scheme which is being administered by Pobal on behalf of my Department. I understand that the application received from Athy Town Council covers the installation of CCTV cameras in the areas referred to by the Deputy.

Section 38 of the Garda Síochána Act, 2005, provides a legislative basis for the operation of CCTV in public places. Following consultation with the Garda authorities, my Department has issued procedures that successful Stage 2 groups such as Athy are required to follow in order to obtain the necessary authorisation from the Garda Commissioner as required under Section 38 of the Garda Síochána Act, 2005 for the installation and operation of CCTV cameras in their area. The procedures describe the sequential steps which groups must take in relation to the local authority, local joint policing committee, local Garda Divisional Officer and finally the Garda Commissioner and have been circulated to the relevant groups. The payment of grant assistance to Athy Town Council will proceed shortly subject to the successful outcome of consultations involving the Athy Joint Policing Committee and receipt of authorisation from the Commissioner. I understand that the establishment of the Athy Joint Policing Committee is at an advanced stage and it is expected to meet in early October.

Departmental Expenditure.

427. **Mr. Gregory** asked the Tánaiste and Minister for Justice, Equality and Law Reform his reasons for withdrawing funding from the victim support organisation; if the matter will be reviewed with a view to restoring funding to such a necessary and worthy organisation to enable the re-establishment of an office and full-time service; and if he will make a statement on the matter. [29922/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The disbursement of funding to services supporting victims of crime is a matter for the Commission for the Support of Victims of Crime. The Commission is an independent body established in March 2005 with a

remit to: (a) devise an appropriate support framework for victims of crime into the future and (b) disburse funding for victim support measures.

It should be noted that I decided to terminate funding for the Victim Support organisation with effect from 31st March 2005 because of reductions in service levels and concerns in relation to governance, accountability and value for money arising from ongoing internal difficulties in that organisation. An independent review carried out early in 2005 concluded that the organisation was terminally damaged and that further funding of the organisation could not be justified. In 2005 the Commission focused on supporting and promoting the existing services for victims of crime, particularly in the voluntary sector, in order to ensure continuity of services on the ground, pending the development of a national framework of services.

I am advised that 71 applications for funding were received in 2005 after a public advertisement and were examined in detail by the Commission. I understand that these included independent applications from a number of former elements of the Victim Support organisation as well as Victim Support. The Commission examined each application on its merits and made an independent decision in relation to eligibility for funding. €685,750 was distributed to 28 groups providing front-line services to victims of crime in 2005. Victim Support received €72,250 in funding from the Commission.

The Commission for the Support of Victims of Crime placed another public advertisement in national newspapers in April, 2006 inviting applications for funding for the provision of services to victims of crime. I am informed that the Commission has considered and allocated funding on the basis of applications received with the required supporting documentation. I am also informed that Victim Support made a submission to the Commission for funding in 2006 but were advised by the Commission to forward a formal application, and that such a formal application was received by the Secretariat to the Commission yesterday (26th September 2006). I understand, that the Commission has also notified Victim Support that, as is the case with all applications, any allocation for funding for 2006 is dependent upon the provision of certain financial returns, and these have not been forwarded to date by Victim Support.

Closed Circuit Television Systems.

428. **Mr. Gregory** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his Department has received a request for closed circuit television cover for the shopping area including the licensed premises (details supplied) in Dublin 7 where gangs congregate at night time; and if he will make a statement on the matter. [29925/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am advised by the Garda authorities, who are responsible for the deployment of personnel and resources, that no application for a Garda CCTV system on Fassaugh Avenue has been received by the CCTV Advisory Committee. All applications for Garda CCTV Systems must be made to the CCTV Advisory Committee by the local Garda Divisional Officer. The CCTV Advisory Committee was established by the Garda Commissioner to advise on all matters related to the use of CCTV as an aid to policing and to assess applications for Garda CCTV systems.

Applications for Garda CCTV systems are assessed by the Advisory Committee on the basis of Garda operational needs and take into account the following criteria: crime/public order statistics in the area; population and level of activity there; the recommendation of local Garda management; any special circumstances/needs that exist; and the likely impact of a Garda CCTV system on the area. As the Deputy may be aware I launched the Community Based CCTV Scheme on 15 June 2005 in response to the demonstrated demand from local communities across Ireland for the provision of CCTV systems. This Scheme is designed to provide financial assistance to qualifying local organisations towards meeting the capital costs associated with the establishment of local community CCTV systems. 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.

Garda Complaints Procedures.

429. **Mr. Gregory** asked the Tánaiste and Minister for Justice, Equality and Law Reform if the complaint by residents (details supplied) in Dublin 7 against members of the Garda has been investigated; and the outcome of the investigation. [29929/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am unable to answer the Deputy's question due to insufficient details being supplied. If the Deputy supplies further details I will be in a position to have the matter investigated.

Public Order Offences.

430. **Mr. Gregory** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will provide a further report from the Garda authorities regarding the ongoing problems arising from late night special exemptions at a public house (details supplied) in Dublin 9, if further such exemptions will be opposed by the Garda; and if he will make a statement on the matter. [29930/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that local Garda management have met the licensee of the premises referred to, and representatives of the residents associations and Neighbourhood Watch, on a number of occasions over the summer period in relation to any issues arising in respect of the premises concerned. I am further informed that the premises concerned have been subject to regular Garda inspections and additional patrols have been put in place to deal with any issues.

The licensee has installed CCTV inside and outside the premises and put up signs to indicate in a proactive manner that the premises is properly managed. I am also informed that local Garda management have indicated that the next applications for late night special exemptions in respect of the premises are on 27 September, 2006. Local Garda management have no proposals to oppose any current applications. Gardaí will continue to monitor the situation and give regular and ongoing attention to the premises concerned from both mobile and foot patrols.

Garda Deployment.

431. **Mr. Curran** asked the Tánaiste and Minister for Justice, Equality and Law Reform when the detailed information sought in Parliamentary Question No. 410 of 16 May 2006 will be made available. [29942/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my reply to him on 20 September, 2006 in respect of the Parliamentary Question No. 410, which was put down for answer by him on 16 May, 2006.

Garda Operations.

432. **Mr. Curran** asked the Tánaiste and Minister for Justice, Equality and Law Reform the amount of additional Garda hours provided in Clondalkin and Ronanstown under Operation Anvil; and the results achieved under this operation in Clondalkin and Ronanstown. [29943/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Operation Anvil commenced in the Dublin Metropolitan Region on 17 May, 2005 with a view to addressing the problem of serious crime such as gun crime, robberies, burglaries and combating an emerging gun culture. At my request Operation Anvil was extended outside the Dublin Metropolitan Region during 2006. For the purposes of Operation Anvil Ronanstown and Clondalkin Garda sub-Districts are treated as a single operational area. At present the total number of additional hours available to Ronanstown and Clondalkin Garda sub-Districts is 4,360 hours per month. The following table which shows the statistics for

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Operation Anvil in the Ronanstown and Clondalkin Garda sub-Districts up to 17 September, 2006 indicates that the Operation has contributed to encouraging successes across a number of headings:

Operation Anvil in the Ronanstown and Clondalkin Garda sub-Districts

Up to Week-ending 17 September, 2006

	Number
Arrests	56
Searches	
Drugs	923
Thefts	388
Total Searches	1,311
Seizures	
Firearms	31
Vehicle Seizures	936
Total Seizures	967
Number of Checkpoints Established	4,233

433. **Mr. Curran** asked the Tánaiste and Minister for Justice, Equality and Law Reform the cost of Operation Anvil to date; and the success achieved by the Garda during operation Anvil. [29944/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Operation Anvil commenced in the Dublin Metropolitan Region on 17 May, 2005 with a view to addressing the problem of serious crime such as gun crime, robberies and burglaries and combating an emerging gun culture. At my request Operation Anvil was extended outside the Dublin Metropolitan Region during 2006. I have also obtained funding to enable Operation Anvil to continue as long as it is deemed necessary in operational policing terms. All operational personnel in the Dublin Metropolitan Region may be employed on Operation Anvil as the need arises. Personnel from the Garda National Units are also deployed on the Operation as appropriate. The net incremental cost of the Operation from its commencement to 31 August, 2006 is €19.49m. This figure includes the cost of overtime, travel and subsistence and other ancillary costs.

The following table, which shows the statistics for Operation Anvil up to 10 September, 2006 in the Dublin Metropolitan Region (DMR), indicates that the Operation has contributed to encouraging successes across a range of headings:

Operation Anvil up to Week Ending 10 September, 2006 (DMR)

	Number
<i>Arrests</i>	
Murder	52
Serious Assaults	671
Robbery Offences	709
Burglary	1,479
Total Number of Arrests	2,911
<i>Searches</i>	
Drugs	15,416
Thefts	1,579
Firearms	1,129
Total Searches	18,124
<i>Seizures</i>	
Firearms	508
Vehicles	6,463
Total Seizures	6,971
Number of Checkpoints Established	37,214
Value of Property Recovered	€12,088,251

In addition I am informed that a series of special operations, proposed by each Regional Assistant Commissioner and designed to focus on areas and incidents of high crime, have been initiated outside the Dublin Metropolitan Region. These operations have generally a short time focus, with specific targets identified. A number of these have been completed, while further operations are ongoing. Outside the Dublin Metropolitan Region, 1,683 people have been arrested and 135 firearms have been seized.

Asylum Applications.

434. **Mr. Curran** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a decision will be made regarding an application by a person (details supplied) in Dublin 22 to remain here on humanitarian grounds. [29945/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on the 28 April, 2003 and applied for asylum. Her application was refused following consideration of the case by the Office of the Refugee Applications Commissioner and on appeal by the Refugee Appeals Tribunal. Subsequently, in accordance with Section 3 of the Immigration Act 1999, as amended, the applicant was informed by letter dated 25 May, 2004, that the Minister proposed to make a deportation order in respect of her. She was given the options, to be exercised within 15 working days of making representations to the Minister setting out the reasons why she should

be allowed to remain temporarily in the State; leaving the State before an order is made or consenting to the making of a deportation order. Representations have been received on behalf of the person concerned. This person's case file, including all representations submitted, will be considered under Section 3(6) of the Immigration Act 1999, as amended, and Section 5 of the Refugee Act, 1996 (Prohibition of Refoulement), as amended. I expect the file to be passed to me for decision in due course.

Garda Deployment.

435. **Mr. Stagg** asked the Tánaiste and Minister for Justice, Equality and Law Reform the population per Garda division using the most up-to-date figures; and the number of gardaí assigned to each division. [29976/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel that the personnel strength (all ranks) of An Garda Síochána increased to a record 12,762 on Friday 8 September following the attestation of 249 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,060 (or 19%) in the personnel strength of the Force during that period. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms. I have been further informed by the Garda authorities that the personnel strength of each Garda Division as at 25 September, 2006 was as set out in the following table. Corresponding population figures sourced from the CSO 2002 Census of Population are also included.

Division	Strength	Pop
Carlow/Kildare	363	202,462
Cavan/Monaghan	381	116,209
Clare	320	99,692
Cork City	629	209,046
Cork North	256	124,884
Cork West	257	122,259
D.M.R. Eastern	571	224,326
D.M.R. North Central	647	73,144
D.M.R. North	617	252,693
D.M.R. South Central	720	102,739
D.M.R. South	582	243,198
D.M.R. West	693	253,581
Donegal	441	137,575
Galway West	396	161,430
Kerry	288	129,144
Laois/Offaly	285	119,772
Limerick	512	179,496

Division	Strength	Pop
Longford/Westmeath	266	111,205
Louth/Meath	542	275,187
Mayo	273	123,276
Roscommon/Galway East	257	94,249
Sligo/Leitrim	282	76,550
Tipperary	338	145,074
Waterford/Kilkenny	369	172,802
Wexford/Wicklow	341	167,210

Garda personnel assigned throughout the country, together with overall policing arrangements and operational strategy, are continually monitored and reviewed. Such monitoring ensures that optimum use is made of Garda resources and the best possible Garda service is provided to the general public. I should 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 three groups of newly attested Gardaí under this accelerated recruitment programme came on stream in March, June and September of this year and the fourth such group will become fully attested members of the Force later this year. 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.

Crime Levels.

436. **Mr. Stagg** asked the Tánaiste and Minister for Justice, Equality and Law Reform the quarterly headline crime statistics in the Carlow-Kildare division for each quarter in 2005 and the first two quarters in 2006. [29977/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Headline Crime statistics in the manner requested by the Deputy have not yet been published on a Divisional basis. Details of the yearly Headline Crime statistics for the Garda Division of Carlow/Kildare are available in the relevant Garda Annual Report. Copies of which are available in the Oireachtas Library.

Public Order Offences.

437. **Mr. Stagg** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason for the delay in supplying information requested under Parliamentary Question No. 544 of 6 July 2006. [30002/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The information

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requested in Parliamentary Question No. 544 of 6 July, 2006 was provided to the Deputy on 25 September, 2006.

Asylum Applications.

438. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a green card will issue to a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [30028/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my previous replies of 6 July 2006 and 20 June 2006 in relation to the person in question. The position remains unchanged.

439. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform to position regarding an application for asylum for a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [30029/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 11 March, 2003 and applied for asylum. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal. Subsequently, in accordance with Section 3 of the Immigration Act, 1999, as amended, he was informed by letter dated 23 November, 2004, that the Minister proposed to make a deportation order in respect of him. He was given the options, to be exercised within 15 working days, of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State; leaving the State before an order is made or consenting to the making of a deportation order. Representations have been received on behalf of the person concerned. This person's case file, including all representations submitted, will be considered under Section 3(6) of the Immigration Act, 1999, as amended, and Section 5 of the Refugee Act, 1996 (Prohibition of Refoulement). I expect the file to be passed to me for decision in due course.

440. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position regarding an application for asylum in the case of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [30030/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 24 February, 2003 and applied for asylum. His application was refused following consideration of his case by the Office of the Refugee Applications Com-

missioner and, on appeal, by the Refugee Appeals Tribunal. Subsequently, in accordance with Section 3 of the Immigration Act, 1999, as amended, he was informed by letter dated 13 September, 2005, that the Minister proposed to make a deportation order in respect of him. He was given the options, to be exercised within 15 working days, of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State; leaving the State before an order is made or consenting to the making of a deportation order. Representations have been received on behalf of the person concerned. This person's case file, including all representations submitted, will be considered under Section 3(6) of the Immigration Act, 1999, as amended, and Section 5 of the Refugee Act, 1996 (Prohibition of Refoulement). I expect the file to be passed to me for decision in due course.

Road Traffic Offences.

441. **Ms Shortall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the way in which information regarding disqualified drivers is relayed to the Garda from the national driver file; the way in which the Garda stores this information and make it accessible to officers; the frequency with which this information is updated; and if he has satisfied himself that the system, as it operates, is sufficiently robust. [30036/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am advised by the Garda Authorities that they are supplied with a copy of the National Driver File from the Department of Environment, Heritage and Local Government for the purpose of processing payments in respect of Fixed Charge Penalty point offences. I am also advised that there are ongoing technical developments and studies to determine the best way to provide details of driver disqualifications to Gardaí including the possibility of providing a system of alerts on disqualified drivers on the hand-held devices used for the capture of details under the Fixed Charge and Penalty Point system.

Prison Visits.

442. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will facilitate persons (details supplied) on their visits; and if he will support them on this matter. [30084/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Director General of the Irish Prison Service that the policy in Cloverhill Prison is that, with the exception of professional visits, all visitors are separated from prisoners by a screen. In exceptional circumstances, however,

open visits may be granted at the Governor's discretion. In this particular case, the person referred to by the Deputy applied to the Governor of Cloverhill Prison on 20 July, 2006 for open visits and has subsequently been facilitated on two occasions.

Official Engagements.

443. **Mr. O'Dowd** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will meet a person (details supplied) in County Louth; and if he will make a statement on the matter. [30085/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that an aggravated burglary took place at the home of the person referred to on the 7 September, 2006 and that the matter is the subject of an ongoing investigation. The Deputy will be aware that it is not normal practice to comment upon ongoing Garda investigations, which are operational matters for the Garda authorities. While I am sympathetic to the distress caused to the victim and her family by this crime, I consider that a meeting at this time would not serve any beneficial purpose.

Station	'00	'01	'02	'03	'04	'05	26/09/06
Ardee	10	9	9	10	10	10	10

Ardee Garda Station forms part of the Louth/Meath Garda Division. Garda management informs me that the personnel strength (all ranks) of the Louth/Meath Division as at 31 December, 1997 and 31 July, 2006 was 498 and 535, respectively. This represents an increase of 37 (or 7%) in the number of Garda personnel assigned to the Division during that period. 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 three groups of newly attested Gardaí under this accelerated recruitment programme came on stream in

Garda Strength.

444. **Mr. O'Dowd** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of gardaí based in Ardee from the year 2000 to date in 2006; if he will increase the number of gardaí in Ardee; and if he will make a statement on the matter. [30086/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel that the personnel strength (all ranks) of An Garda Síochána increased to a record 12,762 on Friday 8 September following the attestation of 249 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,060 (or 19%) in the personnel strength of the Force during that period. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

I have been further informed that the personnel strength (all ranks) of Ardee Garda Station as at 31 December, 2000-2005, inclusively, and as at 26 September, 2006 was as set out in the following table:

Station	'00	'01	'02	'03	'04	'05	26/09/06
Ardee	10	9	9	10	10	10	10

March, June and September of this year and the fourth such group will become fully attested members of the Force later this year. 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 Ardee Garda Station will be given the fullest consideration.

Garda Station.

445. **Mr. O'Dowd** asked the Tánaiste and Minister for Justice, Equality and Law Reform the hours of opening of Ardee Garda station to the public; if he will commence a review of these hours and increase the opening hours; and if he will make a statement on the matter. [30087/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that local Garda management attended a meeting with Ardee Town Council on 27 February, 2006, where the need for a Garda presence on the street was discussed. In this regard, the opening hours as set

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out in the following table were agreed as the most effective way of providing a visible Garda presence in the town while providing a public office service at Ardee Garda Station.

Day	Hours
Monday	10am-12.30pm & 7pm-8pm
Tuesday	9.30am-11am & 7pm-8pm
Wednesday	1pm-2pm & 5pm-6pm
Thursday	6pm-8pm
Friday	10am-12pm
Saturday	10am-12pm

Garda management state that the extension of the opening hours at Ardee Garda Station would necessitate the employment of additional personnel on indoor administrative duties who may be more effectively employed on outdoor policing duties. Garda management further state that Garda personnel assigned to Ardee Garda Station, together with the overall policing arrangements and operational strategy, are continually monitored and reviewed. Such monitoring ensures that optimum use is made of Garda resources, and the best possible Garda service is provided to the general public.

I should 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 three groups of newly attested Gardaí under this accelerated recruitment programme came on stream in March, June and September of this year and the fourth such group will become fully attested members of the Force later this year. 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 Ardee Garda Station will be given the fullest consideration.

Visa Applications.

446. **Ms Enright** asked the Tánaiste and Minister for Justice, Equality and Law Reform the status of a study visa appeal by a person (details supplied); and if he will make a statement on the matter. [30088/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The appeal referred to by the Deputy was received in the Visa Office on 14th September, 2006. Following a re-examination of the case, the initial decision to refuse was upheld on 18th September, 2006.

As each applicant is entitled to one appeal only, no further review in this matter can be granted; however it is open to the applicant to make a fresh application.

Road Traffic Offences.

447. **Ms Enright** asked the Tánaiste and Minister for Justice, Equality and Law Reform the procedure for prosecution of a drug driving offence; and if he will make a statement on the matter. [30089/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Road Traffic Act, 1961, as amended by the Road Traffic Act 1994, provides that a person shall not drive, or attempt to drive, or be in charge of a mechanically propelled vehicle in a public place while under the influence of an intoxicant to such an extent as to be incapable of having proper control of the vehicle. An intoxicant includes alcohol, drugs or any combination of drugs or of alcohol and drugs. All road traffic offences that come to the attention of An Garda Síochána are investigated and if it is considered that a person has committed an offence he/she will be prosecuted.

Citizenship Applications.

448. **Mr. Boyle** asked the Tánaiste and Minister for Justice, Equality and Law Reform the family reunification status of a person (details supplied) in County Cork. [30108/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question made a Family Reunification application on behalf of her husband in October 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 dealt with in chronological order. This application will be considered by my Department and a decision will issue in due course.

Refugee Status.

449. **Mr. Boyle** asked the Tánaiste and Minister for Justice, Equality and Law Reform the family reunification status of a person (details supplied) in County Cork. [30109/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question made a Family Reunification application on behalf of her daughter and nephew 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 dealt with in chronological order. This application will be considered by my Department and a decision will issue in due course.

Deportation Orders.

450. **Mr. Boyle** asked the Tánaiste and Minister for Justice, Equality and Law Reform the residency status of a person (details supplied) in County Cork. [30110/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 27 July, 2005 and applied for asylum. Her application was refused following consideration of her case by the Office of the Refugee Applications Commissioner and, on appeal, by the Office of the Refugee Appeals Tribunal.

The person concerned was informed by letter dated 7 April, 2006, that the Minister proposed to make a deportation order in respect of her and afforded her three options in accordance with Section 3 (3) (b) (ii) of the Immigration Act, 1999, as amended, namely to leave the State voluntarily, to consent to the making of a deportation order or to submit, within 15 working days, representations to the Minister, in writing, setting out the reasons why she should be allowed to remain temporarily in the State.

Her case was examined under Section 3 (6) of the Immigration Act, 1999 as amended, and Section 5 of the Refugee Act, 1996 on the Prohibition of Refoulement. Consideration was given to representations received on her behalf from the Refugee Legal Service for temporary leave to remain in the State. On 5 July 2006, I refused temporary leave to remain in the State and signed a deportation order in respect of her. Notice of this order was served by registered post requiring her to present herself to the Garda National Immigration Bureau (GNIB), 13/14 Burgh Quay, Dublin 2, on 15 August 2006, in order to make travel arrangements for her deportation from the State. The person concerned failed to present herself as required and was classified as evading her deportation. As such she is liable to arrest and detention under Section 5 of the Immigration Act, 1999, as amended, for the purposes of ensuring her removal from the State. She should therefore present herself to the GNIB without delay.

The effect of the deportation order is that the person concerned must leave the State and remain thereafter outside the State. The enforcement of the deportation order is now an operational matter for the GNIB.

Citizenship Applications.

451. **Mr. Boyle** asked the Tánaiste and Minister

for Justice, Equality and Law Reform the naturalisation status of a person (details supplied) in County Cork. [30111/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to by the Deputy was received in the Citizenship section of my Department on 16 June, 2006.

Applications are currently taking approximately 24 months to process. It is likely therefore that the case will be forwarded to me for decision sometime around mid 2008. I will advise both the Deputy and the person concerned when I have arrived at a decision in the case.

452. **Mr. Boyle** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of family reunification requests currently before his Department; and the categories of family members with whom reunification is being sought. [30119/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Family Reunification Scheme is administered by the Irish Naturalisation and Immigration Service (INIS), under Section 18 of the Refugee Act, 1996. A person who has been granted full refugee status may make an application for family members to join them under the scheme.

The process followed in relation to applications for family reunification is that when an application is made the refugee's file and application are both forwarded to the Office of the Refugee Applications Commissioner for investigation. When this investigation is complete the file is returned to the Family Reunification Section of the INIS for consideration and then a decision can be made on the application.

On the 1st September 2006 there were 1,972 applications on hand, a number of which are with the Office of the Refugee Applications Commissioner for investigation.

Data is not currently collated in a manner which would allow my Department to provide definitive figures for categories of family members with whom reunification is being sought.

453. **Mr. Boyle** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of family reunification requests before his Department, from non EU nationals here on foot of valid work permits, listing the categories of family members with whom reunification is being sought. [30120/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Statistics are not maintained by my Department in such a manner as to enable me to provide the Deputy with the information requested.

Residency Permits.

454. **Mr. Boyle** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of people who are awaiting a decision on leave to remain here as per 31 August 2006. [30122/06]

455. **Mr. Boyle** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of people who have sought leave to remain here, at his behest, since 1 June 2002. [30123/06]

456. **Mr. Boyle** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of people who have been refused leave to remain here, at his behest, since 1 June 2002. [30124/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 454 to 456, inclusive, together.

In determining whether to make a Deportation Order or grant a person Temporary Leave to Remain in the State, I must have regard to the eleven factors set out in Section 3 (6) of the Immigration Act, 1999, (as amended), and Section 5 (Prohibition of Refoulement) of the Refugee Act, 1996, (as amended). Temporary leave to remain is considered in every case regardless of whether representations are made by, or on behalf of, the persons concerned. Statistics are not maintained in a way which distinguishes between those who have made an application for leave to remain and those who have not. Moreover, it must be borne in mind that many of those who failed the asylum process, and who did not opt to return voluntarily or consent to deportation, nonetheless left the State before a decision to deport or grant leave to remain was made.

The total number of cases considered for deportation under Section 3 (6) of the Immigration Act, 1999, (as amended), during the period 01 June, 2002, to 31 August, 2006, and the results thereof, are set out in the table below. Please note that the majority of these would have been persons who were refused Refugee Status in the State.

Year of Decision	No. of Deportation Orders Made	Temporary Leave to Remain granted under Section 3 (6) of the Immigration Act, 1999, (as amended)
2006 (31 August)	1,308	94
2005	1,899	137
2004	2,915	207
2003	2,411	86
01/06/02-31/12/02	1,008	65

The figures in the table above do not include persons who have been granted temporary leave to remain in the State on the basis of parentage of

an Irish born child either under the revised scheme announced in January, 2005, or under earlier arrangements, nor does it include those granted residency on the basis of marriage to Irish or EU Nationals or to persons granted Refugee Status. Many of these persons would have been considered for temporary leave to remain in the context of the deportation system described above. For example, in the case of the Irish Born Child Scheme initiated in January of 2005, a total of 17,877 applications for temporary leave to remain were received of which 16,693 have been granted.

Disabled Drivers.

457. **Mr. Dennehy** asked the Minister for Finance the outcome of the deliberations of the inter-Departmental group who considered the working of the disabled drivers and passengers scheme; if changes were recommended by the group; if so, when they will be implemented; and if he will make a statement on the matter. [28175/06]

Minister for Finance (Mr. Cowen): The operation of the Disabled Drivers and Disabled Passengers (Tax Concessions) Scheme was reviewed by a special Interdepartmental Review Group. The terms of reference of the Group were to examine the operation of the existing scheme, including the difficulties experienced by the various groups and individuals involved with it, and to consider the feasibility of alternative schemes, with a view to assisting the Minister for Finance in determining the future direction of the scheme.

The Group's Report, published on my Department's website in July 2004, sets out in detail the genesis and development of the scheme. It examines the current benefits, the qualifying medical criteria, the Exchequer costs, relationship with other schemes and similar schemes in other countries. The Report also makes a number of recommendations, both immediate and long-term, encompassing the operation of the appeals process and options for the possible future development of the scheme. The short-term recommendations in respect of the appeals process have been implemented. The main change arising from these was that an increased number of members could be appointed to the Appeal Board, which facilitated a far greater number of appeal hearings than had been the case prior to the Report's publication.

In respect of the long-term recommendations, including the qualifying disability criteria, given the scale and scope of the scheme, further changes can only be made after careful consideration. For this reason, the Government decided that the Minister for Finance would consider the recommendations contained in the Report of the Interdepartmental Review Group in the context of the annual budgetary process having regard to the existing and prospective cost of the scheme.

This consideration is undertaken on a regular basis.

Garda Stations.

458. **Mr. P. Breen** asked the Minister for Finance when Crusheen Garda Station in County Clare will be re-opened as a Garda station; and if he will make a statement on the matter. [28493/06]

Minister of State at the Department of Finance (Mr. Parlon): It was necessary to close Crusheen Garda Station for health and safety reasons outside the control of the Commissioners of Public Works. The Commissioners are in negotiations with the prospective landlord regarding reinstatement of the premises and new lease terms. The Garda station will re-open following execution of the lease, and the execution of necessary works.

459. **Mr. Allen** asked the Minister for Finance when he will give sanction for the construction of a new Garda Station at Glanmire, County Cork. [28495/06]

505. **Mr. Allen** asked the Minister for Finance when the lease on the present Garda station in Glanmire, County Cork, will expire; and if he is in negotiation to renew the lease or to acquire a new site for a new station there. [29208/06]

506. **Mr. Allen** asked the Minister for Finance if a site has been identified for a Garda station in Glanmire, County Cork; the location of the site; and when work will commence on the construction of a Garda station on that site. [29209/06]

Minister of State at the Department of Finance (Mr. Parlon): I propose to take Questions Nos. 459, 505 and 506 together.

The Commissioners of Public Works are in the process of sourcing a suitable site for the development of a new Garda station at Glanmire, Co. Cork. On receipt of a brief of requirements for the new station from the Department of Justice, Equality and Law Reform and the Garda Authorities, the Commissioners will advertise publicly for a suitable site. Following this advertisement the Commissioners will give full consideration to whatever responses are received including any sites that have already been brought to their attention. The sanction of the Department of Finance will also be required to purchase a new site.

The lease on the existing Garda station expires at the end of 2008. The lease can be renewed if required.

Disabled Drivers.

460. **Ms O. Mitchell** asked the Minister for Finance his plans to improve the length of waiting time for assessment of an appeal for certification

for the purpose of the Finance Act 1989 and the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations, 1994, in view of the fact that the waiting time is seven months. [28557/06]

Minister for Finance (Mr. Cowen): Following a period of difficulty in organising sufficient meetings of the Disabled Drivers Medical Board of Appeal, I reconstituted the Board in early 2005, and have incrementally expanded the panel of doctors from three to the current seventeen members. This has facilitated more frequent meetings of the Board, thus enabling continuing progress to be made in reducing the backlog of appeals that had arisen and in reducing the waiting time for assessment of appeals.

As the Deputy is aware, the Disabled Drivers Medical Board of Appeal, which determines appeals from a refusal of a Primary Medical Certificate under the Disabled Drivers and Disabled Passengers (Tax Concessions) Scheme, is independent in the execution of its functions.

Tax Collection.

461. **Mr. F. McGrath** asked the Minister for Finance if certain Eircom League football clubs have reached negotiated and reduced settlements with the Revenue Commissioners Office where outstanding taxes were in arrears or had not been paid at all; his view on whether this is equitable for other Eircom League clubs, who are fully compliant in their tax affairs or where arrears were due that those arrears were paid in full. [28140/06]

Minister for Finance (Mr. Cowen): The payment of tax liabilities by specific taxpayers is a matter for the Revenue Commissioners.

I am advised by Revenue that their approach with all taxpayers is focused on getting payment of the correct amount of tax on time. Where despite that focus timely and correct payment is not achieved, then Revenue will take all relevant factors into account in determining the approach to be taken in any particular case. In practice this means that while the Revenue action in each case is designed to ensure collection of the full tax debt due, the ultimate outcome is influenced by the particular circumstances of the case.

Decentralisation Programme.

462. **Mr. J. Higgins** asked the Minister for Finance the plans which have been made for the Department of Defence offices in Parkgate Street, Dublin 8, following decentralisation. [28166/06]

Minister of State at the Department of Finance (Mr. Parlon): Following the decentralisation of the Department of Defence, the offices at Parkgate Street, Dublin 8 will be assigned to other civil service functions.

Proposed Legislation.

463. **Ms Cooper-Flynn** asked the Minister for Finance his plans to amend Section 35 of the Credit Union Act 1997 to enable credit unions to lend a greater percentage of new loan books. [28174/06]

465. **Mr. F. McGrath** asked the Minister for Finance if he will lift the restrictions under Section 35 of the Credit Union Act 1997 as it prevents credit unions from servicing their members and communities and is blocking the growth and development of credit unions here. [28223/06]

471. **Ms Cooper-Flynn** asked the Minister for Finance his views on amending Section 35 of the Credit Union Act 1997 in order to allow credit unions to increase the proportions of their resources which they may advance in loans to their members. [28292/06]

496. **Mr. Neville** asked the Minister for Finance if the Committee whose task it is, will examine the issue of long term lending by credit unions; when it is envisaged that this review will be completed; if they have begun the review yet. [28998/06]

523. **Ms Burton** asked the Minister for Finance if he has concluded the review of credit union powers in respect of loans and mortgages; when he expects to communicate his decision to the credit unions; and if he will make a statement on the matter. [29476/06]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 463, 465, 471, 496 and 523 together.

I referred the case for a review of the limits on longer term lending set out in section 35 of the Credit Union Act, 1997 to the Credit Union Advisory Committee (CUAC) earlier this year. In July, CUAC — the statutory expert advisory body on credit union matters — advised me that a review should take place to see if a change in the lending limits is advisable at this time taking all relevant factors into account.

A review group has now been established chaired by my Department comprising representatives of the Financial Regulator, the Irish League of Credit Unions (ILCU) and the Credit Union Development Association (CUDA) to report to me by the end of next month. I will consider the matter further in light of the outcome of the work of the review group.

Tax Yield.

464. **Caoimhghín Ó Caoláin** asked the Minister for Finance the percentage of disposable income of the poorest 10 per cent of the population taken as indirect tax and the percentage of disposable

income of the richest 10 per cent of the population taken as indirect tax. [28217/06]

Minister for Finance (Mr. Cowen): VAT and Excise tax returns do not specify the income of the consumer and consequently the information sought by the Deputy is not available within my Department.

Question No. 465 answered with Question No. 463.

Tax Code.

466. **Caoimhghín Ó Caoláin** asked the Minister for Finance if his Department has carried out a review of the State's tax system to determine the extent to which vertical equity is achieved; and if he will make available the results of any such review. [28255/06]

Minister for Finance (Mr. Cowen): I refer the Deputy to the Poverty Proofing done in the Budget Booklet each year, the tax tables showing average tax rates published each year in the same booklet, the annual survey of tax paid by high earners and the three volume report on the use of tax reliefs published last February.

In a review of the distributive impact of Budget 2006 in its published Quarterly Economic Commentary, the ESRI observed that "the direct tax and welfare provisions in Budget 2006 — including the new Early Childcare Supplement — were strongly progressive". It also observed that "Budget 2006 strongly favoured low-income groups, with smaller percentage gains for those on higher incomes".

Communications Masts.

467. **Mr. Haughey** asked the Minister for Finance if he will provide details regarding the contract between the Commissioners of Public Works and mobile phone companies in relation to the use of Garda stations for phone masts; when this contract is up for renewal; and if he will make a statement on the matter. [28256/06]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works, in consultation with mobile phone operators, have introduced a standard licence agreement, which governs the installation of telecommunications equipment by mobile phone operators on Garda masts.

The granting of these licences is an ongoing programme and each licence is for a period of 10 years from the date of signing. A copy of the standard licence agreement will be forwarded to the Deputy under separate cover.

Income Ratio.

468. **Caoimhghín Ó Caoláin** asked the Minister for Finance the ratio of the income of the top five

per cent income earners to the average income per head. [28257/06]

Minister for Finance (Mr. Cowen): It is assumed that the Deputy is referring to income for the purposes of income tax and that information required by the Deputy is the ratio of the average income of the top five per cent of income earners to the average income of all income earners.

I am informed by the Revenue Commissioners that the most recent basic data on incomes available from which information of the type requested by the Deputy could be derived are in respect of the income tax year 2003.

If income averages are calculated by reference to gross income, the average income for 2003 of the top five per cent of income earners is €149,238 and of all income earners is €30,804. This is a ratio of 4.8:1. The corresponding figures for average total incomes are €131,709 and €29,186 respectively, a ratio of 4.5: 1.

Gross income is income which:

- is prior to deductions for capital allowances, interest paid, losses, allowable expenses, retirement annuities etc;
- is after deduction of superannuation contributions by employees but not by the self-employed;
- includes income of individuals whose total income falls below the exemption limits;
- does not include certain other income which is not income for tax purposes or is exempt from tax such as profits or gains from stallion fees, profits from commercial forestry and certain income from patent royalties, certain investment income arising from personal injuries, child benefit, maternity benefit and unemployment assistance paid by the Department of Social, Community and Family Affairs, certain earnings of writers, composers and artists, bonus or interest paid under Instalment Savings Schemes operated by An Post, interest on certain Government securities, certain foreign pensions which are exempt from tax in the foreign paying country, portions of certain lump sums received by employees on cessation of their employment, statutory redundancy payments and certain military pensions; and
- does not include or not fully include other income sources such as interest income that does not need to be declared or is not recorded (but from which tax has been deducted), unemployment benefit and disability benefit (non-recording of non-taxable amounts and of amounts taxed by restriction of repayments or indirectly through employers in the PAYE system), and the incomes of certain self-employed

persons, including some farmers, as well as some individuals in receipt of pensions, who are not processed annually on tax records because their incomes are below the income tax thresholds.

The information on incomes is based on income returns on Revenue records at the time the data were compiled for analytical purposes, representing 90 per cent or more of all returns expected.

To arrive at the figures for total income the gross income is reduced by various relevant deductions and allowances such as capital allowances, losses, allowable expenses and retirement annuities.

A married couple who has elected or has been deemed to have elected for joint assessment is counted as one tax unit.

Tax Code.

469. **Mr. O'Shea** asked the Minister for Finance his proposals to allow cohabiting couples to claim one another's tax credits on the same basis as married couples; and if he will make a statement on the matter. [28275/06]

478. **Ms Burton** asked the Minister for Finance the position in relation to affording the same rights to co-habiting partners as those enjoyed by married couples in regard to sharing tax credits and in regard to equality of treatment in relation to taxes levied on married couples, co-habiting partners and individuals such as income tax, capital acquisitions tax and capital gains tax; and if he will make a statement on the matter. [28420/06]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 469 and 478 together.

Generally speaking, the tax system treats members of cohabiting couples as separate and unconnected individuals. Each partner is a separate entity for tax purposes and credits and bands and reliefs cannot be transferred from one partner to the other. There are no special favourable tax arrangements for cohabiting couples with dependent children.

The Working Group Examining the Treatment of Married, Cohabiting and One-Parent Families under the Tax and Social Welfare Codes, which reported in August 1999, was sympathetic, in principle, to changes in the tax legislation to address the issues raised relating to cohabiting couples and reported that the options that it set out should be considered further. However, it acknowledged in relation to the tax treatment of cohabiting couples that a key issue is whether tax law should proceed ahead of changes in the general law.

Various developments in this general area include:

- the consultation paper on the rights and duties of cohabitees which was published

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by the Law Reform Commission in April 2004;

- the Tenth Progress Report of the Oireachtas All-Party Committee on the Constitution entitled 'The Family' which was recently published earlier this year;
- the establishment by the Minister for Justice, Equality and Law Reform of a working group to examine the area of civil partnerships and to prepare options on the various legislative choices available to the Government for action in this area. The Group has been requested to report by 20 October 2006.

I previously put on the record of the House that I would view as problematic and unwise a situation where changes in the tax code relating to the treatment of couples would set a headline in advance of developments in other relevant areas of public policy, for example, in the area of legal recognition of relationships other than married relationships. I remain of that view.

470. **Mr. Bruton** asked the Minister for Finance the reason for the delay in tax relief at source for mortgages; if his attention has been drawn to the fact that delays of up to six months occur; his plans to tackle this problem; and if he will make a statement on the matter. [28276/06]

Minister for Finance (Mr. Cowen): Tax relief on mortgage interest is applied 'at source' by the mortgage provider since 1st January 2002. The mortgage provider in turn claims back the tax relief directly from Revenue. Since 2002, the number of new mortgage accounts for which interest relief was sought increased from 95,857 in 2002 to 113,673 in 2005.

New applications for relief at source can be notified directly to Revenue through the Revenue web site or by completing the mortgage details on a TRS1 application form. New applications are notified to the relevant mortgage provider on a monthly basis by electronic file. The mortgage provider in turn applies the tax relief by reducing the monthly payment by the equivalent of the tax relief.

There are currently no delays in processing new applications except where incomplete or inaccurate information is supplied in the first instance.

Many applications for interest relief are in respect of mortgages that commenced in previous years. The timescale for processing the refunds due in respect of the earlier years usually takes one month additional to the month for granting current relief. This is due to the fact that the mortgage account has to be confirmed as a valid home mortgage through the electronic file exchange with the mortgage provider. As with new applications, there are no backlogs except

where incomplete or inaccurate information is supplied in the first instance.

Question No. 471 answered with Question No. 463.

Tax Yield.

472. **Ms Burton** asked the Minister for Finance if his attention has been drawn to proposals for the stamp duty levied on credit cards to be donated to a charitable body or sporting organisation of the customers choice; if this proposal has been examined by his officials; the estimated cost to the exchequer of this proposal; if he is in favour of such a proposal; and if he will make a statement on the matter. [28295/06]

Minister for Finance (Mr. Cowen): I am aware of a proposal for the stamp duty levied on credit cards to be donated to a charitable body or sporting organisation.

The stamp duty yield over recent years is:

2004 €59m

2005 €63.8m

2006 €67.3m (provisional estimate)

These revenues are applied by the Exchequer for the common good, as determined by the Oireachtas. I do not favour earmarked taxes in general, as this reduces the role of Government and the Oireachtas in determining the priority areas in which public money should be spent.

473. **Ms Burton** asked the Minister for Finance if his attention has been drawn to proposals to regulate for a certain percentage of the expenditure on credit cards to be donated to a charitable body or sporting organisation of the customers choice; if this proposal has been examined by his officials; if he is in favour of such a proposal; and if he will make a statement on the matter. [28296/06]

Minister for Finance (Mr. Cowen): I have no proposals to regulate in this area in the manner outlined.

The Deputy will however be aware a number of financial institutions offer affinity credit card services to their customers through which support can be provided for good causes on a voluntary basis.

Commuter Ticket Schemes.

474. **Ms Shortall** asked the Minister for Finance further to Parliamentary Question No. 113 of 9 February 2006, if he has now received information from all the main public transport operators in relation to the take up of tax-saver commuter tickets and the amount of revenue foregone; and if he will provide this information to this Deputy. [28306/06]

Minister for Finance (Mr. Cowen): The additional information requested by the Deputy has now been received from Bus Éireann and Luas. These are now included in the following revised tables which show ticket sales under this scheme for the years 1999 to 2005. (The 2005 figures have also been revised to reflect end quarter sales.)

1999	Quantity
Monthly Dublin Bus Ticket	290
Monthly Irish Rail Ticket (Dublin Suburban)	100
Monthly Irish Rail Ticket (Point to Point)	30
Monthly Bus/Rail (Dublin Area)	359
Annual Dublin Bus Ticket	36
Annual Irish Rail Ticket (Dublin Suburban)	20
Annual Irish Rail Ticket (Point to Point)	7
Annual Bus/Rail (Dublin Area)	52

2000	Quantity
Monthly Dublin Bus Ticket	640
Monthly Irish Rail Ticket (Dublin Suburban)	280
Monthly Irish Rail Ticket (Point to Point)	57
Monthly Bus/Rail (Dublin Area)	680
Annual Dublin Bus Ticket	97
Annual Irish Rail Ticket (Dublin Suburban)	53
Annual Irish Rail Ticket (Point to Point)	28
Annual Bus/Rail (Dublin Area)	117

Bus Éireann

Employer Pass — Monthly	391
Employer Pass — Annual	0
Employer Pass — Roll-Over Annual	0
Cork City — Annual	0
Cork City Suburban — Annual	0
Galway City — Annual	0
Cork City Bus and Rail — Annual	0

2001	Quantity
Monthly Dublin Bus Ticket	3,370
Monthly Irish Rail Ticket (Dublin Suburban)	1,800
Monthly Irish Rail Ticket (Point to Point)	700
Monthly Bus/Rail (Dublin Area)	4,250

2001	Quantity
Annual Dublin Bus Ticket	897
Annual Irish Rail Ticket (Dublin Suburban)	490
Annual Irish Rail Ticket (Point to Point)	340
Annual Bus/Rail (Dublin Area)	934
<i>Bus Éireann</i>	
Employer Pass — Monthly	585
Employer Pass — Annual	0
Employer Pass — Roll-Over Annual	0
Cork City — Annual	0
Cork City Suburban — Annual	0
Galway City — Annual	0
Cork City Bus and Rail — Annual	0

2002	Quantity
Monthly Dublin Bus Ticket	4,875
Monthly Irish Rail Ticket (Dublin Suburban)	4,549
Monthly Irish Rail Ticket (Point to Point)	1,450
Monthly Bus/Rail (Dublin Area)	4,224
Annual Dublin Bus Ticket	4,152
Annual Irish Rail Ticket (Dublin Suburban)	1,784
Annual Irish Rail Ticket (Point to Point)	1,916
Annual Bus/Rail (Dublin Area)	3,666
<i>Bus Éireann</i>	
Employer Pass — Monthly	676
Employer Pass — Annual	284
Employer Pass — Roll-Over Annual	107
Cork City — Annual	3
Cork City Suburban — Annual	12
Galway City — Annual	11
Cork City Bus and Rail — Annual	4

2003	Quantity
Monthly Dublin Bus Ticket	6,879
Monthly Irish Rail Ticket (Dublin Suburban)	3,571
Monthly Irish Rail Ticket (Point to Point)	2,396
Monthly Bus/Rail (Dublin Area)	4,183
Annual Dublin Bus Ticket	6,526
Annual Irish Rail Ticket (Dublin Suburban)	3,113
Annual Irish Rail Ticket (Point to Point)	2,462
Annual Bus/Rail (Dublin Area)	3,297
<i>Bus Éireann</i>	
Employer Pass — Monthly	1,307
Employer Pass — Annual	254
Employer Pass — Roll-Over Annual	245
Cork City — Annual	12

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2003	Quantity
Cork City Suburban — Annual	18
Galway City — Annual	35
Cork City Bus and Rail — Annual	4
2004	Quantity
Monthly Dublin Bus Ticket	8,576
Monthly Irish Rail Ticket (Dublin Suburban)	4,963
Monthly Irish Rail Ticket (Point to Point)	3,528
Monthly Bus/Rail Ticket (Short Hop)	5,155
Monthly Bus/Luas	388
Annual Dublin Bus Ticket	5,759
Annual Irish Rail Ticket (Dublin Suburban)	3,025
Annual Irish Rail Ticket (Point to Point)	2,767
Annual Bus/Rail (Short Hop)	4,129
Annual Bus/Luas	184
<i>Luas</i>	729
<i>Bus Éireann</i>	
Employer Pass — Monthly	1,732
Employer Pass — Annual	347
Employer Pass — Roll-Over Annual	313
Cork City — Annual	20
Cork City Suburban — Annual	20
Galway City — Annual	62
Cork City Bus and Rail — Annual	8
2005	Quantity
Monthly Dublin Bus Ticket	7,390
Monthly Irish Rail Ticket (Dublin Suburban)	6,412
Monthly Irish Rail Ticket (Point to Point)	4,609
Monthly Bus/Rail Ticket (Short Hop)	3,995
Monthly Bus and Luas Ticket	2,699
Monthly Dart, Bus and & Luas	45
Monthly Dart & Luas	79
Annual Dublin Bus Ticket	5,669
Annual Irish Rail Ticket (Dublin Suburban)	4,259
Annual Irish Rail Ticket (Point to Point)	3,775
Annual Bus/Rail (Short Hop)	3,534
Annual Bus & Luas	925
Annual Dart, Bus and & Luas	30
Annual Dart & Luas	64
<i>Luas</i>	963
<i>Bus Éireann</i>	
Employer Pass — Monthly	1,842

2005	Quantity
Employer Pass — Annual	327
Employer Pass — Roll-Over Annual	316
Cork City — Annual	15
Cork City Suburban — Annual	17
Galway City — Annual	68
Cork City Bus and Rail — Annual	7

Based on these revised figures, the revenue forgone for 2001 remains the same at €1.1m while the figures for 2002, 2003, 2004 and 2005 have been revised upwards to €4.4m, €6.6m, €7.7m and €9.7m respectively — these figures assume an average marginal tax rate of 30% plus the value of PRSI/Health levies forgone.

Tax Code.

475. **Mr. Gilmore** asked the Minister for Finance his plans to allow VAT to be refunded in respect of services such as the hire of home care workers; and if he will make a statement on the matter. [28314/06]

490. **Mr. Haughey** asked the Minister for Finance the reason nursing home care is subject to VAT; and if he will make a statement on the matter. [28805/06]

497. **Mr. Gilmore** asked the Minister for Finance if he has plans to end the charging of VAT on home-help and carer services; and if he will make a statement on the matter. [29015/06]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 475, 490 and 497 together.

The position is that the VAT treatment of goods and services is governed by EU law with which Irish VAT law must comply. Where home-care services are provided directly by the Health Service Executive (HSE), they do not generally come within the scope of VAT, as Public Bodies are not regarded as taxable persons. This means that they do not charge VAT on the services they provide and cannot recover VAT incurred on their input costs.

However, where homecare services are provided by private companies for a consideration in the course or furtherance of business, the provider may be obliged to register and account for VAT at the appropriate rate depending on the type of service they provide. Homecare provided to individuals consists of a variety of services which may be liable to VAT at different rates. The current VAT treatment of such services is in accordance with EU Sixth VAT Directive with which Irish VAT law must comply. In addition, it would not be possible under EU Law to introduce a VAT refund scheme in respect of home-care services.

However, my Department is examining in consultation with the Department of Health and

Children the scope within the relevant EU Directives to exempt the provision of such services from VAT in the future.

Site Acquisitions.

476. **Mr. Naughten** asked the Minister for Finance if the Office of Public Works has obtained a site for a school (details supplied) in County Roscommon; if the purchase has been completed; and if he will make a statement on the matter. [28400/06]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works act as an agent for the Department of Education and Science in the acquisition of sites for primary schools. The requirement for a school site in County Roscommon was advertised in July 2006 and a technical assessment of the options is currently under consideration. When this process is completed negotiations will commence with the vendors of those sites deemed suitable.

Compensation Schemes.

477. **Mr. Naughten** asked the Minister for Finance his plans to introduce a compensation scheme for persons damaged by asbestos; and if he will make a statement on the matter. [28402/06]

Minister for Finance (Mr. Cowen): I have no plans to introduce such a scheme.

The position is that where claims for asbestosis arise in the workplace they are between the claimant and their employer and would be dealt with in accordance with normal legal procedures.

In cases where the Government is the employer, such claims are a matter in the first instance for the claimant and the employing Department or agency, and would be handled by the State Claims Agency.

Question No. 478 answered with Question No. 469.

Tax Code.

479. **Ms Burton** asked the Minister for Finance the position in relation to the treatment here of public bodies as non-taxable persons; if that treatment is in accordance with the sixth VAT directive which implies that public bodies may be required to be treated as taxable persons in a number of cases particularly where doing otherwise would result in significant distortions of competition; if he has received communication or indication from the European Commission as to actions which may need to be taken by the Government if the Commission has threatened to refer the Government to the European Court of Justice; if the Government has taken advice in this matter or pursued it with the Commission;

and if he will make a statement on the matter. [28421/06]

Minister for Finance (Mr. Cowen): Under EU Law, with which Irish Law must comply, public bodies are generally exempt from VAT. This means that they do not charge VAT on the services and are not entitled to recover VAT incurred on the goods and services which they purchase.

In December 2004, the European Commission issued an infringement notice concerning the VAT treatment of public bodies. This arose on foot of a complaint regarding the fees charged by local authorities for the provision of off-street car-parking facilities. The infringement expressed the view that Irish legislation was lacking regarding the interpretation of those aspects of the Sixth VAT Directive dealing with the VAT treatment of services delivered by public bodies where distortion of competition is likely to arise.

Ireland replied to the infringement notice in April 2005. The Commission responded with a Reasoned Opinion on the 4th of July 2006 which reiterated their concerns regarding the Irish legislation. A Reasoned Opinion is a stage in the process that could lead to a dispute being brought to the ECJ.

Ireland issued a response to the Reasoned Opinion on the 4th of September 2006 setting out its position. In the circumstances it would be inappropriate to prejudge the outcome of the matter at this stage.

The Deputy can be assured that given the complexity of the infringement process, legal advice has been sought at each stage before replying to the Commission.

480. **Mr. F. McGrath** asked the Minister for Finance if his attention has been drawn to the hardship caused to families and the elderly in relation to inheritance tax; and if he will make a statement on the matter. [28481/06]

Minister for Finance (Mr. Cowen): I am not aware that the Capital Acquisitions Tax system is unduly burdensome. The rates have been halved in many cases in recent years and the scope of the tax considerably narrowed.

For the purpose of Inheritance Tax, the relationship between the person who provided the inheritance (the disponent) and the person who received the inheritance (the beneficiary), determines the maximum tax-free threshold — known as the “Group threshold”. Apart from the total exemption of transfers between spouses, there are three Group thresholds based on the relationship of the beneficiary to the disponent and these Group thresholds are indexed annually by reference to the Consumer Price Index as published by the Central Statistics Office.

The indexed Group thresholds for 2006 are as follows:

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Group A: €478,155. This applies to inheritances received by a child, a step-child and a foster child from a parent. Group A also applies in certain circumstances to inheritances received by a parent from a child and by a grandchild from a grandparent.

Group B: €47,815. This applies to inheritances received by brothers, sisters, nephews, nieces, grandchildren and parents.

Group C: €23,908. This applies to inheritances received by a beneficiary who does not come under Group A or B.

Any prior inheritances received by a beneficiary since 5 December 1991 from within the same Group threshold are taken into account when calculating whether inheritance tax is payable on the current inheritance.

A niece or nephew who receives an inheritance is entitled to the Group A threshold of €478,155 provided certain conditions are fulfilled. These conditions are that the niece or nephew has worked substantially on a full-time basis for the disponer in the 5 years ending on the date of the inheritance in carrying on the business of the disponer and the inheritance consists of property, which was used in connection with the business.

There is also an exemption from inheritance tax for certain dwelling houses. The purpose of this exemption is to benefit individuals who had been living in a house for a period prior to taking the benefit. The main conditions attaching to the exemption are that the beneficiary of the dwelling house must have resided in the house for a minimum of 3 years prior to the inheritance and must not have had an interest in any other dwelling house. In addition, the beneficiary must continue to occupy that dwelling house as his or her only or main residence for a period of 6 years commencing on the date of the inheritance. This exemption ensures that what may be the family home for many people will not be the subject of inheritance tax when it is transferred.

These generous exemptions exist to address hardship that might otherwise arise.

Garda Stations.

481. **Mr. Hayes** asked the Minister for Finance the position regarding the future of Dundrum Garda Station; and if the Commissioners of Public Works have issued their report in relation to the building. [28482/06]

Minister of State at the Department of Finance (Mr. Parlon): The Department of Justice, Equality and Law Reform, the Garda Authorities and the Commissioners of Public Works are currently giving consideration as to how best to provide the required standard of Garda station premises at Dundrum, Co. Tipperary.

It is hoped that a decision on the matter will be made in the near future.

Customs and Excise Patrols.

482. **Mr. Ring** asked the Minister for Finance the number of sea patrols carried out by the customs and excise along the north west coast each month in 2005 and to date in 2006; and if he will make a statement on the matter. [28608/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that their Maritime Unit carries out surveillance and interception operations at sea, as determined by assessment of risk of illicit activity, or by specific intelligence reports. In this regard, I am assured by Revenue that the North West coast is monitored in the same way as other parts of the Irish coastline.

The Deputy will however understand, that information regarding the place and frequency, on a month-by-month basis, of such operations should not be disclosed, even on a historical basis, because of the danger that criminals might be able to perceive and exploit a pattern to this activity.

483. **Mr. Ring** asked the Minister for Finance if the customs and excise or Revenue Commissioners sold any rigid inflatable boats in the past twelve months; if so, the reason for the sale; where and when were they advertised for sale; the revenue received on their sale; the reason the custom service invested in the boats and then sold them; and if he will make a statement on the matter. [28609/06]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners they have not sold any rigid inflatable boats in the past twelve months. In that period, one boat was however transferred to the Department of Communications, Marine and Natural Resources on the basis that it was no longer in use by Revenue and would be of benefit to the Coastguard Service.

Tax Code.

484. **Mr. Ring** asked the Minister for Finance his views on abolishing or reducing vehicle registration tax; and if he will make a statement on the matter. [28610/06]

Minister for Finance (Mr. Cowen): The VRT rates and bands are reviewed in the annual Budgetary process and it would not be appropriate to comment further at this stage. The Deputy will be aware that in last year's Budget, I introduced a 50% VRT relief for flexible fuel vehicles and extended to end-2007 a similar relief that was already in place for hybrid electric cars.

Tax Yield.

485. **Mr. Ring** asked the Minister for Finance the amount of revenue receipts for 2005 and to

date in 2006 on fuel excise duty, vehicle registration tax, VAT on vehicles and road tax; and if he will make a statement on the matter. [28611/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the relevant figures for 2005 and the period from 1 January 2006 to the end of August 2006 for excise duty and VAT on motor fuels, and VRT and VAT on vehicles are shown in the table below.

	2005	2006 (to end August)
	€m	€m
Petrol		
Excise	1,002	719
Estimated VAT	368	295
Total	1,370	1,014
Auto Diesel		
Excise	921	696
Estimated VAT	46	36
Total	967	732
Motor Vehicles		
Vehicle Registration Tax	1,149	1,088
Estimated VAT	563	385
Total	1,712	1,473
Motor Tax	802	629

The figures for VAT collected are estimated as VAT returns are not required to be completed in a manner that identifies the yield from particular goods and services.

486. **Mr. Kehoe** asked the Minister for Finance the amount of income received from VAT receipts on ESB and Gas bills for domestic users in the past five years; and a breakdown of the figures. [28612/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the information available relates to the Estimated Net VAT received from domestic users of electricity and natural gas for the years 2001-2005. The information to be furnished on VAT returns does not require the yield from particular sectors of trade to be identified. It is, therefore, not possible to identify precisely what portion of the net VAT received relates to sales of electricity or gas to domestic households.

However, to assist the Deputy, Revenue have estimated amount of VAT received on sales of electricity and gas for the years 2001-2005, based on statistical data derived from non-Revenue sources, which includes VAT from unregistered / exempt businesses (including the entire public

sector) as well as domestic consumers is as follows:

Year	Electricity	Gas
	€m	€m
2001	89	27
2002	98	34
2003	117	42
2004	129	52
2005	156	67

The figure given for the VAT generated from sales of Gas for 2004 is an upward revision of that provided in reply to a previous question given on 4th October 2005 (PQ ref 26749/05). The revision is necessitated by more up to date information becoming available in the interim.

Tax Clearance Certificates.

487. **Mr. N. O’Keeffe** asked the Minister for Finance if a person (details supplied) is in receipt of the maximum tax credits. [28705/06]

Minister for Finance (Mr. Cowen): The question of tax credits is a matter for the Revenue Commissioners.

I have been informed by Revenue that, taking into consideration the income of both spouses, there is a small balance of tax credits due to the person in question. A notice of revised credits issued to the person on 19 September 2006.

Tax Yield.

488. **Caoimhghín Ó Caoláin** asked the Minister for Finance the average annual cost to the exchequer of reducing the VAT on wood fuel products from the present 21 per cent to 4.3 per cent. [28706/06]

Minister for Finance (Mr. Cowen): 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.

The supply of wood fuel products used for home heating and light are already subject to the reduced VAT rate of 13.5% under Article 28 (2e) of the Sixth VAT Directive. This means that Member States had the option of maintaining, at a reduced rate of not less than 12%, any items not listed in Annex H of the Sixth VAT Directive, provided these items carried a reduced rate on 1 January 1991. Ireland is one of only eight Member States that apply a reduced or parked rate to the supply of wood fuel products. In Ireland the parked VAT rate equates to our reduced rate of 13.5%.

In relation to providing an estimate for the average annual cost to the Exchequer of reducing the VAT on wood fuel products from 13.5% to 12%, I am informed by the Revenue Commissioners that it is not possible to furnish figures

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of the VAT take on wood fuel products, as the information furnished on VAT returns does not require this to be identified.

Finally, it should also be noted that where the VAT content of such purchases is a business input, these are treated as a deductible credit for business.

Proposed Legislation.

489. **Ms O. Mitchell** asked the Minister for Finance if he will bring forward immediate legislative proposals to protect heritage sites and the users of these sites in view of the difficulties which he has highlighted in enforcing the control of dog legislation at these sites including the inability to pass by-laws to govern such sites. [28729/06]

Minister of State at the Department of Finance (Mr. Parlon): The issue of bye-laws for the control of dogs at heritage properties in State care is at present being considered by the Department of the Environment, Heritage and Local Government and the Office of Public Works.

Question No. 490 answered with Question No. 475.

Tax Code.

491. **Mr. N. O’Keeffe** asked the Minister for Finance the reason for the introduction of VAT on a product (details supplied); and if his attention has been drawn to the fact that this product is mainly purchased by children. [28858/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that there has been no change to the rate of VAT applicable to the product in question.

In addition they have advised me that substances, including food-grade additives and chemicals, which are not in an edible form but whose sole use is verifiably as an ingredient for food come within the scope of the zero rate of VAT, regardless of the rate applying to the eventual food product. Accordingly, the specific product mentioned by the Deputy continues to attract the zero rate of VAT.

Banking Sector Regulation.

492. **Mr. F. McGrath** asked the Minister for Finance the position regarding a case (details supplied); and if he will investigate the sale of a company (details supplied). [28950/06]

Minister for Finance (Mr. Cowen): I am aware of the case referred to by the Deputy, which has been raised in correspondence with my Office. My response to that correspondence has been that as this matter is the subject of legal proceedings, it would not be appropriate for me to make any comments in relation to the case.

I am not aware that there are any issues to be investigated in relation to the sale of the company referred to by the Deputy.

Tax Code.

493. **Mr. Kehoe** asked the Minister for Finance if he will confirm the position whereby a person receives an inheritance of agricultural land (details supplied); and if he will make a statement on the matter. [28951/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that, under the provisions of Section 89 of the Capital Acquisitions Tax Consolidation Act 2003, where agricultural property comprised in an inheritance is disposed of within six years after the date of the inheritance, a claw-back of agricultural relief will only occur where the proceeds from the disposal are not fully expended in acquiring other agricultural property within a year of the disposal. The extent of the claw-back relates to the amount of the proceeds not being so re-invested.

However, in the case where a person receives an inheritance of agricultural land and has claimed agricultural relief on the inherited land but then subsequently makes a voluntary gift of that land to a niece or nephew, a claw-back of the agricultural relief granted to the person when he or she inherited the land will not occur. This is because, in this situation, no proceeds have been received for the disposal of the land and a claw-back of the agricultural relief granted can only occur where actual proceeds are received for the disposal and then not appropriately re-invested.

For Capital Acquisitions Tax purposes therefore, a voluntary disposition without the receipt of proceeds does not result in a claw-back of agricultural relief. However, the Deputy may wish to note that depending on the circumstances a Capital Acquisitions Tax (gift tax) liability may arise for the niece or nephew. If the Deputy has a specific case in mind he may wish to contact the Revenue Commissioners with further details.

494. **Mr. Quinn** asked the Minister for Finance if his attention has been drawn to the ruling by the European Court of Justice on 12 September 2006 (details supplied) and the consequent implications for the interface between multinationals operating within the European Union and the national corporation tax rates offered by individual European States; the changes which, are necessary in the taxation code here to consolidate and secure Ireland’s present position; if he anticipates that the Commission will attempt to request him and other Ministers to co-ordinate or otherwise alter their Government policies in this area; and if he will make a statement on the matter. [28995/06]

Minister for Finance (Mr. Cowen): I am aware of the ECJ ruling that the Deputy has referred

to. As in the case of all such matters my officials are examining the longer term implications of the judgement. While not wishing to speculate on what the Commission might do, I should remind the Deputy that direct taxation matters are in the competence of individual Member States and not the Commission.

Tax Clearance Certificates.

495. **Mr. Wall** asked the Minister for Finance if a person (details supplied) will be furnished with a P21; and if he will make a statement on the matter. [28997/06]

Minister for Finance (Mr. Cowen): I have been advised by the Revenue Commissioners that a PAYE Balancing Statement 2005 (Form P21) issued to the taxpayer on 20 September 2006.

Question No. 496 answered with Question No. 463.

Question No. 497 answered with Question No. 475.

Tax Code.

498. **Mr. Bruton** asked the Minister for Finance the reason participants in defined contribution schemes are obliged to invest the residue in an annuity; the further reason a different option of investing in a flexible retirement fund is available to persons with PRSA; and the cost of allowing participants in defined contribution schemes the choice of purchasing an annuity or participating in a fund. [29018/06]

Minister for Finance (Mr. Cowen): Prior to the passing of the Finance Act, 1999, any person going on pension under a defined contribution scheme or a retirement annuity contract was required to purchase an annuity with the remaining pension fund moneys, following the draw-down of the appropriate tax-free lump sum.

The Finance Act, 1999 introduced changes which gave a significant degree of flexibility and personal choice to certain categories of individual in relation to the drawing down of benefits from their pension plans. These choices include the options to purchase an annuity, receive the balance of the fund in cash (subject to tax, as appropriate) or to invest in an Approved Retirement Fund (ARF) or Approved Minimum Retirement Fund (AMRF). Proprietary directors, self-employed individuals and certain employees/directors in non-pensionable employment represent the categories of individual who can exercise these options in relation to their pension plans. The Finance Act, 2002 introduced the Personal Retirement Savings Account (PRSA) the aim of which was to create an attractive alternative pension product which is flexible, portable and user-friendly. The flexible options relating to

the drawing down of pension benefits also apply to PRSAs.

While these flexible options for drawing down pension benefits are not available to members of employers' defined contribution schemes (who are outside of the categories of individual described above) in respect of benefits derived from standard contributions to the schemes, the flexible options do apply in respect of any Additional Voluntary Contributions (AVCs) made by such members either to their main schemes or to separate AVC schemes.

As regards the cost of extending the options to members of defined contribution schemes generally, I am informed by the Revenue Commissioners that the data available in relation to such schemes is not sufficient to enable a reliable estimate of the cost to be provided.

Garda Stations.

499. **Cecilia Keaveney** asked the Minister for Finance when the Office of Public Works will put the Garda station for Buncrana out to tender; the interim arrangements which will be put in place to accommodate the Gardaí; and if he will make a statement on the matter. [29038/06]

Minister of State at the Department of Finance (Mr. Parlon): It is expected that the Garda station will have relocated to interim accommodation by the end of this year.

The Commissioners expect to proceed with the tendering process for a new Garda station in Buncrana in the first quarter of 2007.

Tax Collection.

500. **Mr. N. O'Keeffe** asked the Minister for Finance the position regarding an application for a VAT refund in respect of a business (details supplied) in County Cork. [29069/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that a claim for a refund of VAT was received from the person in question on 12 September 2006.

A repayment for the total amount of VAT incurred issued to the claimant on 25 September 2006.

Flood Relief.

501. **Mr. N. O'Keeffe** asked the Minister for Finance the reason for the delay in implementing the flood relief measures project in Fermoy, County Cork. [29070/06]

Minister of State at the Department of Finance (Mr. Parlon): Detailed design of the Munster Blackwater (Fermoy North) Scheme commenced in June of this year. A contract has been placed to undertake detailed site investigations and this work will commence shortly. The Office of Public Works intend to seek a contractor to undertake

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the civil engineering works in December 2006/January 2007 with a view to commencing construction works in the first half of 2007. This is broadly in line with the programme dates as outlined to you in reply to Parliamentary Question 133 of 14th June 2006. Some slight delay to the programme has occurred, mainly due to the necessary discussions with affected property owners.

Tax Collection.

502. **Mr. N. O’Keeffe** asked the Minister for Finance if he will arrange for a P21 to issue to a person (details supplied) in County Cork. [29071/06]

Minister for Finance (Mr. Cowen): The question of issuing a P21 is a matter for the Revenue Commissioners.

I have been advised by Revenue that the person in question has not applied for a P21.

If she wishes to do she should either phone 1890 22 24 25 or write in to Cork PAYE, Government Offices, Sullivan’s Quay, Cork.

Alternatively she can apply on line @ www.revenue.ie PAYE on line, self service for employees.

Budget Submissions.

503. **Mr. Durkan** asked the Minister for Finance if he has received pre-Budget submissions from a company (details supplied) in County Dublin; if he will favourably consider same; and if he will make a statement on the matter. [29180/06]

Minister for Finance (Mr. Cowen): I have received a pre-Budget submission from the company concerned. Its contents will be considered in the context of the forthcoming Budget and Finance Bill. As Deputies are aware it would not be appropriate for me to comment in advance of the Budget on possible Budget decisions.

Tax Collection.

504. **Mr. Carey** asked the Minister for Finance if the Revenue Commissioners have a policy of not taking cash payments in respect of vehicle registration tax payments; and if he will make a statement on the matter. [29181/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that, currently, there is no policy in place of not taking cash in respect of Vehicle Registration Tax (VRT) payments. However, out of consideration for the safety of staff and customers, cash may not be accepted at a number of VRT offices. The decision not to accept cash at these offices has been taken at senior management level following incidents that took place at the offices and on the advice of An Garda Síochána. A wide range of

alternative payment methods are available including personal cheques, laser card and bank draft.

However, Revenue are undertaking a review of the overall question of accepting cash payments in the context of the safety and security of their staff and that of the public in VRT offices. This review is now nearing completion.

Questions Nos. 505 and 506 answered with Question No. 459.

Flood Relief.

507. **Mr. Hogan** asked the Minister for Finance when compensation will be awarded to a person (details supplied) in County Kilkenny in relation to the Kilkenny flood relief scheme; and if he will make a statement on the matter. [29268/06]

Minister of State at the Department of Finance (Mr. Parlon): A meeting between the OPW valuer and the claimant’s valuer has been arranged for Thursday 28th September, to discuss the case with a view to negotiating an early and mutually acceptable settlement of the claim, if possible.

Departmental Meetings.

508. **Mr. Ring** asked the Minister for Finance when a meeting (details supplied) which was promised for a number of months will be held. [29285/06]

Minister of State at the Department of Finance (Mr. Parlon): I am advised by the Commissioners of Public Works that the meeting is likely to be held within the next few weeks.

Census Statistics.

509. **Ms C. Murphy** asked the Minister for Finance if figures released by the Central Statistics Office in July 2006 via the Census 2006 Preliminary Report will be used by his Department for any reason; if so, what the figures will be used for; and if he will make a statement on the matter. [29305/06]

Minister for Finance (Mr. Cowen): While my Department is not, in general, dependent on these statistics for analysis and development of policies, the census data will be used, as required, as part of the Department’s role in implementing Government policy and advising on the economic and financial management of the State.

The areas where these statistics would be of most use to my Department, would include the calculation of certain budgetary aggregates on a per capita basis, as background information in the context of expenditure issues related to population growth and migration patterns, and where appropriate, in the formulation of the next National Development Plan (2007 – 2013).

Tax Code.

510. **Mr. Connolly** asked the Minister for Finance his views on reducing or eliminating excise duty from all motor fuels produced from renewable energy crops; and if he will make a statement on the matter. [29335/06]

Minister for Finance (Mr. Cowen): The Deputy will be aware that I have previously acknowledged that tax can play a role in the promotion of motor fuels derived from renewable energy crops, more commonly known as biofuels.

A duty exemption scheme for pilot projects in biofuels, was introduced by section 50 of the Finance Act 2004. The purpose of the provision was to allow qualified and conditional relief from excise for biofuel used in approved pilot projects for either the production of biofuel or the testing of the technical viability of biofuel for use as a motor fuel. Under this Scheme, excise relief was granted to eight successful applicants to the scheme from August 2005 for a total of 16 million litres of fuel.

The number of applications made for relief from excise duty under the pilot scheme clearly indicated the strong interest in developing a biofuels industry in Ireland and consequently I made provision in the Finance Act 2006 for a significantly expanded 5 year scheme of Mineral Oil Tax relief. The scope of the relief extends to projects which are not just of a “pilot” nature. This relief scheme, when fully operational, is expected to support the use and production in Ireland of some 163 million litres of biofuels per year, at a total five-year cost of over €200m. The Department of Communications, Marine and Natural Resources are currently assessing applications made for this excise relief, and once this process has been completed, and the necessary EU State Aid approval has been obtained, which is expected to be very shortly, excise relief will be available to those projects that emerge from the application process.

The level of excise relief available is that which had been proposed by the Minister for Communications, Marine and Natural Resources in advance of last year’s Budget and is regarded as a figure which is sufficient to match Ireland’s output potential in relation to renewable energy crops for motor fuels over the period of the scheme. Opting for a Scheme where project applications are assessed in preference to a general blanket excise relief for biofuels ensures that projects chosen offer a greater degree of quality control to end-users and are best positioned to promote the long-term use of biofuels in the Irish market.

511. **Mr. Wall** asked the Minister for Finance his proposals to improve the tax relief on mortgage payments for house-hold owners; and if he will make a statement on the matter. [29343/06]

Minister for Finance (Mr. Cowen): The position is that first-time mortgage holders, for the first seven years (five years prior to 1st January 2003), can claim tax relief at the standard rate of tax on the interest paid within the following limits: Single, €4,000; Widowed/Married, €8,000.

For other buyers the limits are: Single, €2,540; Widowed/Married, €5,080.

I am advised by the Revenue Commissioners that mortgage interest relief is estimated to cost the Exchequer €292 million in 2006.

The Budget is a matter of months away. It has been the practice of successive Ministers for Finance not to comment on what measures may or may not be contained in the annual Budget in the run up to that Budget. I do not intend to depart from this practice.

Decentralisation Programme.

512. **Mr. Wall** asked the Minister for Finance the position of his Department’s decentralisation programme to Athy; if a site has been identified; if temporary accommodation has been secured; if so the time-scale of the transfer of the first group of officials; the number of officials that have indicated a preference for Athy; and if he will make a statement on the matter. [29344/06]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that the Commissioners for Public Works are pursuing both temporary office space and a site for permanent offices for the Revenue Commissioners in Athy.

Temporary offices, subject to appropriate planning permission and fit-out, are being sought to accommodate a minimum of 50 staff and in this regard a number of options are being evaluated with a view to accommodating an advance party of over 50 staff early in 2007. A number of site options are also being assessed as potential suitable locations for permanent offices for the Revenue Commissioners. To date fifty-three Revenue staff have accepted formal offers under the Government’s Decentralisation Programme to Athy and in total, there were 103 applications for Athy on the Central Applications Facility.

513. **Mr. Wall** asked the Minister for Finance the position of the decentralisation of a section of his Department to Kildare town; the number of staff who have indicated a preference for Kildare; the number required to ensure the efficient running of the office; if a site has been identified; and if he will make a statement on the matter. [29345/06]

Minister for Finance (Mr. Cowen): Under the Government’s decentralisation programme, 33 posts from the ICT division of the Centre for Management and Organisational Development (CMOD) in my Department are due to relocate to Kildare. The total number of applicants for

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these posts on the Central Applications Facility is 43.

My Department is planning on the basis of a move in 2007. A permanent site has not yet been procured and the OPW is currently exploring property options to enable an advance move to be considered.

Departmental Responsibilities.

514. **Ms Shortall** asked the Minister for Finance the quality proofing measures he has in place to ensure that he, his officials, agents and servants, in carrying out their responsibilities do so in accordance with the provisions of Articles 40.3.1 and 40.3.2, including relevant rulings and interpretations by the Courts in relation to these Articles. [29418/06]

Minister for Finance (Mr. Cowen): As the Deputy is aware, Articles 40.3.1 and 40.3.2 refer to the personal rights of the citizen.

In this context, any of the State's laws under which I carry out my responsibilities and indeed under which my officials, agents and servants carry out their responsibilities, have been examined by the Office of the Attorney General, prior to their drafting and enactment by the Oireachtas.

The Attorney General, as legal advisor to the Government and Chief Law Officer of the State, advises the Government on legal and constitutional matters, including advice on whether proposed legislation complies with the Constitution and advice on rulings or interpretations relating to the Constitution.

When an issue arises within the Department on which legal advice is required or when a Constitutional issue arises, the advice of the Attorney General is sought.

Financial Services Regulation.

515. **Ms Burton** asked the Minister for Finance if his attention has been drawn to the recent reports that customers who deal directly with life assurance companies rather than dealing with a broker are still being charged a full commission of up to 10 per cent which is reportedly back handed to some outside broker; the steps the Financial Regulator has taken to regulate the commission charged by life assurance companies and to protect the customers of such companies; if there are limits imposed on charges or commissions in respect of life insurance investment products in view of the fact that many of these investments are for pension purposes; and if he will make a statement on the matter. [29419/06]

Minister for Finance (Mr. Cowen): I am aware of the reports referred to by the Deputy, which my Department has brought to the attention of the Financial Regulator. Under the Life Assur-

ance (Provision of Information) Regulations 2001, a customer buying a life assurance product must receive information on the commission payable. The objective is to ensure that the customer is aware of the amount of commission payable, to whom it is payable and the effect of charges on the performance of their product. This means that the customer is able to opt out of the particular contract and/or to shop around for a better deal, either from another insurance company or from another intermediary. Where there is evidence that a financial institution, such as an insurance company, is not meeting its obligations in making customers aware of commissions charged, the Financial Regulator has the power to investigate. The Financial Regulator has also issued a Consumer Guide to Life Insurance which is available on www.itsyourmoney.ie. If individual customers believe they were not properly informed about the commission they have paid, they can refer the complaint to the Financial Services Ombudsman.

It is open to an insurance company to arrange a commission in respect of sales irrespective of the distribution channel used, i.e. a broker or employee. In general, the Financial Regulator has no role or powers in setting the charges or price of investment products. However, in the case of products for pension purposes, the maximum charges on standard PRSAs cannot exceed 5% of contributions paid and 1% of the PRSA assets.

If the Deputy considers that commissions are being inappropriately charged in any specific instances, she should bring the matter to the attention of the Financial Regulator.

Decentralisation Programme.

516. **Ms Burton** asked the Minister for Finance if he will confirm reports that workers at the Office of Public Works who refuse to decentralise will be allowed to work from their homes in Dublin; the number of qualifying staff; the breakdown by grade of the staff involved; the number of staff estimated to seek to work from home; the way in which this work will be supervised and managed; and if he will make a statement on the matter. [29420/06]

517. **Ms Burton** asked the Minister for Finance if a commitment has been made to professional staff in the Office of Public Works who do not wish to transfer to Trim, that staff will not be recruited to the decentralised office until positions have been found for them in other civil service posts; the number of applications received from the professional staff to date to transfer to Trim; the percentage of the professional staff this represents; the number of persons who have not applied to date who have been allocated a position in another civil service post; and if he will make a statement on the matter. [29421/06]

Minister of State at the Department of Finance (Mr. Parlon): The voluntary nature of decentra-

lisation has been a central feature of the programme both from its inception and in ongoing discussions with staff and their respective unions.

With particular regard to the OPW professional and technical staff it has been stated that imaginative solutions to the issues raised may need to be explored, provided always these both support and optimise the service delivery of a newly-decentralised OPW to Trim, Claremorris and Kanturk.

Innovative work arrangements such as e-working will be considered as part of the ongoing discussions between the union and the official side. The issue of securing appropriate Dublin based posts will continue to be addressed as a priority and recruitment in a decentralised location will have due regard to developments.

The number of OPW professional and technical staff associated with Trim is 43 which represents 38% of the appropriate staff number in the new OPW HQ. The process of absorbing OPW professional and technical staff into other posts in the Civil Service will be addressed as part of the developing framework on this issue.

518. **Ms Burton** asked the Minister for Finance the spending to date on the proposed new headquarters for the Office of Public Works in Trim; the estimated annual cost of maintaining this office until it is fully staffed as a headquarters; and if he will make a statement on the matter. [29422/06]

Minister of State at the Department of Finance (Mr. Parlon): Expenditure incurred to date on the proposed new headquarters for the Office of Public Works (OPW) in Trim amounts to €4.8m. This includes the cost of site acquisition, site surveys, archaeological investigations, design services, etc.

As the procurement process for the proposed new headquarters is still in progress it is not possible, at this early stage, to furnish an estimate of the annual cost of maintaining the building. However, as the building (and its contents, including plant and equipment, etc.) will be new when it has been satisfactorily completed and handed over by the contractor to the OPW, the Commissioners of Public Works anticipate that the cost of maintenance in the foreseeable future will be minimal.

In addition, the building has been specifically designed for low maintenance and low energy consumption.

Departmental Offices.

519. **Ms Burton** asked the Minister for Finance if his attention has been drawn to the findings of the recent survey of the Revenue Commissioners (details supplied); his views on the universally negative view of those surveyed; if there are proposals to implement a more effective complaints mechanism and to address the perceived lack of

expertise at the first point of contact; and if he will make a statement on the matter. [29423/06]

Minister for Finance (Mr. Cowen): I have seen the recent newspaper report about the survey. Customer surveys can be useful in providing feedback on service delivery. In fact, I am advised that Revenue has recently conducted its own survey of SMEs, and while they are currently in the process of analysing the preliminary results, the indications from this survey are generally very positive as regards Revenue's service to businesses.

I have also noted a recent comment by the Small Firms Association to the effect that they regard Revenue as being among the most proactive of Government Agencies when it comes to empathising with the needs of small business. Therefore, one needs to seek a balance in reporting on such matters.

As far as a complaints mechanism is concerned, the Deputy will be aware that all taxpayers have a right, which is specifically recognised in Revenue's Customer Service Charter, to seek a review of the handling of their tax or customs affairs. If the matter cannot be resolved locally, taxpayers can have their complaints referred to the Customer Service Manager in the relevant Region/Division. If the situation still cannot be resolved, the taxpayer may have their case reviewed either internally by a senior Revenue officer outside the Region/Division or by an External Reviewer acting in conjunction with a senior Revenue officer.

In addition of course, taxpayers have a full right of recourse to the Office of the Ombudsman, and this option has been availed of by taxpayers on a regular basis in the years since that Office was established, as indicated in the Annual Reports of the Ombudsman.

I understand that, over the years, these complaints procedures have operated successfully in relation to a wide range of issues. Details of how to avail of Revenue's Customer Service Complaints procedures are set out in Revenue Leaflet CS4, which is available on www.revenue.ie.

On the alleged lack of expertise at the first point of contact, the Revenue Commissioners advise that they provide extensive training to their staff on all aspects of the operations of the Office and constantly review training needs of all staff. Revenue recently signed an important new agreement with the University of Limerick for the delivery to its staff of an Honours Level degree programme in Applied Taxation. Over 100 staff have already obtained a Diploma level qualification on that Programme. Over the period of the agreement, close to 1,200 Revenue staff are expected to graduate from UL with a significant and relevant third-level qualification in taxation.

I am advised by Revenue that they continuously examine ideas to further improve service to

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all their customers, including tax practitioners, and indeed earlier this year, senior staff from Revenue conducted a series of interviews with the major tax practitioner bodies to seek their views. Such ideas are regularly discussed in the Tax Administration Liaison Committee which is made up of Revenue and representatives of the main Accountancy Bodies, the Law Society and the ITI.

Tax Code.

520. **Ms Burton** asked the Minister for Finance if his attention has been drawn to the fact that the homecarers tax credit is only available to married individuals and not available to those who are unmarried; if there are proposals to address this inequality; and if he will make a statement on the matter. [29424/06]

Minister for Finance (Mr. Cowen): As the Deputy will be aware the Home Carer Tax Credit, formerly an allowance, was introduced in Finance Act 2000 and is designed to recognise the contribution made by a spouse who remains working in the home in order to care for certain dependent persons. It was brought in in the context of the more favourable tax bands for individuals introduced at that time. The credit may be claimed by a married couple who are jointly assessed for tax purposes, where one spouse cares for one or more dependent persons. The dependent person is defined as a child in respect of whom child benefit is being paid i.e. in respect of a child up to 19 years of age where the child is in full time education, a person aged 65 years or over, or a person who is permanently incapacitated by reason of mental or physical infirmity. The definition of a dependent person does not include a spouse.

The maximum tax credit due for the current tax year is €770. While the home carer credit is generally not available to married two earner couples, there is an income disregard whereby the home carer may have some income in their own right without affecting their spouse's eligibility for the tax credit.

I have no plans to extend the credit to single persons in view of the specific purpose of this targeted relief.

Tax Yield.

521. **Ms Burton** asked the Minister for Finance the estimated additional revenue expected to accrue to the Exchequer in terms of excise duties and VAT over and above the estimates at Budget 2006, arising from the increase in the price of petrol and other oil products; and if he will make a statement on the matter. [29425/06]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that the additional revenue likely to accrue to the Exchequer arising from the increase in the price of petrol and other oil products relates to the Value Added Tax portion of the increased price since the start of the year. The revenue collected from mineral oil excises does not fluctuate with price changes. The estimated yield of additional value added tax over and above the Budget estimate, based on provisional volume clearances to the end of August and also assuming that the current prices are maintained for the remainder of the year and that there is no reduction in consumption is as set out below:

	Additional VAT 2006
	€m
Petrol	34.2
Auto Diesel	2.6
Kerosene	3.5
Marked Gas Oil	2.4
LPG	0.7
Total	43.4

It should, however, be borne in mind that to the extent that spending in the economy is re-allocated to energy products and away from other VAT liable spending and to the extent that the overall level of economic activity is reduced by higher oil prices, there may be little or no net gain to the Exchequer.

522. **Ms Burton** asked the Minister for Finance the excise duty and approximate VAT charge on a litre of home heating oil in the domestic market in May 2006; the amount of excise duty and VAT included in the cost of a typical delivery of 1000 litres of home heating oil; and if he will make a statement on the matter. [29426/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the information requested as at September 2006 is set out in the following table. The information is based on a price of €651.90 for 1,000 litres of Kerosene and €650.60 for 1,000 litres of home heating Diesel (Marked Gas Oil).

	Additional VAT 2006
	€m
Petrol	34.2
Auto Diesel	2.6
Kerosene	3.5
Marked Gas Oil	2.4
LPG	0.7
Total	43.4

The reduced VAT rate of 13.5 per cent is applied to home heating oil. In Budget 2006, I halved the excise rate (from €32.00 to €16.00) for Kerosene, the primary home heating fuel, and also announced in advance that the excise on Kerosene used for home heating will be reduced to zero in this year's Budget.

Question No. 523 answered with Question No. 463.

Legislative Programme.

524. **Ms Burton** asked the Minister for Finance if he will provide a list of the Acts or sections or other provisions of Acts coming wholly or partly under the auspices of his Department, or for the commencement of which his Department is wholly or partly responsible, which are not in force and which require the future making of a

commencement order; if, in each case, it is intended to make such an order; if so, when; the reason for the failure to make such an order to date; and if he will make a statement on the matter. [29477/06]

Minister for Finance (Mr. Cowen): As the Deputy may be aware it is not always appropriate that all sections of an Act commence from the date it is signed by a Minister. The use of a commencement provision facilitates a more flexible approach by enabling specific sections to be commenced at a later stage by means of a Statutory Instrument. This may arise where it is not appropriate to enact a provision until further consultation takes place.

The following table lists the Acts, sections and other provisions of Acts coming wholly or partly under the auspices of my Department which are not in force and which require the future making of a commencement order.

Title of Acts or sections or other provisions of Acts requiring Commencement Order	When will the Commencement order be made	Reason why such an order has not been made to date
Bretton Woods Agreement Amendment Act 1999 Proposal under Section 7, for an additional payment of €500,000 to the International Monetary Fund's Poverty Reduction and Growth Facility (PRGF) to provide for emergency assistance for natural disasters to PRGF eligible countries.	21 Dáil Sitting days from 7th June 2006	Section 7, Bretton Woods Agreement Amendment Act 1999 requires this proposal to be laid before the Dáil for 21 sitting days. The proposal was so laid on 7 June 2006.
Credit Union Act 1997 Limitation under Section 68 (1) (c) on remuneration payable by a credit union to a credit officer or credit control officer.	Under review	Not commenced due to concerns from the Credit Union Movement at the time. This section is being considered as part of the current review of longer term credit union lending.
Credit Union Act 1997 Duty of an auditor under Section 120 (5) in reporting on the accounting records and systems of control of credit unions.	Under review	Not commenced at the time due to concerns raised by the accountancy profession. The Department and the Financial Regulator will be consulting with the accountancy profession in the coming weeks.
Duty of an auditor under Section 122 (1) (f) to report any failure by the board of directors of a credit union to respond to recommendations made by him.	Under review	
Central Bank and Financial Services Authority of Ireland Act 2004 Schedule 3, Part 1, Item 1 deals with amendment of Insurance Act 1936	Still under review	Following consultation with the insurance industry, the Financial, Regulator has asked for its implementation to be deferred.
Taxes Consolidation Act 1997 Section 917EA (mandatory electronic filing and payment of tax) of the Taxes Consolidation Act 1997 (inserted by section 164 of the Finance Act 2003).	Activation of this Section is not yet required	While the Revenue Commissioners are committed to examining the possibilities of requiring some classes of taxpayers (e.g. large companies) to mandatory file tax returns, Revenue's consideration of the issues involved is not yet at the stage where the activation of this section is required.
Finance Act 2006. Replacement of section 98A of the Finance Act 1999 (as provided for by section 81 of the Finance Act 2006). The new section 98A will provide for a scheme of relief from mineral oil tax for biofuels essential to qualifying projects.	September/ October 2006	Commencement of section 81 of the 2006 Act is subject to receiving state aid clearance from the European Commission.

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Title of Acts or sections or other provisions of Acts requiring Commencement Order	When will the Commencement order be made	Reason why such an order has not been made to date
<p>Finance Act 2006 Replacement for Schedule 2 to the Finance Act 1999 (as originally provided for by section 64(b) of the Finance Act 2005 and subsequently by section 79(b) of the Finance Act 2006).</p> <p>Schedule 2 to the Finance Act 1999, as inserted by section 79(a) of the Finance Act 2006, sets down the rates of Mineral Oil Tax to apply to the various Mineral Oil products.</p> <p>Section 79(b) of the 2006 Act allows for the replacement of that Schedule so as to introduce differentiated rates in favour of petrol and auto diesel with a sulphur content not exceeding 10 milligrammes per kilogramme.</p>	No date set at present	A commencement order cannot be made at this stage because the “sulphur free” products for which the replacement Schedule makes provision are not yet readily available on the Irish market.
<p>Finance Act 2005 Section 16 Finance Act 2005 which deals with the question of the taxation of share options.</p>	No date set at present	Consultations are ongoing with tax practitioners as regards OECD recommendations on the tax treatment of the exercise of share options involving cross border issues.
<p>Finance Act 2006 Section 36 Finance Act 2006, which deals with capital allowances for qualifying health centres.</p>	November 2006	Awaiting commencement of section 64 of the Mental Health Act 2001 and the making of regulations under section 66 of that Act
<p>Finance Act 2006 Section 67 Finance Act 2006 – subsections (1)(a)(ii), (1)(b), (1)(c), (1)(d), (1)(e) and (1)(f)(ii). These Finance Act provisions relate to the removal of an existing limit of 75% on the number of ships that a shipping company may charter if it is to qualify under the tonnage tax regime.</p>	No date set at present	Awaiting the conclusion of consultations with the European Commission.
<p>Finance Act 2006 Section 122 (Payments of tax by means of donation of heritage property to an Irish heritage trust).</p> <p>Section 23 (Amendment of Schedule 26a, donations to approved bodies, etc., to Principal Act).</p> <p>Section 73 (Amendment of section 606, disposals of work of art, etc., loaned for public display, of Principal Act).</p> <p>Section 115 (Amendment of section 77, exemption of heritage property, of Principal Act).</p>	Early October 2006	The order could not be made until the Irish Heritage Trust was formally established as a company and had been granted charitable tax exemption. This has now taken place and arrangements are now being made to put in place the necessary Commencement Order and Designation Order.
<p>Finance Act 2006 Section 93(1) and section 97(1)(b) section 99(1)(a) of the Finance Act 2006. These sections provide a replacement rule for the VAT treatment of the supply of a “package” comprising two or more elements which attract VAT at different rates.</p>	November 2006	The gap between the Finance Act and the Commencement Order was necessary to allow taxpayers time to familiarise themselves with the impact of the new rules and thereby ensure a smooth transition from the current provisions.

Non-Resident Taxation.

525. **Ms Burton** asked the Minister for Finance if he has undertaken a consultancy study or other review of persons who are non-resident here for tax purposes; if such a review was requested by the Taoiseach; his estimate of the number of persons non-resident for tax purposes for each of the past three tax years; and if the Revenue Commissioners have undertaken additional steps to clarify the number of visits made here by such non-residents. [29478/06]

Minister for Finance (Mr. Cowen): As the Deputy is aware from previous questions on the matter, I asked the Chairman of the Revenue Commissioners last year to monitor the application of the current residency rules. The Revenue Commissioners subsequently reported to me that, of the cases examined during 2005, there was no reason to conclude that the individuals concerned failed to comply with the statutory rules governing non-residence.

I have not sought any other consultancy study or review, nor has such a review been requested by the Taoiseach.

I am informed by the Revenue Commissioners that it is not possible at present to identify the number of Irish domiciled individuals claiming to be non-resident for tax purposes as the information has not been captured in the past. This information will be captured electronically from the 2005 returns, due by the end of October 2006, and this will facilitate the compilation of statistics for 2005.

I am further informed by the Revenue Commissioners that enquiries relating to residence are part of their risk-based programme. The methods and procedures used to verify claims for non-residency are constantly under review.

Tax Yield.

526. **Ms Burton** asked the Minister for Finance the number of workers here affected by the change in the remittance basis of taxation for foreign workers as announced in Budget 2006; the number of people that have been affected by same; the estimate of the amount of tax generated by the changes; and if he will make a statement on the matter. [29479/06]

Minister for Finance (Mr. Cowen): Section 15 of the Finance Act 2006 enacted my Budget Day announcement providing for the discontinuance with effect from the current tax year of the remittance basis of assessment for income tax in respect of employment income insofar as that income relates to the performance in the State of duties of the employment.

I am informed by the Revenue Commissioners that individuals charged to tax on the remittance basis of taxation pay tax on the income concerned under the self-assessment system. The Revenue Commissioners further inform me that the data sought by the Deputy on the numbers of workers affected by the measure cannot be separately identified because all foreign-sourced income, including income charged on the remittance basis, is grouped together and assessed for income tax under what is termed Case III of Schedule D. In addition, those individuals chargeable on the remittance basis are obliged to declare only so much of the foreign income received in, or remitted to, the State. Accordingly, details of un-remitted employment income under foreign contracts, in respect of which Irish tax was forgone, are not required.

Therefore, while the Revenue Commissioners cannot quantify the exact number of employers and employees who were using the remittance basis, it was clear from information derived from normal Revenue operations that remuneration structures using the remittance basis were widely promoted. In particular, some offshore agencies targeted professionals such as pharmacists, doctors, dentists, engineers and architects, and others working in Ireland, offering foreign “off

the peg” contracts purporting to ensure entitlement to the remittance basis.

Tax Yield.

527. **Ms Burton** asked the Minister for Finance the full range of stamp duties which apply to the issue of bank cards and the conduct of bank transactions; and if he will make a statement on the matter. [29480/06]

Minister for Finance (Mr. Cowen): The range of stamp duties that apply to the issue of financial cards and the conduct of bank transactions are:

Credit Cards and Charge Cards: An annual stamp duty of €40 on each credit card and charge card account.

Debit Cards: €10 per annum per debit card

ATM Cards: €10 per annum per ATM card

Combined Cards (Debit & ATM cards): €20 per annum per card, where the card is used for both Debit and ATM transactions, otherwise €10 where the card is only used for either ATM or Debit transactions.

Cheques: 15c per cheque.

528. **Ms Burton** asked the Minister for Finance the number of stud farms or operations which have completed returns in relation to earnings and so on in respect of stallions; the number of such returns which have been made; the average income and profit for tax purposes reported; the highest; and the lowest; and if he will make a statement on the matter. [29481/06]

Minister for Finance (Mr. Cowen): The relevant information available is based on tax returns by individuals and companies of tax exempt income arising from stallion stud fees for the tax year 2004. I am advised by the Revenue Commissioners that the number of such returns was 128 with the average exempt income reported at €224,707 and the lowest at €245.

Because of the Revenue Commissioners' obligation to observe confidentiality in relation to the taxation affairs of individual taxpayers and small groups of taxpayers a figure for the highest amount of exempt income returned is not provided in relation to amounts exceeding €1 million due to the small numbers of returns with amounts exceeding that level. There are 8 returns of stallion stud fees in excess of €1 million.

I should point out, however, that Revenue are concerned at preliminary indications that in some instances the new, separately categorised data on exempt income and property incentives may not have been correctly entered on the 2004 Income Tax returns. Revenue is engaging with the tax practitioner bodies to draw attention to these deficiencies and to rectify them. Revenue has also

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increased awareness among its own staff involved in processing tax returns of the need to ensure, through closer examination of the returns, that they are correctly completed.

The information regarding profits for tax purposes is not readily available and could not be obtained without conducting a protracted examination of the Revenue Commissioners records.

Tax Collection.

529. **Ms Burton** asked the Minister for Finance the expected distribution of income earners for

Tax Year	Exempt		Marginal Band		Standard Rate		Higher Rate		ALL Cases
	No.	%	No.	%	No.	%	No.	%	No.
1998/1999	397,900	25.11	73,700	4.65	631,300	39.83	482,000	30.41	1,584,900
1999/2000	458,700	27.52	20,500	1.23	645,000	38.68	543,000	32.57	1,667,200
2000/2001	502,400	28.47	15,800	0.90	706,300	40.02	540,400	30.62	1,765,000
2001	528,000	29.50	7,500	0.42	719,500	40.20	535,000	29.89	1,790,000
2002	632,700	33.56	13,700	0.73	731,800	38.82	506,800	26.89	1,885,000
2003	649,300	33.69	20,700	1.07	695,500	36.09	561,800	29.15	1,927,200
2004*	677,100	33.97	21,800	1.10	645,700	32.39	648,600	32.54	1,993,200
2005*	732,400	35.11	19,100	0.92	644,100	30.88	690,500	33.10	2,086,100
2006*	776,100	35.92	18,800	0.87	681,900	31.56	683,700	31.65	2,160,500

* Provisional and likely to be revised.

Note: Figures in the table are rounded to the nearest hundred and any apparent discrepancies in totals are due to this.

The figures for the years 1998/1999 to 2003 inclusive are based on incomes data derived from income tax returns held on Revenue records and have been grossed-up to an overall expected level to adjust for incompleteness in the numbers of returns on record at the time the data was extracted for analytical purposes.

For the years 2004 to-date, the figures are estimates from the Revenue tax forecasting model using actual data for the year 2003 adjusted as necessary for income and employment growth for the years in question.

From the 1999/2000 tax year onwards the personal tax credits (formerly personal allowances) and Employee credit (formerly PAYE allowance) are deducted after tax is calculated rather than before the tax calculation as was previously the case. This should be taken into account in comparing numbers with the 1998/1999 tax year.

It should be noted that a married couple who has elected or has been deemed to have elected for joint assessment is counted as one tax unit.

Tax Yield.

530. **Ms Burton** asked the Minister for Finance the rate of income tax paid by persons earning in excess of €100,000 per annum and upwards in bands of €20,000 per annum from 2000 for each year to date, distinguishing between single persons and couples, between PAYE taxpayers and those who are self employed and including tax-

income tax payments for 2005 broken down in number and percentage terms into the categories of exempt, marginal relief, standard rate and higher rate; and if he will provide the comparative figures for each year from 1998 to date in 2006. [29482/06]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that the information requested by the Deputy is set out in the table below.

I am advised by the Revenue Commissioners that the information requested by the Deputy is set out in the table below.

income tax payments for 2005 broken down in number and percentage terms into the categories of exempt, marginal relief, standard rate and higher rate; and if he will provide the comparative figures for each year from 1998 to date in 2006. [29483/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the most recent basic data on incomes available from which information of the type requested by the Deputy could be derived are in respect of the income tax year 2003.

The information requested is set out in the following tables for the income tax years 2000/01, 2001 “short” year, 2002 and 2003. However, because of the Revenue Commissioners’ obligation to observe confidentiality in relation to the taxation affairs of individual taxpayers and small groups of taxpayers, the breakdown by income bands requested by the Deputy is not provided in relation to incomes exceeding €1 million due to the small numbers of income earners with incomes in excess of that level.

The Deputy will be aware that this material is dated in that major changes I made in my Budgets to the structure and extent of tax reliefs will increase the average tax rate for those on higher incomes using such reliefs. Caution should be used in basing policy pronouncements on this data.

INCOME TAX 2000/2001

Numbers of all income earners with incomes exceeding €100,000

Range of Gross Income *	No net liability for income tax			Liable for tax at the standard rate (22%) or marginal relief			Liable for tax at the higher rate (44%)			Overall Total
	Single*	Married	Total	Single*	Married	Total	Single*	Married	Total	
100,000 120,000	15	43	58	3	68	71	1,501	8,383	9,884	10,013
120,000 140,000	7	33	40	1	42	43	840	4,664	5,504	5,587
140,000 160,000	5	20	25	3	21	24	508	3,007	3,515	3,564
160,000 180,000	9	25	34	2	15	17	301	1,999	2,300	2,351
180,000 200,000	1	8	9	3	15	18	223	1,454	1,677	1,704
200,000 220,000	1	13	14	0	7	7	177	1,075	1,252	1,273
220,000 240,000	2	7	9	0	3	3	143	869	1,012	1,024
240,000 260,000	2	6	8	2	7	9	104	680	784	801
260,000 280,000	1	5	6	1	3	4	102	531	633	643
280,000 300,000	1	1	2	0	4	4	66	471	537	543
300,000 320,000	1	0	1	1	2	3	56	381	437	441
320,000 340,000	1	4	5	0	0	0	54	303	357	362
340,000 360,000	1	2	3	0	2	2	40	249	289	294
360,000 380,000	0	0	0	0	2	2	30	223	253	255
380,000 400,000	0	3	3	0	1	1	29	229	258	262
400,000 420,000	0	3	3	0	0	0	23	146	169	172
420,000 440,000	1	5	6	0	1	1	19	131	150	157
440,000 460,000	1	1	2	0	0	0	22	120	142	144
460,000 480,000	2	1	3	0	1	1	15	109	124	128
480,000 500,000	0	3	3	0	0	0	19	88	107	110
500,000 520,000	0	4	4	0	0	0	15	90	105	109
520,000 540,000	0	3	3	0	1	1	14	65	79	83
540,000 560,000	1	4	5	0	1	1	9	69	78	84
560,000 580,000	2	2	4	1	0	1	12	61	73	78
580,000 600,000	0	0	0	0	0	0	11	48	59	59
600,000 620,000	0	0	0	0	2	2	5	54	59	61
620,000 640,000	0	1	1	0	0	0	7	47	54	55
640,000 660,000	0	0	0	0	0	0	5	42	47	47
660,000 680,000	0	0	0	0	0	0	7	43	50	50
680,000 700,000	2	2	4	0	0	0	2	29	31	35
700,000 720,000	0	2	2	0	1	1	3	37	40	43
720,000 740,000	0	2	2	0	2	2	4	30	34	38
740,000 760,000	0	0	0	1	1	2	5	23	28	30
760,000 780,000	0	0	0	0	0	0	8	32	40	40
780,000 800,000	0	0	0	0	0	0	2	23	25	25
800,000 820,000	0	0	0	0	0	0	1	27	28	28
820,000 840,000	0	1	1	0	0	0	5	24	29	30
840,000 860,000	0	0	0	0	0	0	1	16	17	17
860,000 880,000	0	0	0	0	0	0	1	13	14	14
880,000 900,000	0	0	0	1	0	1	2	22	24	25
900,000 920,000	0	0	0	0	0	0	3	12	15	15
920,000 940,000	0	0	0	0	1	1	3	17	20	21
940,000 960,000	0	0	0	0	0	0	4	13	17	17
960,000 980,000	0	0	0	0	0	0	4	11	15	15
980,000 1,000,000	0	0	0	0	0	0	2	14	16	16
Over 1,000,000	0	10	10	1	0	1	64	329	393	404
	56	214	270	20	203	223	4,471	26,303	30,774	31,267

*“Single” includes widowed persons.

[Mr. Cowen.]

INCOME TAX “short year” 2001

Numbers of all income earners with incomes exceeding €100,000

Range of Gross Income*	No net liability for income tax			Liable for tax at the standard rate (20%) or marginal relief			Liable for tax at the higher rate (42%)			Range of Gross Income*
	Single*	Married	Total	Single*	Married	Total	Single*	Married	Total	
100,000 120,000	15	38	53	7	32	39	866	5122	5988	100,000 120,001
120,000 140,000	10	24	34	3	23	26	497	3055	3552	120,000 140,001
140,000 160,000	6	14	20	3	21	24	310	1970	2280	140,000 160,001
160,000 180,000	4	14	18	1	16	17	208	1307	1515	160,000 180,001
180,000 200,000	2	15	17	1	5	6	159	1015	1174	180,000 200,001
200,000 220,000	0	6	6	2	6	8	123	736	859	200,000 220,001
220,000 240,000	2	5	7	1	4	5	68	596	664	220,000 240,001
240,000 260,000	3	6	9	0	3	3	66	433	499	240,000 260,001
260,000 280,000	0	5	5	0	2	2	53	369	422	260,000 280,001
280,000 300,000	2	6	8	0	1	1	45	294	339	280,000 300,001
300,000 320,000	0	7	7	1	3	4	38	249	287	300,000 320,001
320,000 340,000	0	0	0	0	0	0	26	206	232	320,000 340,001
340,000 360,000	1	3	4	2	1	3	23	157	180	340,000 360,001
360,000 380,000	0	1	1	0	2	2	28	163	191	360,000 380,001
380,000 400,000	0	3	3	0	0	0	29	147	176	380,000 400,001
400,000 420,000	0	1	1	0	0	0	19	104	123	400,000 420,001
420,000 440,000	1	2	3	0	0	0	21	106	127	420,000 440,001
440,000 460,000	1	2	3	0	0	0	11	103	114	440,000 460,001
460,000 480,000	0	1	1	0	1	1	11	62	73	460,000 480,001
480,000 500,000	0	1	1	0	1	1	7	60	67	480,000 500,001
500,000 520,000	0	2	2	0	2	2	6	60	66	500,000 520,001
520,000 540,000	0	2	2	0	0	0	9	54	63	520,000 540,001
540,000 560,000	1	5	6	0	0	0	7	36	43	540,000 560,001
560,000 580,000	0	1	1	0	0	0	10	40	50	560,000 580,001
580,000 600,000	2	3	5	0	1	1	5	38	43	580,000 600,001
600,000 620,000	0	1	1	0	0	0	5	37	42	600,000 620,001
620,000 640,000	0	1	1	0	2	2	4	26	30	620,000 640,001
640,000 660,000	0	2	2	0	0	0	3	28	31	640,000 660,001
660,000 680,000	1	0	1	0	0	0	3	15	18	660,000 680,001
680,000 700,000	0	0	0	0	0	0	7	27	34	680,000 700,001
700,000 720,000	0	0	0	0	0	0	4	14	18	700,000 720,001
720,000 740,000	0	1	1	0	0	0	3	20	23	720,000 740,001
740,000 760,000	0	0	0	0	0	0	3	8	11	740,000 760,001
760,000 780,000	0	0	0	0	0	0	2	16	18	760,000 780,001
780,000 800,000	0	1	1	0	0	0	2	12	14	780,000 800,001
800,000 820,000	0	0	0	0	0	0	1	18	19	800,000 820,001
820,000 840,000	0	2	2	0	0	0	1	12	13	820,000 840,001
840,000 860,000	0	0	0	0	0	0	0	11	11	840,000 860,001
860,000 880,000	0	2	2	0	1	1	2	15	17	860,000 880,001
880,000 900,000	0	0	0	0	1	1	1	8	9	880,000 900,001
900,000 920,000	0	2	2	0	0	0	2	7	9	900,000 920,001
920,000 940,000	0	0	0	0	0	0	1	12	13	920,000 940,001
940,000 960,000	0	0	0	0	0	0	0	7	7	940,000 960,001
960,000 980,000	0	0	0	0	0	0	2	8	10	960,000 980,001
980,000 1,000,000	1	0	1	0	0	0	0	11	11	980,000 1,000,001
Over 1,000,000	2	9	11	0	0	0	34	158	192	Over 1,000,001
	54	188	242	21	128	149	2,725	16,952	19,677	

INCOME TAX 2002

Numbers of all income earners with incomes exceeding €100,000

Range of Gross Income *	No net liability for income tax			Liable for tax at the standard rate (20%) or marginal relief			Liable for tax at the higher rate (42%)			Overall Total
	Single*	Married	Total	Single*	Married	Total	Single*	Married	Total	
100,000 120,000	11	36	47	14	154	168	2,112	13,289	15,401	15,616
120,000 140,000	4	35	39	6	90	96	1,127	6,728	7,855	7,990
140,000 160,000	7	19	26	3	49	52	686	4,026	4,712	4,790
160,000 180,000	2	8	10	2	41	43	472	2,765	3,237	3,290
180,000 200,000	6	10	16	5	27	32	327	2,023	2,350	2,398
200,000 220,000	1	11	12	1	18	19	265	1,493	1,758	1,789
220,000 240,000	1	12	13	1	16	17	191	1,084	1,275	1,305
240,000 260,000	1	0	1	1	2	3	136	922	1,058	1,062
260,000 280,000	1	6	7	3	14	17	113	709	822	846
280,000 300,000	2	3	5	0	2	2	97	579	676	683
300,000 320,000	2	4	6	0	5	5	70	499	569	580
320,000 340,000	0	3	3	0	5	5	68	399	467	475
340,000 360,000	1	1	2	1	4	5	55	367	422	429
360,000 380,000	0	2	2	0	3	3	43	276	319	324
380,000 400,000	0	2	2	1	2	3	33	234	267	272
400,000 420,000	1	6	7	0	2	2	48	221	269	278
420,000 440,000	0	0	0	0	3	3	26	187	213	216
440,000 460,000	1	2	3	0	1	1	31	170	201	205
460,000 480,000	0	1	1	0	0	0	23	152	175	176
480,000 500,000	0	0	0	1	1	2	18	122	140	142
500,000 520,000	0	1	1	0	3	3	20	128	148	152
520,000 540,000	0	0	0	0	2	2	21	99	120	122
540,000 560,000	0	0	0	0	1	1	10	93	103	104
560,000 580,000	0	0	0	0	0	0	9	90	99	99
580,000 600,000	0	0	0	0	0	0	5	68	73	73
600,000 620,000	0	0	0	0	1	1	11	61	72	73
620,000 640,000	0	3	3	0	1	1	15	65	80	84
640,000 660,000	0	1	1	0	0	0	9	63	72	73
660,000 680,000	0	2	2	0	1	1	6	51	57	60
680,000 700,000	0	0	0	0	0	0	8	60	68	68
700,000 720,000	0	0	0	0	1	1	7	51	58	59
720,000 740,000	0	0	0	0	0	0	10	49	59	59
740,000 760,000	0	1	1	0	0	0	5	41	46	47
760,000 780,000	0	0	0	0	0	0	2	29	31	31
780,000 800,000	0	0	0	1	2	3	3	30	33	36
800,000 820,000	0	1	1	0	0	0	1	19	20	21
820,000 840,000	0	1	1	0	0	0	3	22	25	26
840,000 860,000	0	0	0	0	0	0	4	26	30	30
860,000 880,000	0	1	1	0	1	1	2	22	24	26
880,000 900,000	0	0	0	0	2	2	2	16	18	20
900,000 920,000	0	0	0	0	0	0	2	18	20	20
920,000 940,000	0	0	0	0	0	0	5	14	19	19
940,000 960,000	0	0	0	0	1	1	1	11	12	13
960,000 980,000	0	0	0	0	0	0	3	10	13	13
980,000 1,000,000	0	0	0	0	0	0	1	14	15	15
Over 1,000,000	1	4	5	1	5	6	67	359	426	437
	42	176	218	41	460	501	6,173	37,754	43,927	44,646

*“Single” includes widowed persons.

[Mr. Cowen.]

INCOME TAX 2003

Numbers of mainly self-employed income earners with incomes exceeding €100,000

Range of Gross Income *	No net liability for income tax			Liable for tax at the standard rate (20%) or marginal relief			Liable for tax at the higher rate (42%)			Overall
	Single*	Married	Total	Single*	Married	Total	Single*	Married	Total	Total
100,000 120,000	16	30	46	11	111	122	775	2,852	3627	3,795
120,000 140,000	9	23	32	10	35	45	495	1,865	2360	2,437
140,000 160,000	4	12	16	3	28	31	300	1,353	1653	1,700
160,000 180,000	1	17	18	2	12	14	248	1,026	1274	1,306
180,000 200,000	3	6	9	1	13	14	178	814	992	1,015
200,000 220,000	1	7	8	2	7	9	156	621	777	794
220,000 240,000	1	5	6	1	4	5	109	508	617	628
240,000 260,000	1	4	5	2	7	9	75	446	521	535
260,000 280,000	0	1	1	1	2	3	76	409	485	489
280,000 300,000	0	1	1	0	5	5	96	316	412	418
300,000 320,000	0	5	5	1	3	4	72	312	384	393
320,000 340,000	0	2	2	0	4	4	51	231	282	288
340,000 360,000	0	1	1	2	3	5	37	219	256	262
360,000 380,000	0	2	2	0	1	1	38	188	226	229
380,000 400,000	1	2	3	0	2	2	32	171	203	208
400,000 420,000	1	7	8	0	0	0	39	143	182	190
420,000 440,000	0	1	1	0	0	0	18	132	150	151
440,000 460,000	0	0	0	0	3	3	23	127	150	153
460,000 480,000	1	0	1	0	0	0	13	99	112	113
480,000 500,000	0	0	0	0	0	0	18	77	95	95
500,000 520,000	0	0	0	0	0	0	21	105	126	126
520,000 540,000	0	0	0	0	1	1	11	70	81	82
540,000 560,000	0	0	0	0	0	0	8	78	86	86
560,000 580,000	1	1	2	0	0	0	17	74	91	93
580,000 600,000	0	1	1	0	0	0	10	41	51	52
600,000 620,000	1	0	1	0	0	0	9	49	58	59
620,000 640,000	0	0	0	0	2	2	1	50	51	53
640,000 660,000	0	3	3	0	0	0	5	45	50	53
660,000 680,000	0	1	1	0	0	0	12	53	65	66
680,000 700,000	1	1	2	0	0	0	2	31	33	35
700,000 720,000	0	0	0	0	0	0	2	37	39	39
720,000 740,000	0	0	0	0	0	0	7	17	24	24
740,000 760,000	0	2	2	0	0	0	3	28	31	33
760,000 780,000	0	0	0	0	0	0	3	20	23	23
780,000 800,000	1	1	2	0	0	0	1	26	27	29
800,000 820,000	0	0	0	0	0	0	0	16	16	16
820,000 840,000	0	0	0	0	0	0	5	18	23	23
840,000 860,000	0	0	0	0	0	0	1	16	17	17
860,000 880,000	0	0	0	0	1	1	4	16	20	21
880,000 900,000	0	0	0	0	0	0	1	8	9	9
900,000 920,000	0	0	0	0	0	0	3	12	15	15
920,000 940,000	0	0	0	0	0	0	1	17	18	18
940,000 960,000	0	1	1	0	0	0	1	14	15	16
960,000 980,000	0	0	0	0	0	0	0	7	7	7
980,000 1,000,000	0	0	0	0	0	0	1	10	11	11
Over 1,000,000	1	3	4	2	3	5	34	179	213	222
	44	140	184	38	247	285	3,012	12,946	15,958	16,427

* "Single" includes widowed persons

NOTES TO TABLES

The 2001 short income tax year was a short transitional tax “year” running from 6 April to 31 December 2001 which preceded the first full calendar tax year 1 January 2002 to 31 December 2002. It should be noted that as PAYE taxpayers were charged to tax on their earnings in the period from 6 April to 31 December 2001 and self-employed taxpayers were assessed to tax for the short “year” on 74% of the profits earned in a 12 month accounting period, the income figures will not be directly comparable with those of earlier or later years.

A married couple who has elected or has been deemed to have elected for joint assessment is counted as one tax unit. Married couples and individuals with income chargeable to tax under both Schedule E and Schedule D have been classified in the attached tables by reference to the Schedule under which the larger amount of income is taxable.

The designation of a tax rate to an income earner in the tables is based on identifying the top tax rate applying to the taxable income of each earner. To arrive at the figure for taxable income, the gross income is reduced by various relevant deductions and allowances such as capital allowances, losses, allowable expenses and retirement annuities. In some cases, these will reduce the taxable income to nil.

Caution is required in comparing between years because data for 2002 and 2003 take account of DIRT paid by taxpayers, whereas the figures for 2000/2001 and the short tax “year” 2001 do not do so. To identify and associate the DIRT paid figures at taxpayer level for the two earlier years could not be achieved without conducting a protracted examination of the Revenue Commissioner’s records and amending supporting computer software.

The information on incomes is based on income returns on Revenue records at the time the data were compiled for analytical purposes, representing about 95 per cent of all returns expected.

Traffic Management.

531. **Mr. Durkan** asked the Minister for Finance if he will authorise the opening of the Knockmaroon Gate, Phoenix Park, at 6:30 a.m. to eliminate traffic congestion in the vicinity; and if he will make a statement on the matter. [29504/06]

Minister of State at the Department of Finance (Mr. Parlon): A comprehensive Traffic Management Study for the Phoenix Park, commissioned by my Office and undertaken by an independent firm of consultants, has been completed and the

commuter traffic using the Knockmarron Gate is one of the issues covered in that Study.

The Study findings are at present under consideration.

Tax Collection.

532. **Mr. Durkan** asked the Minister for Finance when a P45 will issue in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29512/06]

Minister for Finance (Mr. Cowen): I have been advised by the Revenue Commissioners that a Form P45 will be issued by the employer to the taxpayer in the coming days.

533. **Mr. Durkan** asked the Minister for Finance when a P45 will issue in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29514/06]

Minister for Finance (Mr. Cowen): I have been advised by the Revenue Commissioners that a Form P45 will be issued by the employer to the taxpayer in the coming days.

Tax Yield.

534. **Mr. Lowry** asked the Minister for Finance the detail of stamp duty rates on cheques, laser cards with ATM function, ATM cards and credit cards each year since 2002; the income to the exchequer each year on each; if he will review these rates; if consideration will be given to removing the stamp duty on each in Budget 2007; and if he will make a statement on the matter. [29640/06]

Minister for Finance (Mr. Cowen): The rates of stamp duty on cheques, debit cards with ATM function, ATM cards and credit cards each year since 2002 is as follows:

Cheques: Cheques drawn on or after 5 December 2002 – 15c; Cheques drawn prior to 4 December 2002 – 8c.

Debit Cards with ATM functions: 2002 — €10; 2003 onwards — €20.

However, I introduced changes in this year’s Finance Act to alter the way that stamp duty is charged on these cards. The stamp duty is reduced to €10 per annum where the card is only used for one function (either ATM transactions or debit transactions) throughout the year.

ATM Cards: 2002 — €6.25; 2003 onwards — €10.

Credit Cards: 2002 — €19; 2003 onwards — €40.

[Mr. Cowen.]

However a relieving provision was introduced in the 2005 Finance Act to limit the duty to a single charge where an account holder moved account during the year.

The yield to the Exchequer for each year is:

Year	Credit/charge cards	ATM/debit cards
	€m	€m
2002	22.9	14.04
2003	51.7	32.64
2004	59.0	35.25
2005	63.8	37.9

All stamp duties, including the stamp duties on financial cards and bank transactions, are reviewed in the context of the annual Budget and Finance Bill.

Tax Code.

535. **Mr. Lowry** asked the Minister for Finance the measures he intends to take in Budget 2007 towards reducing VRT. [29641/06]

Minister for Finance (Mr. Cowen): The VRT rates and bands are reviewed in the annual Budgetary process and it would not be appropriate to comment further at this stage. The Deputy will be aware that in last year's Budget, I introduced a 50% VRT relief for flexible fuel vehicles and extended to end-2007 a similar relief that was already in place for hybrid electric cars.

536. **Mr. Lowry** asked the Minister for Finance his views on substantially increasing the tax relief available in order to provide greater incentives and financial support to those returning to part-time or full-time fourth education in view of the fact that many fourth level university education courses have fees ranging from €10,000 to €30,000 per annum; and if he will make a statement on the matter. [29642/06]

Minister for Finance (Mr. Cowen): The maximum amount of qualifying fees allowable under the scheme of tax relief on third level tuition fees, including tuition fees in respect of approved post graduate courses, is €5,000 per academic year at the standard rate of tax. As the Deputy will be aware, I increased the maximum level at which this tax relief is currently allowed from €3,175 in Budget 2005.

The maximum qualifying fees allowable under the scheme are determined by the Minister for Education and Science, with the consent of the Minister for Finance. Thus, any proposal to increase the amount of qualifying fees allowable for the purposes of tax relief would, in the first instance, be a matter for my colleague, Ms Mary

Hanafin, TD, the Minister for Education and Science.

Centenarians Bounty.

537. **Mr. Stanton** asked the Minister for Finance the number who received the Centenarians Bounty in 2004, 2005 and to date in 2006; the total amount expended in each respective year; the number of those that have been paid to date to Irish people living outside the state; and if he will make a statement on the matter. [29643/06]

Minister for Finance (Mr. Cowen): I am informed by the Office of the President that the numbers who have received the Centenarians Bounty in 2004, 2005, and to date in 2006, and the total amount expended in the respective years is as follows:

	(i) Number of recipients	(ii) Total Expended
		€
2004	111	281,940
2005	141	358,140
2006 (to date)	223	570,245

The significant increase in numbers and costs in 2006 is due to the decision of the Government earlier this year to extend the eligibility criteria for the Centenarian Bounty to all Irish citizens born in the island of Ireland but who left Ireland to take up permanent residence abroad.

A total of 117 centenarians living outside the State have so far received the Bounty. Of these, nearly half live in the United States with the vast majority of the remainder almost equally divided between Northern Ireland and Britain. Centenarians living in South Africa and New Zealand have also been in receipt of the Bounty.

Tax Code.

538. **Mr. Perry** asked the Minister for Finance if he will waive or reduce the charges associated with a transfer in view of that fact that the site is being transferred to a third generation family member who recently married (details supplied); and if he will make a statement on the matter. [29648/06]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that, in the case referred to by the Deputy, the site was transferred jointly by a grandmother and her daughter to the daughter's child. The stamp duty payable was reduced by fifty percent as all parties to the transfer were related.

In order to avail of full relief, the transferee would have to be a child of the person who immediately before the transfer was entitled to the entire beneficial interest in the site. As the beneficial interest was shared between the grand-

mother and her daughter prior to the transfer, full relief is not available in this case.

Garda Stations.

539. **Mr. Durkan** asked the Minister for Finance the position in regard to the provision of the proposed new Garda Station at Leixlip, County Kildare; the schedule for the actual commencement of site works; and if he will make a statement on the matter. [29658/06]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works recently made the formal decision to proceed with the construction of the proposed new Garda station at Leixlip, Co. Kildare.

Tender documents are currently in preparation and it is expected that the tendering process will begin in November 2006.

Following the placing of the contract, work should commence on site early next year.

Tax Code.

540. **Ms Burton** asked the Minister for Finance the changes which have been made in classifying tax paid by high net-worth individuals that have been identified by the Revenue Commissioners for monitoring and review in terms of tax compliance at zero percent, 20 percent and 42 percent; the date from which the proposed changes will apply; and the items which will be included in the classification of income tax paid. [29746/06]

Minister for Finance (Mr. Cowen): I believe the Deputy may be referring to the Revenue Commissioners' Studies "Effective tax rates of the top 400 earners: Report for the tax year 2001" and "Effective tax rates of the top 400 earners:

report for the tax year 2002", which were published in March 2005 and June 2006 respectively.

The Revenue Commissioners in paragraph 4 of the report for the tax year 2001 set out changes in the methodology to be applied in such studies in quantifying and classifying tax paid. The changes were that: deposit interest retention tax (DIRT) deducted at source from any deposit interest earned was to be included in the figure for income tax payable in all cases in computing the effective tax rate; and individuals paying some income tax, although amounting to an effective rate of less than 1%, were to be excluded from the 0% range and included in the less than 5% range.

An appendix to the report for the tax year 2001 showed the effect of these changes which was relatively minor. That appendix then provided the comparative figures when the new methodology was applied in the report of the Revenue Commissioners on the effective tax rates of the top earners for the tax year 2002.

Tax Yield.

541. **Ms Burton** asked the Minister for Finance if he will give an analysis of the receipts from stamp duty for each of the past 5 years, broken down between household mortgages, investor mortgages, commercial property, shares, etc., and if he will indicate the amount of revenue received and the percentage of total receipts from stamp duty to each category; and if he will make a statement on the matter. [29747/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the breakdown of stamp duties for the years 2001-2005 inclusive, on a net receipts basis, is in the following table.

Description	2001 €m	% of Stamp Duty Total	2002 €m	% of Stamp Duty Total	2003 €m	% of Stamp Duty Total	2004 €m	% of Stamp Duty Total	2005 €m	% of Stamp Duty Total
Property:	671	54.89	666	58.47	1075	64.59	1461	70.59	2,002	74.89
Residential	265	21.68	349	30.64	528	31.72	752	36.33	945	35.35
Non-residential	406	33.21	317	27.83	547	32.86	709	34.26	1,057	39.54
Mortgages*	5.8	0.47	4.6	0.40	7.5	0.45	11.4	0.55	17.3	0.65
Shares	345.8	28.29	302.9	26.59	255.8	15.37	260.5	12.59	324.0	12.12
Companies Capital Duty	76.1	6.22	27.9	2.45	21.0	1.26	24.4	1.18	20.2	0.76
Cheques	12.1	0.99	10.6	0.93	15.3	0.92	17.8	0.86	16.5	0.62
Insurance Policies	8.9	0.73	1.6	0.14	1.5	0.09	1.6	0.08	1.8	0.07
General Deeds	1.0	0.08	0.3	0.03	0.5	0.03	0.6	0.03	4.0	0.15
Penalties	5.8	0.47	5.5	0.48	8.0	0.48	9.2	0.44	9.7	0.36
Credit Cards	20.8	1.70	22.9	2.01	51.7	3.11	59.0	2.85	63.8	2.39
Bank Levy	0.0	0.00	0	0.00	103.2	6.20	102.8	4.97	103.0	3.85
Non-life Levy	69.1	5.65	87.2	7.66	99.7	5.99	97.7	4.72	90.8	3.40
Section 84	0.4	0.03	0.3	0.03	0.1	0.01	0.0	0.00	0.1	0.00
ATM Cards	11.8	0.97	14.1	1.24	21.7	1.30	21.1	1.02	22.4	0.84
Debit Cards	0.0	0.00	0	0.00	1.8	0.11	2.4	0.12	3.3	0.12
Combined Cards	0.0	0.00	0	0.00	9.2	0.55	11.8	0.57	12.2	0.46
TOTAL**	1,222.5		1,139.0		1,664.4		2069.7		2,673.2	

*It is not possible to distinguish between household and investor mortgages as they are both charged at the same rate. The figures of yield shown for Residential and Non-Residential Property also include the yields attributable to mortgages for which a precise breakdown between the property types is not available.

**Any apparent discrepancies in totals are due to rounding of constituent figures.

Tax Collection.

542. **Ms Burton** asked the Minister for Finance the progress that has been made in the promised review of an avoidance of stamp duties by developers, builders etc., by the use of arrangements such as licensing and sales of shares in companies thus avoiding stamp duty; the estimated tax cut of such avoidance and the number of such transactions that are estimated to have taken place in recent years; and if he will make a statement on the matter. [29748/06]

Minister for Finance (Mr. Cowen): Stamp Duty is a charge on documents, which are mostly legal documents, used in the transfer of property. Where a property is purchased, stamp duty is charged on the conveyance or transfer effecting change of legal ownership of the property concerned.

If there is no conveyance, there is no stamp duty. A builder or developer can, therefore, obtain a licence from a vendor to build on land owned by the vendor without incurring a stamp duty charge at that stage of the venture. Once the buildings, whether commercial or residential, are completed, the conveyances or transfers of such properties to purchasers are chargeable to stamp duty in the normal manner unless specific exemptions are available to such purchasers, for example first time buyers.

It should be noted that, as the documentation in relation to such arrangements does not have to be stamped, the information necessary to establish the extent of these practices is not readily available to Revenue. I am advised by the Revenue Commissioners that accordingly they are progressing the review of the use of measures to avoid stamp duties by developers, builders etc in a broader context as part of their project on the construction sector in 2006 and will advise me of the outcome of the review when it is completed.

National Monuments.

543. **Mr. Durkan** asked the Minister for Finance if he will arrange for the replacement of the current wooden palisade fencing with similar steel fencing in an area (details supplied) in County Kildare; if he will approach Coillte with a view to sharing in the responsibility with particular reference to the need to prevent unauthorised access to the area and vice versa; and if he will make a statement on the matter. [29797/06]

Minister of State at the Department of Finance (Mr. Parlon): I am aware of the problems of unauthorised access to the Castletown Estate generally and to the area mentioned by the Deputy in particular. OPW officials are currently reviewing the security arrangements for the Estate. The officials will also be in contact with Coillte in this regard.

Tax Code.

544. **Mr. Allen** asked the Minister for Finance the avenues community-based groups can pursue in order to acquire essential equipment for voluntary services VAT free; and his views on granting VAT free status to voluntary groups. [29819/06]

Minister for Finance (Mr. Cowen): The position is 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.

Ministerial Orders have 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 specific circumstances. However, under EU law, it would not be possible to introduce new schemes within the VAT Act 1972 to relieve charities from the obligation to pay VAT on goods and services that they purchase.

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. Moreover, charities also benefit significantly from the uniform scheme of tax relief for donations, which was introduced in the Finance Act 2001 and which, for the first time, allowed tax relief on personal donations to domestic charities and other approved bodies. The relief is based on the taxpayer's marginal rate which for an individual donor could be as high as 42%. In the case of donations from the PAYE sector the relief is given directly to the charities.

Garda Stations.

545. **Mr. O'Connor** asked the Minister for Finance if an update from the Office of Public Works regarding proposals for a new Garda station at Tallaght will be sought; the schedule being followed in the matter; and if he will make a statement on the matter. [29820/06]

Minister of State at the Department of Finance (Mr. Parlon): It is expected that a Part 9 planning consultation process for a new Divisional headquarters at the existing Garda station site at Tallaght will commence before the end of 2006.

Tax Code.

546. **Mr. Gregory** asked the Minister for Finance if he will review the VAT on telephone bills for schools and households; and if he will make a statement on the matter. [29892/06]

Minister for Finance (Mr. Cowen): The position is that the rate of VAT that applies to a particular good or service is determined by the nature of the good or service, and not by the status of the customer. The VAT rating of goods and services is subject to the requirements of EU VAT law with which Irish VAT law must comply. There is no provision in European VAT law that would allow for a reduction or exemption from VAT on supplies of telecommunications to certain categories of consumer.

Waste Disposal.

547. **Mr. Stanton** asked the Minister for Finance the number of claimants and the percentage take-up of tax relief on bin charges in 2003, 2004 and 2005 respectively; the amount of relief approved under this scheme for each year; and if he will make a statement on the matter. [29968/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the most recent year for which complete information on cost to the Exchequer and numbers of claimants for tax relief in relation to local authority service charges is for the income tax year 2003.

In that year an estimated number of 169,300 claimants availed of the tax relief for the service charges at an estimated cost to the Exchequer of €8.2 million.

The basic tax credits available to a taxpayer are the basic personal tax credit and, where appropriate, the employee tax credit. 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, such as the credit for service charges. There is, therefore, no basis on which an estimate of the level of take up could be compiled.

National Monuments.

548. **Mr. Stagg** asked the Minister for Finance if, further to correspondence this Deputy forwarded to him which was acknowledged on 25 August 2006, he has instructed his officials to reopen negotiations for the purchase of a house (details supplied) in County Kildare; if negotiations have commenced; if there has been progress; and if he will make a statement on the matter. [29969/06]

Minister of State at the Department of Finance (Mr. Parlon): As I indicated in my reply to your Parliamentary Question of 21 June 2006, while there may be some merit in acquiring the property to strengthen the integrity of the Castletown Demesne, its acquisition is not considered essential. No negotiations are currently taking place for the purchase of the property by the State. The matter will be kept under review as part of the ongoing management and development of the

Castletown House Estate by the Office of Public Works.

Garda Stations.

549. **Mr. Stagg** asked the Minister for Finance if the tender documents are ready for the new Leixlip Garda Station; and when will tenders be invited for the project. [29974/06]

Minister of State at the Department of Finance (Mr. Parlon): Preparation of tender documents for the construction of the proposed new Garda station at Leixlip, Co. Kildare is nearing completion.

The tendering process is expected to begin in November 2006.

Schools Building Projects.

550. **Mr. Stagg** asked the Minister for Finance if there has been progress in concluding the contract for the purchase of a site for a school (details supplied) in County Kildare. [29984/06]

Minister of State at the Department of Finance (Mr. Parlon): Agreement has been reached subject to contract on the acquisition of a site for a new school in Co. Kildare. Draft contracts have been exchanged but the conveyancing process is delayed by the vendor pending the outcome of a planning application.

Flood Relief.

551. **Mr. Stagg** asked the Minister for Finance when will the Catchment Flood Risk Assessment and Management Study for the Rye River commence. [29991/06]

Minister of State at the Department of Finance (Mr. Parlon): My Officials in the Office of Public Works are meeting with Kildare County Council next week. I am not in a position, in advance of this meeting, to say when the study will commence.

Disabled Drivers.

552. **Mr. Durkan** asked the Minister for Finance the position in regard to the inter-departmental review of the 1994 disabled drivers disabled passengers tax concessions; when the current limits of the scheme will be extended; and if he will make a statement on the matter. [30039/06]

Minister for Finance (Mr. Cowen): The operation of the Disabled Drivers and Disabled Passengers (Tax Concessions) Scheme was reviewed by a special Interdepartmental Review Group. The terms of reference of the Group were to examine the operation of the existing scheme, including the difficulties experienced by the various groups and individuals involved with it, and to consider the feasibility of alternative schemes,

with a view to assisting the Minister for Finance in determining the future direction of the scheme.

The Group's Report, published on my Department's website in July 2004, sets out in detail the genesis and development of the scheme. It examines the current benefits, the qualifying medical criteria, the Exchequer costs, relationship with other schemes and similar schemes in other countries. The Report also makes a number of recommendations, both immediate and long-term, encompassing the operation of the appeals process and options for the possible future development of the scheme. The short-term recommendations in respect of the appeal process have been implemented. The main change arising from these was that an increased number of members could be appointed to the Appeal Board, which facilitated a far greater number of appeal hearings than had been the case prior to the Report's publication.

In respect of the long-term recommendations, including the qualifying disability criteria, given the scale and scope of the scheme, further changes can only be made after careful consideration. For this reason, the Government decided that the Minister for Finance would consider the recommendations contained in the Report of the Interdepartmental Review Group in the context of the annual budgetary process having regard to the existing and prospective cost of the scheme. This consideration is undertaken on a regular basis.

Tax Yield.

553. **Mr. F. McGrath** asked the Minister for Finance the amount of tax revenue the Exchequer is losing by the move of a group (details supplied) to Holland; and if other major artists and musicians are doing the same following the cap of €250,000 on the tax free incomes allowed to artists. [30158/06]

Minister for Finance (Mr. Cowen): As the Deputy will appreciate the tax affairs of individual taxpayers are a matter for the Revenue Commissioners and are confidential between the taxpayer concerned and Revenue.

Section 17 of Finance Act 2006 provides, in general, that the tax free income allowed to artists is limited to 50% of the artist's income for tax purposes including the artistic income. Where artist's income for tax purposes, including the artistic income, is not greater than €250,000 the artistic income is fully exempt. The provisions of the section come into effect for 2007 and subsequent years. I am advised by the Revenue Commissioners that they have no indication at this time in relation to the impact of these provisions on the residence of taxpayers affected by the legislation.

Tax Code.

554. **Mr. Deasy** asked the Minister for Finance the reason the purchase price of vehicles bought in other EU countries is not accepted by his Department as the value of imported vehicles when vehicle registration tax is being calculated for such vehicles; and if he will make a statement on the matter. [30159/06]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that Vehicle Registration Tax (VRT) is charged on the open market selling price (OMSP) of a vehicle in the State.

OMSP is defined in Section 133 of the Finance Act 1992 and is the price inclusive of all taxes and duties which a vehicle may reasonably be expected to fetch on a first arm's length sale in the open market in the State by retail.

The OMSP of new vehicles in the State is declared to the Revenue Commissioners by a wholesale distributor, while the OMSP of imported second hand vehicles is determined by the Revenue Commissioners based on factors such as age, mileage and vehicle condition.

EU Member States are entitled under EU law to charge National taxes provided that such taxes are applied equally to imported and indigenous goods. In this regard, VRT complies with EU law in that the VRT charged on a vehicle imported into the State is equivalent to the amount of residual VRT contained in a similar Irish vehicle which is registered in the State.

Accordingly, in order to provide the same tax base for the application of the tax on the registration of vehicles sourced both in the State and abroad, VRT is charged on the OMSP of the vehicle and not on the purchase price of vehicles bought in other EU countries.

Civil Registration Service.

555. **Mr. Bruton** asked the Minister for Health and Children the position regarding the implementation of the Civil Registration Act 2004, with particular reference to the creation of two non-statutory advisory committees which she gave a commitment to establish when the Act was commenced. [28167/06]

Minister for Health and Children (Ms Harney): I would like to refer the Deputy to my reply of 6th July 2006 to a similar query raised by the Deputy on this issue. Work is continuing to allow the outstanding provision of the Civil Registration Act 2004 to be commenced.

There have been no further developments concerning the creation of the two advisory committees and, as stated previously, it is intended to review the position in relation to the establishment of these committees once the General Register Office has transferred to the Department of Social and Family Affairs.

556. **Mr. Kehoe** asked the Minister for Health and Children when the section regarding bigamy in the Civil Registration (Amendment) Act, 2005 will be enacted; and if she will make a statement on the matter. [28639/06]

Minister for Health and Children (Ms Harney): The Civil Registration (Amendment) Act, 2005, does not relate to marriages and is concerned solely with payment of fees and allowances to registrars.

The Civil Registration Act, 2004, which contains provisions relating to marriage, does not contain any provisions concerning bigamy. The Act, however, does provide that correct information must be given to the Registrar of Marriages by the parties intending to marry. False information, including false information in relation to marital status, is an offence under Section 69 of the Act. This is currently covered in the Marriage Law (Ireland) Act, 1863 (26 Vic. Cap. 27), which will be repealed on commencement of Part 6 of the Civil Registration Act, 2004, which is expected to take place in the first half of 2007.

Bigamy has always been a specific offence and continues to be an offence under Section 57 of the Offences against the Person Act, 1861, which states that bigamy is committed when a person, who is a party to a valid subsisting marriage, goes through a ceremony of marriage with another.

Hospitals Building Programme.

557. **Ms O. Mitchell** asked the Minister for Health and Children the implications for the new Central Mental Hospital of the requirement to obtain planning permission for it on the Thornton Hall prison site; if this will mean a postponement of its construction; and if not, when is it envisaged that a planning application will be lodged. [28717/06]

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.

Child Care Services.

558. **Mr. Ring** asked the Minister for Health and Children if additional funding will be provided to an organisation (details supplied) in County Mayo. [28960/06]

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 (NCIP), which are being implemented by the newly established Office of the Minister for Children.

In June 2005, the Group in question was approved €202,000 in capital grant assistance under the EOCP. I understand that the Group has submitted a request for additional capital funding and this request is currently under appraisal. Each application undergoes a thorough assessment by Pobal, formerly known as Area Development Management Ltd., who administer the Programme on my Department's behalf. Following this assessment, the application will be considered by the Programme Appraisal Committee, before a decision is made regarding funding.

The Group will be informed of the outcome of their request for additional funding in due course.

Medical Aids and Appliances.

559. **Mr. Wall** asked the Minister for Health and Children the mechanism a voluntary group (details supplied) can follow to assist in the purchase of a defibrillator, in view of the tremendous work defibrillators play in the protection of human life and their value to the local community. [28996/06]

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.

Registration of Births.

560. **Mr. Wall** asked the Minister for Health and Children the mechanisms available to a person (details supplied) in County Kildare to register their birth; and if she will make a statement on the matter. [29005/06]

Minister for Health and Children (Ms Harney): An tArd-Chláraitheoir (Registrar-General) is the person with statutory responsibility for the administration of the civil registration system. I have made enquiries with an tArd-Chláraitheoir and the position is as set out below.

Where it is established that a birth has not been previously registered, it is possible, under the provisions of the Civil Registration Act, 2004, to effect registration, provided the particulars required by law to be registered are available. In cases where the parents or any other qualified informant with knowledge of the required part-

iculars failed to register a birth within 12 months of the event, the consent of a Superintendent Registrar of births, deaths and marriages is required to effect registration. Where the parents are deceased, or are incapable, or cannot be found and where no other qualified informant with sufficient knowledge of the required particulars can be found, an tArd-Chláraitheoir may cause the birth to be registered on production of adequate evidence of the details of the birth.

I understand that the minimum information required to be entered in the birth register is the forename(s) and surname, date and exact place of birth, the parents' names, or at least the mother's name and the marital status of the parents.

Since the commencement of the provisions relating to births in the Civil Registration Act, 2004 in December 2005, a birth may be registered by any Registrar of Births, irrespective of where in the country the person was born.

In relation to the birth referred to by the Deputy, it cannot be ascertained from the details supplied if a Registrar of Births was approached concerning this matter and whether the person concerned has sufficient knowledge of the required particulars to effect a registration. I suggest that the person concerned contact an tArd-Chláraitheoir directly in writing and he will assist in any way possible concerning this matter.

National Drugs Strategy.

561. **Mr. English** asked the Minister for Health and Children the number of people who are currently on methadone; the number of under 18's on methadone; the amount this has cost to date in 2006. [29031/06]

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.

562. **Mr. English** asked the Minister for Health and Children the number of people on methadone maintenance in 2005; the amount this cost in 2005; the number of those who were on methadone maintenance in 2005 and are now off all drugs including methadone. [29032/06]

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.

563. **Mr. English** asked the Minister for Health and Children the number of residential drug free recovery places; the number of drug free day recovery programmes; and the number of residential detoxification beds. [29033/06]

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.

564. **Mr. English** asked the Minister for Health and Children the number of residential drug free recovery places for under 18's; the number of day recovery programmes for under 18's. [29034/06]

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.

565. **Mr. English** asked the Minister for Health and Children the medication given to babies born with drugs in their system; the number of females on methadone maintenance who gave birth while on drugs in 2005 and to date in 2006; the number of babies born with methadone in their system in 2005 and to date in 2006; the number of babies born with other drugs in their system in 2005 and to date in 2006. [29035/06]

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.

566. **Mr. English** asked the Minister for Health and Children the name of the pharmaceutical companies who manufacture methadone for Ireland; the amount directly paid to each of the manufacturers of methadone for Ireland, that is pharmaceutical companies. [29036/06]

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

[Ms Harney.]

the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Death Certificates.

567. **Mr. Cregan** asked the Minister for Health and Children the reason for the delay of up to nine months, in issuing death certificates to bereaved families in the Limerick region; if measures are being taken to ensure that death certificates are being issued to families within a reasonable timeframe; and if she will make a statement on the matter. [29842/06]

Minister for Health and Children (Ms Harney):

The administration of the civil registration system is statutorily a matter for an tArd-Chláraitheoir (Registrar-General) and for Registrars of Births, Deaths and Marriages who operate under his general direction. I have made enquiries of an tArd-Chláraitheoir and the position is set out as follows.

When a person dies, it is the duty of a relative of the deceased to act as qualified informant. This means that the relative must give to a registrar the information necessary to register the death, including a medical certificate of the cause of death (obtainable from the medical practitioner who attended the deceased within one month of the death), and sign the register of deaths.

In certain circumstances, a death is referred to the Coroner. There is a legal responsibility on doctors, registrars, undertakers, Gardai, hospitals and nursing homes to inform the Coroner where a death occurs suddenly or unexpectedly, or from a cause unknown, unclear or unnatural, or where the deceased was not seen or treated by a registered medical practitioner within one month prior to death.

In such cases, the Coroner may request a post-mortem examination. If the post-mortem shows that a death was due to natural causes, the Coroner may issue a certificate to the Registrar, who can then proceed to register the death and issue a death certificate. If the post-mortem shows that a death was due to unnatural causes, the Coroner may cause an inquest to be held. In such cases, the Registrar must await the outcome of the inquest and the issue by the Coroner of a coroner's certificate, before registering the death.

An tArd-Chláraitheoir has made enquiries regarding this matter and informs me that there is no particular reason for any possible delays in issuing death certificates in the Limerick area and that he is satisfied that deaths are being registered promptly once medical certificates of the cause of death and coroners certificates are received. In the case of coroners certificates, I am sure the Deputy will appreciate that the carrying out of the statutory procedures outlined often involves detailed examination of complex medical and legal matters that may take time to resolve.

Hospital Services.

568. **Mr. Crawford** asked the Minister for Health and Children the commitments she or personnel on her behalf gave to a person (details supplied) regarding the future of Monaghan General Hospital; if she or her personnel advised that medical services would be retained on a twenty four hour, seven days a week basis at Monaghan General Hospital along with surgical services plus the opening of the new treatment room to take pressure off Cavan General Hospital; if the replacement and additional staff will be appointed to allow same to be delivered; and if she will make a statement on the matter. [29864/06]

Minister for Health and Children (Ms Harney):

I have not made any commitments to the person concerned regarding Monaghan Hospital and I am not aware of any such commitments given on my behalf.

The HSE has recently established a Steering Group and a North East Project Group to oversee a programme designed to improve safety and standards across the acute hospital network in the North East Region. The decision was taken having regard to the issues raised in the report prepared for the HSE by Teamwork Management Services, "Improving Safety and Achieving Better Standards — An Action Plan for Health Services in the North East", and taking account of the findings of the recent report into the death of Mr. Patrick J. Walsh.

Led by the HSE's National Hospitals Office, the Steering Group has representation from key stakeholders such as clinicians and primary care providers. The Project Group is being led by a Consultant Surgeon from outside the Region.

The HSE has given me an assurance that, in progressing the implementation of these reports, there will be no discontinuation of existing services until suitable alternative arrangements have been put in place.

Family Support Services.

569. **Cecilia Keaveney** asked the Minister for Health and Children her views on a project (details supplied) in County Donegal; and if she will make a statement on the matter. [28139/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan):

Lifestart is a home based programme offered to parents of children from birth to five years with the aim of providing families with developmental and educational information delivered in the home by trained Family Visitors.

I understand that Lifestart Donegal is a partnership of three projects delivering the Lifestart Programme and complementary initiatives to parents in various areas throughout Donegal and that 1,222 children availed of the service in 2005.

I understand that the Health Service Executive who have responsibility for the provision of family support services such as Lifestart are providing ongoing funding for the Lifestart projects in Donegal. A recent evaluation of the Lifestart projects in Donegal indicated that the programme has been well received in the areas where it is available and highly regarded by professionals working in these areas.

Cancer Incidence.

570. **Mr. F. McGrath** asked the Minister for Health and Children if there are health concerns in relation to Sellafield nuclear plant and cases of leukaemia here. [28141/06]

Minister for Health and Children (Ms Harney):

I am aware of general concern in relation to the threat of an incident or accident at Sellafield which would affect the health and safety of the people of this island; however, I am not aware of any grounds for concern in relation to this plant and cases of leukaemia in Ireland.

Figures produced by the National Cancer Registry of Ireland do not indicate an elevated incidence of leukaemia in those counties which are closest to Sellafield.

The Radiological Protection Institute of Ireland (RPII) has responsibility for measuring the levels of radioactivity in foodstuffs and the environment and to assess the significance of these levels for the Irish population. The data presented from these measurements indicate that the levels of radioactivity in the Irish environment — and in fish caught in the Irish Sea — are extremely low and do not pose a significant risk to health.

The RPII continues to monitor the exposure of people living in Ireland to all relevant sources of ionising radiation.

Health Services.

571. **Dr. Cowley** asked the Minister for Health and Children the reason a person (details supplied) in County Mayo must pay the cost of a local taxi when they attend for physiotherapy at Ballina District Hospital; and if she will make a statement on the matter. [28145/06]

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.

Child Protection.

572. **Mr. Kenny** asked the Minister for Health

and Children the role of the special rapporteurs to audit legal developments for the protection of the child; the way in which their role differs from the Ombudsman for Children's role; and if she will make a statement on the matter. [28146/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): Two Special Rapporteurs for Child Protection were appointed by the Government in June 2006.

The functions of the Rapporteurs are as follows: to keep under review and to audit legal developments for the protection of children; to assess what impact, if any, litigation in national and international courts will have on child protection; to prepare, annually, a report setting out the previous years work. This report will be submitted to Dáil Éireann and Seanad Éireann for consideration and debate and be published, and the Rapporteurs will be entitled to consult with Departments of Government and the Office of the Ombudsman for Children about initiatives in relation to child protection legislation to enhance that protection.

This is the first occasion that this mechanism has been used by an Irish Government and I am confident that it will be a very valuable addition to the institutions already in place for the protection of children.

The Office of the Ombudsman for Children was established under the Ombudsman for Children Act 2002 and is a statutory independent body with two main functions, to promote the rights and welfare of children and to examine and investigate complaints against schools and voluntary hospitals where an action may have adversely affected a child.

573. **Mr. Kenny** asked the Minister for Health and Children the Government's response to the Ombudsman for Children's first report to the UN special committee in 2006; the subsequent actions the Government has taken; and if she will make a statement on the matter. [28147/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Deputy is referring to the Report of the Ombudsman for Children to the UN Committee on the Rights of the Child which was submitted in April 2006.

Ireland ratified the United Nations Convention on the Rights of the Child without reservation in September 1992. As part of the process of evaluating a county's progress in implementing the Convention, the Committee considers periodic State reports, in conjunction with shadow reports submitted by bodies concerned with children's rights and welfare within the State. Ireland submitted its Second Report in July 2005 to the UN Committee on the Rights of the Child and the Report of the Ombudsman for Children was submitted subsequently as a shadow report in April of this year.

[Mr. B. Lenihan.]

Ireland appeared before the UN Committee on the Rights of the Child in Geneva on 20th September 2006 in accordance with Article 44 of the UN Convention on the Rights of the Child in relation to the Second Report.

The State delegation which I led outlined the progress that has been achieved in relation to the increased and enhanced development of policies and services for children since Ireland's last appearance before the Committee in 1998.

The Committee made reference to a number of significant developments, particularly the establishment of the Ombudsman for Children's Office, the publication of the National Children's Strategy, the establishment of the Office of the Minister for Children and the appointment of a Minister for Children who, for the first time, sits at the Cabinet table.

A wide range of issues were covered by the Committee in their examination of Ireland's Second Report, including the assertion of children's rights within the Constitution, separated children seeking asylum, the age of criminal responsibility specifically in relation to the provision to allow for 10 and 11 year olds to be charged with a serious offence and the availability of appropriate mental health services for children. We are currently awaiting the Concluding Comments of the Committee which are due to be published on 29th September, 2006.

Hospital Waiting Lists.

574. **Mr. F. McGrath** asked the Minister for Health and Children the reason a person (details supplied) in Dublin 15 is on a waiting list for months; and if assistance and support will be given to them. [28160/06]

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.

575. **Mr. F. McGrath** asked the Minister for Health and Children if assistance will be given to a person (details supplied) in Dublin 5 in relation to more back-up care services; and if she will give them the maximum support. [28161/06]

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.

Cancer Incidence.

576. **Caoimhghín Ó Caoláin** asked the Minister for Health and Children if she will report on cancer statistics per DED in the Dublin west constituency. [28171/06]

Minister for Health and Children (Ms Harney): Statistics in relation to cancer incidence are collated by the National Cancer Registry. My Department has asked the Director of the Registry to examine this matter and to reply directly to the Deputy.

Nursing Home Subventions.

577. **Mr. F. McGrath** asked the Minister for Health and Children if she will assist a person (details supplied) in Dublin 11 in obtaining a nursing home placement; and if she will work with the family on this matter. [28214/06]

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.

Rape Crisis Network.

578. **Mr. F. McGrath** asked the Minister for Health and Children if she will support the Rape Crisis Network Ireland in their need for an investment of €7 million. [28218/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Waiting Lists.

579. **Mr. F. McGrath** asked the Minister for Health and Children the action she will take in relation to a person (details supplied) in Dublin 3 who is on a waiting list at Beaumont Hospital; and if they will be given the maximum support. [28219/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the manage-

ment 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.

580. **Mr. F. McGrath** asked the Minister for Health and Children the action she will take in relation to a person (details supplied) in Dublin 5 who is on a waiting list for surgery at Beaumont Hospital; and if the maximum support will be given. [28221/06]

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.

581. **Ms McManus** asked the Minister for Health and Children if she will make a statement on the unprecedented administration grant payment of €74,000 approved by a person (details supplied) for payment to the North West Hospice in 2005. [28229/06]

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.

582. **Ms McManus** asked the Minister for Health and Children if she will provide a schedule outlining the person who sought the administration grant payment of €74,000 to the North West Hospice in 2005; the date it was granted; the stated purpose; the source of this payment; and if she will provide details of this payment handover and disbursement. [28230/06]

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.

583. **Mr. F. McGrath** asked the Minister for Health and Children if there is funding available to assist a person (details supplied) in Dublin 5. [28231/06]

Minister for Health and Children (Ms Harney): The Deputy's question related to the management and delivery of health and personal social services of health and personal social services, which are the responsibility of Health Service Executive under the Health Act 2004. Accordingly, my Department had 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.

Cost of Medicines.

584. **Mr. F. McGrath** asked the Minister for Health and Children the reason the cost of drugs here is so high compared to other EU countries; and if she will take action in relation to this matter. [28232/06]

Minister for Health and Children (Ms Harney): EU member states are the main purchasers of medicines in their domestic markets. They naturally seek to control drug prices, but the extent of this control varies widely. Higher priced countries, such as the UK and Germany, rely more on market forces to set prices. Spain and Portugal, on the other hand, closely regulate and control prices. Ireland's pricing policy is somewhere in the middle of the European league as, with its relatively small market, it must seek to balance value for money in state drug spending with reliability and continuity of supply for essential products.

Price comparison in different markets is difficult. Patent protection in Ireland allows originator companies exclusive rights to the market for ten years for new medicines. In Spain, until 1992 there was no intellectual property protection for medicines and no patent protection for new products. This has kept prices down, but may change with patent and intellectual property exclusivity, although the long lead-in time for product development and patenting will inevitably delay this. In addition, some products that are prescription-only in Ireland are available without prescription in some states. While the removal of prescription status for certain products may produce lower prices in Ireland, these products would no longer be reimbursed by the State.

The Deputy will be pleased to know that my Department and the Health Service Executive has recently concluded negotiations with the pharmaceutical manufacturers on an important new agreement setting out the pricing and supply of medicines for the Irish health service.

This new Agreement will provide increased value for money for the State and the consumer through a reduction in the price of existing drugs

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and medicines coming off patent, and through the use of a wider basket of countries for pricing new drugs coming on the market. Over the period of the Agreement, which runs to 2010, it is expected to achieve savings of the order of €300 million across the GMS and community drugs schemes, and in the cost of drugs to hospitals, through off-patent price cuts of 35% for drugs with substitutable alternatives. In addition to the savings quantified there will be further savings as generic manufacturers respond to the lower price of branded drugs.

There will also be savings through the use of a wider basket for the pricing of new medicines coming onto the Irish market along with two price reviews for new medicines over the lifetime of the Agreement. The new basket includes some traditionally lower priced countries, including Spain and Belgium, which will benefit the consumer over the medium term. Finally, for the first time, reimbursement of new drugs coming onto the Irish market can now be informed by pharmacoeconomic assessment, in line with other EU countries.

This Agreement is the first in a series of negotiations approved by the Cabinet Committee on Health to examine all aspects of the drug delivery system, from the manufacturer to the patient, in order to achieve greater value for money from the operation of the drugs schemes, consistent with patient safety and continuity of supply. Negotiations have already commenced with the pharmaceutical wholesalers (PDF) and talks with the community pharmacy contractors (retail pharmacists) will follow.

I must stress that no single measure will contain the rate of increase in expenditure on medicines and drugs. Indeed, international experience has shown that this is a very difficult task, as the sophistication and range of treatments continue to increase along with increased expectations on the part of patients.

Nursing Home Subventions.

585. **Mr. F. McGrath** asked the Minister for Health and Children if support will be given to a person (details supplied) in Dublin 3 in relation to their nursing home subvention. [28258/06]

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.

Drugs Payment Scheme.

586. **Mr. F. McGrath** asked the Minister for

Health and Children if assistance will be given to a person (details supplied) in Dublin 5 in relation to their medical expenses; and if they are entitled to support. [28263/06]

Minister for Health and Children (Ms Harney):

Under the 1970 Health Act, the Health Service Executive may arrange for the supply, without charge, of drugs, medicines and medical and surgical appliances to people with a specified condition, for the treatment of that condition, through the Long Term Illness Scheme (LTI). The LTI does not cover GP fees or hospital co-payments. The conditions are: mental handicap, mental illness (for people under 16 only), phenylketonuria, cystic fibrosis, spina bifida, hydrocephalus, diabetes mellitus, diabetes insipidus, haemophilia, cerebral palsy, epilepsy, multiple sclerosis, muscular dystrophies, parkinsonism, conditions arising from thalidomide and acute leukaemia. There are currently no plans to extend the list of eligible conditions.

Products which are necessary for the management of the specified illness are available to LTI patients. Other products are available according to the patient's eligibility. People who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process the Health Service Executive can take into account a range of measures including the household income guidelines, particular circumstances and the medical costs incurred by an individual or a family. In addition people over the age of 70 years have an automatic entitlement to a medical card regardless of income. Application should be made to the local area office of the HSE.

In November 2004, I introduced a new graduated benefit — the GP Visit Card to extend free GP care and treatment to individuals and families on low incomes.

In June last year, I simplified the means test for both medical and GP visit cards. It is now based on an applicant's and spouse's income after income tax and PRSI, and takes account of reasonable expenses incurred in respect of rent or mortgage payments, childcare and travel to work. In 2005 the income guidelines for medical cards were increased by a cumulative 29 per cent. The income assessment guidelines used for the GP visit card are 50% higher than those used for medical cards. These improvements have made the assessment process much fairer and ensure that those on low to moderate incomes can qualify for free GP care. Non-medical card holders can use the Drug Payment Scheme, which protects against excessive medicines costs. Under this scheme, no individual or family unit pays more than €85 per calendar month, or approximately €20 per week, towards the cost of approved prescribed medicines. The scheme is easy to use and significantly reduces the cost burden for families

and individuals incurring ongoing expenditure on medicines.

In addition, the Deputy will be aware that non-reimbursed medical expenses above a set threshold may be offset against tax.

Employment Support Services.

587. **Mr. F. McGrath** asked the Minister for Health and Children the reason a person (details supplied) in Dublin 3 is not receiving weekend support and taxi fares to their supported employment; and if they will be given the maximum support. [28267/06]

Minister for Health and Children (Ms Harney): Policy on employment of persons with a disability is a matter for the Department of Enterprise, Trade and Employment. Accordingly, the Deputy may wish to contact the Department of Enterprise, Trade and Employment in this regard.

Health Services.

588. **Mr. F. McGrath** asked the Minister for Health and Children if she will support the Coeliac Society of Ireland in their funding submission; and if they will be given the maximum support. [28270/06]

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.

589. **Mr. F. McGrath** asked the Minister for Health and Children if she will ensure that a person (details supplied) in Dublin 5 receives physiotherapy soon; and if they will be given the maximum support. [28274/06]

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.

General Medical Services Scheme.

590. **Ms Shortall** asked the Minister for Health and Children if she will seek a revision of the current GMS scheme contract to allow general practitioners complete the driving licence medical report at no cost to clients with medical cards;

and if she will make a statement on the matter. [28277/06]

Minister for Health and Children (Ms Harney): In making arrangements for the provision of publicly funded GP services, under the General Medical Services (GMS) Scheme, an arrangement was negotiated between my Department and the GP representative body, the Irish Medical Organisation. The provisions of this agreement took the form of the current GMS GP Capitation Contract. This contract is a treatment based contract and gives effect to the statutory requirement to provide free GP medical and surgical services to eligible people which includes people aged 70 and over who are automatically entitled to a medical card. The contract stipulates that the fees paid to GMS GPs are not made in respect of certain certificates which may be required for example 'under the Social Welfare Acts or for the purposes of insurance or assurance policies or for the issue of driving licences'. As these non-treatment type services are outside the GMS GP contract it is a matter between the GP and the person seeking the particular services to agree a fee.

While certificates for driving licence applications are provided by medical practitioners they are not a medical treatment service and are not considered a core aspect of public health service provision. Requiring such services to be provided within the terms of the GMS GP contract would more than likely lead to a costly counterclaim by GPs which if allowed would not represent appropriate or best use of resources in terms of current health policy.

Health Services.

591. **Mr. F. McGrath** asked the Minister for Health and Children if assistance will be given to a person (details supplied) in Dublin 5; and if same will be made a priority case. [28278/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

National Archives.

592. **Mr. F. McGrath** asked the Minister for Health and Children if she will release the files on the case of a person (details supplied); if they will be given the maximum support. [28290/06]

Minister for Health and Children (Ms Harney): A large number of files have been recalled from the National Archives in recent times as part of the Access to Institutional and Related Records

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(AIRR) Project in my Department which facilitates individuals obtaining records in relation to time spent in institutional care as a child. The files referred to by the Deputy are among these files. A large number of requests for information in relation to these files have been received. My Department considers these requests to be most important and deals with them in a sensitive manner and as expeditiously as possible. A number of the files requested by this requester have been forwarded already and work is ongoing preparing the remainder for release. I am informed the request should be finalised in the next few weeks.

Hepatitis C Incidence.

593. **Mr. Haughey** asked the Minister for Health and Children if she will immunise all school children for Hepatitis C in view of the high incidence of this disease among children from Eastern Europe and Africa attending schools here; and if she will make a statement on the matter. [28291/06]

Minister for Health and Children (Ms Harney): Ireland's recommended immunisation programme is based on the guidelines of the National Immunisation Advisory Committee of the Royal College of Physicians of Ireland. These guidelines are prepared with the assistance of an active committee from associated disciplines in paediatrics, infectious diseases, general practice and public health. Vaccines are continually evolving and guidelines change given the nature of these developments.

At present there is no vaccine available for hepatitis C.

Question No. 594 answered with Question No. 154.

Question No. 595 answered with Question No. 154.

Hospital Waiting Lists.

596. **Mr. Kehoe** asked the Minister for Health and Children the reason a person (details supplied) is still waiting for an appointment; the efforts which are being made to reduce the waiting times; and if she will make a statement on the matter. [28304/06]

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.

Medical Cards.

597. **Mr. Kehoe** asked the Minister for Health and Children the reason a person (details supplied) in County Wexford is waiting for a medical card renewal when their condition is ongoing and will not change in the foreseeable future; the efforts which are being made to reduce the amount of paper work and duplication of renewal forms; when same will be renewed; and if she will make a statement on the matter. [28311/06]

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.

598. **Mr. Kehoe** asked the Minister for Health and Children the reason persons (details supplied) are unable to obtain the services of a local general practitioner; and if she will make a statement on the matter. [28325/06]

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.

599. **Mr. Kehoe** asked the Minister for Health and Children the reason a person (details supplied) in County Wexford is waiting for an appointment for a hip replacement; the efforts which are being made to reduce the waiting times; and if she will make a statement on the matter. [28329/06]

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.

600. **Mr. Kehoe** asked the Minister for Health and Children if the delay of over one month for cancer tests is an acceptable time for a person

(details supplied) in County Wexford; and if she will make a statement on the matter. [28334/06]

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. 601 answered with Question No. 590.

Pharmacy Regulations.

602. **Ms Burton** asked the Minister for Health and Children the situation in relation to the Pharmacy Act 1962, which was suspended in 2001; when a new Bill will be put in place; the situation regarding foreign national qualified pharmacists married to Irish citizens who wish to register and practice as a pharmacist here; and if she will make a statement on the matter. [28336/06]

Minister for Health and Children (Ms Harney):

The Pharmacy Act, 1962 has not been suspended. The Heads and General Scheme of a new Pharmacy Bill have been approved by Cabinet and are currently with the Parliamentary Council's Office for drafting. It is my intention, subject to Cabinet approval, that the new Pharmacy Bill will be published and submitted to the Oireachtas in the Autumn. The Bill will deal with the following matters: firstly, changes to the governance of the Pharmaceutical Society of Ireland; secondly, provisions to update the registration process for pharmacists and introduce a registration system for pharmacies; thirdly, provisions for the introduction of a fitness to practice regime for pharmacists and pharmacy businesses. Finally, miscellaneous provisions, including allowing for the removal of the derogation under Article 2.2 of Council Directive 85/433/EEC (the restriction on pharmacists educated in other EU or EEA countries from owning, managing or supervising pharmacies that are less than 3 years old).

The Pharmaceutical Society of Ireland (PSI) is the statutory body with responsibility for the registration of pharmacists in Ireland. The PSI operates a number of routes for registration depending on where the qualification in pharmacy was obtained. The spouses of EU citizens wishing to be registered as pharmacists are entitled to be treated in the same way as a national of the host member state. Under the PSI's registration routes if the spouse has an Irish or EU/EEA qualification in pharmacy then their registration is processed by way of the regulations for these routes. If the spouse has a non-EU/EEA qualification which has been already been recognised by a Member State of the EU,

the qualifications and experience gained in a Member State are examined by the PSI. This is to allow the PSI, as required by the EU, to determine whether the qualifications held and training/professional experience undergone are equivalent to the standards required to practice pharmacy by national and EU law. Finally, if the spouse, or any other person wishing to register in Ireland, regardless of their nationality, has a non-EU/EEA qualification which has not been recognised in any other Member State, they must apply for registration under the PSI's adjudication route.

The PSI has experienced difficulties in the operation of their adjudication route of registration for pharmacists trained outside of the EU/EEA area. In order to address their difficulties, the Council of the PSI approved the undertaking of a review of its adjudicating committee procedures in October 2001. The PSI submitted a proposal for amended regulations to my Department in March 2003. However, the PSI's proposals for amended regulations are not possible under current pharmacy legislation. The PSI suspended its adjudication route of registration in October 2001 and is unable, at this time, to consider any application for registration under this route. The proposals in the new Pharmacy Bill dealing with registration will put in place a registration regime to allow for the recognition of qualifications in pharmacy, be they Irish, EU/EEA or non-EU/EEA.

Health Services.

603. **Mr. Allen** asked the Minister for Health and Children the steps she has taken to help create public awareness on the preventable and treatable disease of osteoporosis. [28337/06]

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. 604 answered with Question No. 154.

605. **Ms McManus** asked the Minister for Health and Children the reason public patients have to wait between 18 months and two and a 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. [28349/06]

Minister for Health and Children (Ms Harney):

My Department has been advised by the Health Service Executive that 150 orthopaedic patients

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on the waiting lists at Croom Orthopaedic Hospital have been identified for referral to the National Treatment Purchase Fund (NTPF).

To date 78 patients have been contacted, of whom 25 have been referred to Barringtons Hospital and 5 to the Bons Secours, Cork. Ten further cases have been resolved and the patients have been taken off the waiting list. The HSE is awaiting replies from the remaining 38 patients.

Nursing Home Subventions.

606. **Mr. Allen** asked the Minister for Health and Children if she will classify the retirement convalescent homes (details supplied) in County Cork in order to receive funding from the Health Service Executive. [28350/06]

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.

Services for People with Disabilities.

607. **Mr. Bruton** asked the Minister for Health and Children if a person (details supplied) in County Dublin will be allocated a powerchair as soon as possible in view of the circumstances of their case; and if she will make a statement on the matter. [28351/06]

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.

Child Care Services.

608. **Mr. F. McGrath** asked the Minister for Health and Children the services available for children who are experiencing the physical and emotional scars of domestic violence. [28352/06]

609. **Mr. F. McGrath** asked the Minister for Health and Children the number of children or percentage of the population who are children suffering the physical and emotional scars of domestic violence; and the way in which she plans to deal with this issue. [28353/06]

Minister for Health and Children (Ms Harney):

I propose to take Questions Nos. 608 and 609 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.

Medical Cards.

610. **Mr. F. McGrath** asked the Minister for Health and Children if assistance will be given to a person (details supplied) in Dublin 5 in obtaining a medical card; and if this injustice will be ended. [28364/06]

Minister for Health and Children (Ms Harney):

The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

611. **Mr. F. McGrath** asked the Minister for Health and Children the reason a person (details supplied) in Dublin 5 is being denied a special bicycle; and if assistance will be given to this person. [28365/06]

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.

612. **Mr. F. McGrath** asked the Minister for Health and Children the reason for the €2 million cuts between 2003 and 2006 for an organisation (details supplied); and if this organisation will be assisted in obtaining the necessary funding to employ 59 staff to facilitate the services that are needed. [28378/06]

623. **Mr. F. McGrath** asked the Minister for Health and Children the reason a €2 million cut was made at a service (details supplied) over two years; and the reason for a further cut of €482,000 in this service for people with an intellectual disability. [28441/06]

Minister for Health and Children (Ms Harney):

I propose to take Questions Nos. 612 and 623 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.

613. **Mr. P. Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will receive orthodontic treatment; and if she will make a statement on the matter. [28384/06]

Minister for Health and Children (Ms Harney): 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.

614. **Mr. P. Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will be facilitated with a transfer from Limerick to Ennis; and if she will make a statement on the matter. [28386/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to human resource management issues within the Health Service Executive. As this is a matter for the Executive under the Health Act, 2004, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

615. **Mr. P. Breen** asked the Minister for Health and Children if part-time staff within the Health Service Executive are being facilitated with permanent positions in County Clare before permanent staff (details supplied); and if she will make a statement on the matter. [28387/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to human resource management issues within the Health Service Executive. As this is a matter for the Executive under the Health Act, 2004, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Waiting Lists.

616. **Mr. P. Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will be facilitated with

a bed in a nursing home; and if she will make a statement on the matter. [28394/06]

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.

617. **Mr. P. Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will be facilitated with a rheumatologist and an ear, nose and throat appointment; and if she will make a statement on the matter. [28395/06]

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.

Nursing Home Subventions.

618. **Mr. Naughten** asked the Minister for Health and Children the timetable for the repayment of illegal nursing home charges to persons who are in long stay institutions and for the family representatives of deceased persons; and if she will make a statement on the matter. [28405/06]

Minister for Health and Children (Ms Harney): The Health (Repayment Scheme) Act 2006 was signed by the President on 23 June 2006 and the legislative provisions of the Act came into effect on 30 June 2006. The repayment scheme was launched publicly by the Health Service Executive (HSE) and the scheme administrator KPMG/McCann Fitzgerald on 14 August 2006. A national advertising campaign and a helpline also commenced on this date. The HSE and scheme administrator have sent out 22,000 application forms of which 11,500 have been returned.

It is anticipated that notification of the calculated amount of repayment due, in the case of applications received in respect of the 11,000 claims which have been validated by the scheme administrator, will issue in early October. Applicants will on receipt of these notifications have a period of 28 days in which to reject or appeal the calculated amount of repayment due prior to the issue of the money by the Health Service Executive. Provision has been made for applications to be received up to 1 January 2008 and it is anticipated that all repayments will have been com-

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pleted by this date, however if necessary the cut off date for receipt of applications can be extended.

Question No. 619 answered with Question No. 154.

Health Services.

620. **Mr. F. McGrath** asked the Minister for Health and Children if a care plan will be put in place for a person (details supplied) in Dublin 5; and if she will work with Dublin City Council on this case. [28427/06]

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.

621. **Mr. P. Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will be facilitated with a bed in Dún Laoghaire; and if she will make a statement on the matter. [28432/06]

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.

622. **Mr. F. McGrath** asked the Minister for Health and Children the position regarding a complaint (details supplied); and if she will work with the family on this matter. [28440/06]

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. 623 answered with Question No. 612.

Arts Funding.

624. **Mr. Quinn** asked the Minister for Health and Children when a decision will be reached on

the application to the Health Service Executive by an organisation (details supplied) for funding for their arts programme in the three domestic violence refuges; the reason a decision has not been made on this application; the plans the Government have in relation to funding this and similar projects at refuges; and if she will make a statement on the matter. [28451/06]

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.

Health Service Staff.

625. **Mr. F. McGrath** asked the Minister for Health and Children the reason a person's (details supplied) employment in Dublin 17 was terminated; and the action she will take regarding management problems at this centre. [28456/06]

Minister for Health and Children (Ms Harney): Since the unit referred to by the Deputy is operated by a private health care provider, I have no function in relation to employment relations issues arising at the unit. If the Deputy has any concerns about the quality of care provided at the unit, then he might raise these directly with the Health Service Executive, which is the statutory registering authority for private nursing homes.

Ambulance Service.

626. **Ms McManus** asked the Minister for Health and Children the amount the Health Service Executive Western Region spent on the use of private ambulance services over the past 12 months, per month; the number of vacancies there are for EMTs in the HSE Western Region; and if she will make a statement on the matter. [28457/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

627. **Caoimhghín Ó Caoláin** asked the Minister for Health and Children if her attention has been drawn to the fact that many public health centres in Dublin City, including those at Rathdown

Road, Benburb Street, Lisburn Street, Botanic Avenue and Summerhill, are not wheelchair accessible; if her further attention has been drawn to the fact that in the North Strand and Bride Street centres the toilets for people with disabilities are being used for storage space; the steps she will take to ensure that these and all other public health centres in the State are made fully accessible; and if she will make a statement on the matter. [28465/06]

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.

628. **Mr. F. McGrath** asked the Minister for Health and Children the reasons for the Health Service Executive not dealing with the query on noise pollution (details supplied) from equipment installed by the HSE in a reasonable and professional manner; and to resolve this situation for these residents. [28466/06]

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.

My Department is advised, following previous questions in relation to this matter, that the HSE has sought to address the complaints of the person concerned, having regard to the health needs of its client. My Department has again been in touch with the Executive to ask that it make further efforts to try to resolve the situation.

Departmental Programmes.

629. **Mr. Gormley** asked the Minister for Health and Children the action which has been taken to create public awareness of osteoporosis; the further action which has been taken to lessen the burden of osteoporosis on the Irish taxpayer; the action which has been taken to help the Irish Osteoporosis Society to continue its operation; and if she will make a statement on the matter. [28483/06]

Minister for Health and Children (Ms Harney):

The Department has supported the National Council on Aging and Older People and the Health Service Executive in the establishment of a steering committee to oversee the development of a strategy to prevent falls and fractures in the aging population. This committee is chaired by the HSE, and it is understood that a subgroup has

been established to examine the area of osteoporosis.

The Irish Osteoporosis Society (IOS) was funded on a once-off basis by the former Northern Area Health Board in 2004 and 2005. Funding of €130,000 was provided in 2005. The HSE met with the IOS on the 31st of July 2006. The IOS requested further funding of €128,000 which they felt they were due for 2005. The HSE requested accounts for the €130,000 which the IOS received in 2005 before any further funding could be issued to the society. The IOS informed the HSE that accounts would be provided on the 2nd of August 2006. The HSE received accounts from the IOS on the 10 of August 2006. The IOS were informed on the 16 of August 2006 that audited accounts and a tax clearance certificate would be required by the HSE.

The HSE received audited accounts on the 16 of August 2006 and a tax certificate on the 7 of September 2006. On the 18 of September the finance department of the HSE informed the Population Health directorate of the HSE that the accounts were in order. A payment of €128,000 to the IOS was processed by the HSE on the 22 of September 2006. The IOS should be in receipt of these funds within ten days of the processing date.

630. **Mr. Gormley** asked the Minister for Health and Children when she intends to implement the twenty recommendations which were made in June 2006 by the working group set up by her to advise her on the action necessary to address the problems caused by haemochromatosis; and if she will make a statement on the matter. [28484/06]

751. **Mr. Naughten** asked the Minister for Health and Children further to Parliamentary Question No.170 on 20 June 2006, the status of the working group on haemochromatosis; if it has completed its deliberations; and if she will make a statement on the matter. [29440/06]

Minister for Health and Children (Ms Harney):

In March 2006, I established a Working Group to examine the nature and extent of haemochromatosis in Ireland and to advise on the actions necessary to address the problems caused by it. The Working Group presented its report to me in June 2006. It makes a series of recommendations relating to the management and treatment of haemochromatosis. The report has been circulated to the HSE and other relevant organisations for implementation. A key recommendation was that the Irish Blood Transfusion Service (IBTS) would commence venesection clinics, allowing it to retain and use the blood drawn from persons with haemochromatosis. This has been agreed and the National Medical Director of the IBTS has informed the Irish Haemochromatosis

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Association that clinics will be set up in Dublin and probably also in Cork, early next year.

Since the publication of the report there have been discussions with insurers to address anomalies in insurance cover. The Irish Insurance Federation is assisting in whatever way it can and its Information Officer will deal with any reports of alleged discriminatory treatment by insurers. The report has created greater awareness of the key issues relating to the management of haemochromatosis. I am confident that the various agencies will work with the Irish Haemochromatosis Association to implement the recommendations.

Cancer Screening Programme.

631. **Mr. McHugh** asked the Minister for Health and Children the progress made in recruiting clinical directors and other essential staff for the roll-out of BreastCheck to the west; the progress made in the appointment of contractors to construct clinical units in Galway; and if she will make a statement on the matter. [28485/06]

636. **Mr. O'Shea** asked the Minister for Health and Children the developments which have taken place to ensure that BreastCheck is available to women from the Waterford constituency in January 2007; and if she will make a statement on the matter. [28490/06]

Minister for Health and Children (Ms Harney):

I propose to take Questions Nos. 631 and 636 together.

A breast screening programme is a complex multi-disciplinary undertaking that requires considerable expertise and management involving population registers, call/recall systems, mammography, pathology and appropriate treatment and follow up. A programme must be quality assured and acceptable to women who attend for screening. The first phase of the programme is of a high quality and a similar quality in the West and South is essential.

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 appointed Clinical Directors for the Southern and Western regions and the recruitment of Consultants and other staff is now underway.

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. Demolition works at South Infirmarary/Victoria University Hospital were completed this month. The Department has issued approval to BreastCheck to award contracts for the construction of the static units at the South Infirmarary/Victoria University 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.

Health Services.

632. **Mr. McHugh** asked the Minister for Health and Children the number of public nursing home spaces which have been made available and the sites at which they have been made available in Galway County in each of the past ten years; the number of places made available in Galway City over the same period; the number of spaces that it is projected are to be provided in each of the next five years; the number of public nursing home beds in Galway County and City; the number of private nursing home beds in Galway County and City; and if she will make a statement on the matter. [28486/06]

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.

633. **Mr. Kehoe** asked the Minister for Health and Children if a person (details supplied) in County Wexford will be entitled to a refund under the health repayment scheme; and if she will make a statement on the matter. [28487/06]

Minister for Health and Children (Ms Harney):

As the Health Service Executive has responsibility for administering the Health Repayment Scheme, enquiries relating to the scheme are referred to the Parliamentary Affairs Division of the Executive. My Department has asked the HSE to have this matter investigated and to have a reply issued to the Deputy.

Question No. 634 answered with Question No. 590.

Health Service Funding.

635. **Mr. O'Shea** asked the Minister for Health and Children the progress which has been made to provide designated funding and designated

transport to ensure equality of access to radiotherapy treatment for all cancer patients; and if she will make a statement on the matter. [28489/06]

Minister for Health and Children (Ms Harney):

My Department is working closely with the Health Service Executive (HSE) in implementing the national plan for the development of radiation oncology services agreed by Government in July 2005. The Vote for the HSE in 2006 includes the sum of €9 million to continue to meet the additional service pressures in cancer care, improve the quality of care and facilitate better access to radiation oncology services including the transportation of patients for treatment.

The HSE has in place several options for the transportation of patients who require radiotherapy and other oncology services including the use of designated oncology transport vehicles and transport by air. These services and their development relate to the management and delivery of health and personal social services, which are the responsibility of the Executive under the Health Act 2004. Accordingly my Department has requested the Parliamentary Affairs Division of the Executive to provide relevant details to the Deputy.

Question No. 636 answered with Question No. 631.

Health Services.

637. **Mr. O'Shea** asked the Minister for Health and Children the funding which has been provided in 2006 for the implementation of the plan of the Hospital Group South East to meet the needs of all oncology, including radiotherapy, patients, who are obliged to travel for a service; and if she will make a statement on the matter. [28491/06]

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.

Health Service Funding.

638. **Ms O. Mitchell** asked the Minister for Health and Children the funding she will allocate to the Irish Osteoporosis Society for the year 2006-2007 in view of the fact that one in five men and one in three women during their lifetime will suffer from osteoporosis; and if she will make a statement on the matter. [28505/06]

Minister for Health and Children (Ms Harney):

The Department has supported the National

Council on Ageing and Older People and the Health Service Executive in the establishment of a steering committee to oversee the development of a strategy to prevent falls and fractures in the ageing population. This committee is chaired by the HSE, and it is understood that a subgroup has been established to examine the area of osteoporosis. The Irish Osteoporosis Society (IOS) was funded on a once-off basis by the former Northern Area Health Board in 2004 and 2005. Funding of €130,000 was provided in 2005.

The HSE met with the IOS on the 31st of July 2006. The IOS requested further funding of €128,000 which they felt they were due for 2005. The HSE requested accounts for the €130,000 which the IOS received in 2005 before any further funding could be issued to the society. The IOS informed the HSE that accounts would be provided on the 2nd of August 2006. The HSE received accounts from the IOS on the 10th of August 2006. The IOS were informed on the 16th of August 2006 that audited accounts and a tax clearance certificate would be required by the HSE. The HSE received audited accounts on the 16th of August 2006 and a tax certificate on the 7th of September 2006. On the 18th of September the finance department of the HSE informed the Population Health directorate of the HSE that the accounts were in order. A payment of €128,000 to the IOS was processed by the HSE on the 22nd of September 2006. The IOS should be in receipt of these funds within ten days of the processing date.

Health Services.

639. **Ms O. Mitchell** asked the Minister for Health and Children the action she will take regarding accessing appropriate care for a person (details supplied) in Dublin 6W; and if she will make a statement on the matter. [28506/06]

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.

640. **Mr. P. Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will be facilitated with cataract surgery; and if she will make a statement on the matter. [28511/06]

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

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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.

641. **Mr. F. McGrath** asked the Minister for Health and Children if assistance will be given to a person (details supplied) in County Wexford; and if their PS hours will be increased. [28515/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's questions 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.

Mental Health Services.

642. **Mr. Neville** asked the Minister for Health and Children the position regarding the implementation in full of the Mental Health Act 2001; and if she will make a statement on the delay in introducing all provisions of the Act. [28519/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Minister for Health and Children, Mary Harney T.D., has signed the commencement order for the remaining sections of the Mental Health Act 2001.

The Mental Health Act 2001 provides a modern framework within which people who have a mental disorder and require treatment or protection can be cared for and treated. It puts in place mechanisms by which the standards, care and treatment in mental health services can be monitored, inspected and regulated. The Act provides for the establishment of independent mental health tribunals to automatically review the involuntary detention of people suffering from a mental disorder.

Sections 1 to 5, 7 and 31 to 55 inclusive were commenced on the 5 April 2002. The commencement of the other sections of the Act was delayed due to protracted negotiations with the consultants' representative bodies which concluded earlier this year. The remaining sections of the Mental Health Act 2001 will be commenced on 1 November 2006. My Department, the Mental Health Commission and the Health Service Executive are currently finalising preparations for the full implementation of the Act.

Health Services.

643. **Mr. Kehoe** asked the Minister for Health and Children the status of an application for an occupational therapist to visit a person (details

supplied) in County Wexford; and if she will make a statement on the matter. [28542/06]

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.

644. **Mr. N. O'Keeffe** asked the Minister for Health and Children if she will investigate the delay in having a person (details supplied) in County Cork called to an out-patient clinic in County Cork; if her attention has been drawn to the fact that this person is caring for both their elderly parents and needs surgery; and if they could be referred to the National Treatment Purchase Fund. [28546/06]

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.

645. **Mr. Kehoe** asked the Minister for Health and Children the number of ENT consultants in Waterford Regional Hospital; if there have been contracts terminated regarding ENT consultants in the past six months in the hospital; if so, when they will be replaced; and if she will make a statement on the matter. [28547/06]

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.

Medical Cards.

646. **Mr. F. McGrath** asked the Minister for Health and Children the reason persons (details supplied) in Dublin 5 are being excluded from having a medical card; and if they will be given the maximum support. [28554/06]

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.

647. **Mr. Kehoe** asked the Minister for Health and Children the number of orthopaedic consultants in the Adelaide Hospital; if there have been consultants on vacation without cover of their appointments in the past six months; the reason all the waiting lists are being re-scheduled to cater for this leave in the hospital; and if she will make a statement on the matter. [28558/06]

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.

Disease Incidence.

648. **Mr. Gormley** asked the Minister for Health and Children the statistics in relation to the incidence of Lyme disease here; her views on whether awareness of the fact that this disease can be transmitted to humans via tick bites needs to be increased and that it should be a notifiable disease; and if she will make a statement on the matter. [28561/06]

Minister for Health and Children (Ms Harney):

Lyme Disease (also known as Lyme borelliosis) is an infection caused by a spiral shaped bacterium called *Borrelia burgdorferi* that is transmitted to humans by bites from ticks infected with the bacteria. The infection is generally mild affecting only the skin, but can sometimes be more severe. Lyme Disease has been reported from North America, Europe, Australia, China and Japan. They feed by biting and attaching to the skin and sucking blood, normally from animals such as sheep and deer. Infected ticks are most likely to be encountered in heath land and lightly forested areas of North America and Northern Europe. Ramblers, campers and those who work in such areas especially if they come into contact with large animals are at greatest risk of being bitten by ticks and of going on to develop disease. Cases of Lyme Disease appear in Ireland every year.

Many infected people have no symptoms at all. The commonest noticeable evidence of infection is a rash called erythema migrans that is seen in about three-quarters of infected people. This red, raised skin rash develops between 3 days and a month after a tick bite and spreads outwards from the initial bite site. This rash can last up to a

month and be several inches in diameter. People can also complain of 'flu-like symptoms such as headache, sore throat, neck stiffness, fever, muscle aches and general fatigue. Occasionally, there may be more serious symptoms involving the nervous system, joints, the heart or other tissues.

Lyme disease is not a notifiable infectious disease in Ireland. This means that there is no legal requirement on doctors to report cases to their local Director of Public Health, so this makes estimates of incidence difficult.

In Ireland, researchers have tried to determine levels of Lyme borreliosis; it has been estimated that there were about 30 human cases per year in the mid-1990s. Data, however, from the National Virus Reference Laboratory which is responsible for undertaking testing for *B. burgdorferi* has confirmed that there were only 11 positive cases in 2003; these numbers have been steady at that level for the last couple of years. There were, however, more than 1,000 requests for testing for *B. burgdorferi* in 2003. Over the last several years, the NVRL confirms that virtually all positive cases were associated with travel in the US. It is felt that there is some, unknown degree of underreporting and under diagnosis of this condition.

It would, therefore, appear on initial review, that despite confirmed Irish cases of Lyme borelliosis having been principally associated with travel to North America, there is the potential for individuals to be exposed to biting ticks in Ireland. It would seem sensible for this reason, to recommend that simple, straightforward information should be made available that will assist those who may potentially be exposed (whether as a result of occupational or leisure activities) to take necessary precautions. As a response to this in 2004, the Vectorborne Subcommittee of the Scientific Subcommittee of the Health Protection Surveillance Centre's (HPSC) Scientific Advisory Subcommittee was established. One of its terms of reference was to identify and determine the burden of certain significant vectorborne diseases in Ireland and to make recommendations in relation to the provision of advice and guidance.

As part of the initial risk assessment, the available information on Lyme disease was collated and reviewed. As in common with many other countries, estimation of true levels of this condition is rather difficult. What is apparent is that, in Ireland, a number of cases appear every year and a proportion of these are likely to have been acquired in Ireland.

A fact sheet on Lyme Disease has been made available on the HPSC's website to provide members of the General Public and Media with advice on minimising the risk of Lyme Disease (additional incidence information appears here). In addition, part of the work of the Vectorborne Subcommittee in the New Year will be the development of Clinical Guidance on the man-

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agement of Lyme Disease and raising awareness of this condition among clinicians.

Health Services.

649. **Mr. Kehoe** asked the Minister for Health and Children when a person (details supplied) in County Wexford will receive an appointment in Waterford Regional Hospital; and if she will make a statement on the matter. [28562/06]

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.

650. **Mr. Neville** asked the Minister for Health and Children when there will be a decision on an application for funding under the special housing aid for the elderly scheme by a person (details supplied) in County Limerick. [28567/06]

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.

Housing Aid for the Elderly.

651. **Mr. P. Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will be facilitated with a brace for their teeth; and if she will make a statement on the matter. [28616/06]

Minister for Health and Children (Ms Harney): The Deputy's question on the way that children are assessed and deemed eligible for orthodontic treatment 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.

652. **Mr. Ring** asked the Minister for Health and Children if the subvention rate for a person (details supplied) in County Galway can be reviewed and increased; and when a long stay bed will be provided for this person. [28618/06]

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.

653. **Mr. Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be called for orthodontic treatment, in view of the fact that they have been waiting a long time for their treatment to commence; and if she will make a statement on the matter. [28619/06]

Minister for Health and Children (Ms Harney): The Deputy's question regarding the way that children are assessed and deemed eligible for orthodontic treatment 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.

654. **Mr. Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be admitted to University College Hospital for surgery. [28621/06]

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.

655. **Mr. Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be called to commence their orthodontic treatment in view of the fact that they have waited a year for this treatment. [28622/06]

Minister for Health and Children (Ms Harney): The Deputy's question regarding the way that children are assessed and deemed eligible for orthodontic treatment 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.

656. **Mr. Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be given an appointment with an occupational therapist. [28623/06]

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.

General Medical Services Scheme.

657. **Mr. Ring** asked the Minister for Health and Children if she will introduce the provision of colostomy bags free of charge to all those who need them; the estimated annual cost of such a proposal; and if she will make a statement on the matter. [28624/06]

Minister for Health and Children (Ms Harney): There is a common list of reimbursable non drug items for the General Medical Services and Drug Payment Schemes. This list is reviewed on an annual basis. The Deputy will be pleased to know that there is a range of colostomy bags included on this list. I have no plans to make colostomy bags free of charge to all who require them.

Grant Payments.

658. **Mr. Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be approved for the home care grant in order that their family can continue caring for them at home. [28625/06]

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.

Care of the Elderly.

659. **Mr. Ring** asked the Minister for Health and Children when home help hours will be

increased for a person (details supplied) in County Mayo in view of their worsening condition; and will this person be provided with a personal assistant. [28626/06]

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.

660. **Mr. Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo first went on the waiting list to be seen by an ophthalmologist; the current waiting list for appointments; and when this person will be given an appointment. [28627/06]

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.

General Medical Services Scheme.

661. **Mr. Ring** asked the Minister for Health and Children the payments made, on a county basis and on an individual basis to pharmacists through the GMS scheme for 2005, including details of the recipients name and address in regard to the Health Service Executive National Shared Services Primary Care Reimbursement Service. [28628/06]

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.

662. **Mr. Ring** asked the Minister for Health and Children the payments made, on a county basis and on an individual basis to doctors through the GMS scheme for 2005, including details of the recipients name and address in regard to the Health Service Executive National Shared Services Primary Care Reimbursement Service. [28629/06]

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.

663. **Mr. Ring** asked the Minister for Health and Children the allocations of funding from the Health Service Executive National Shared Services Primary Care Reimbursement Service or from the general practitioners drugs savings towards practice developments or improvements in County Mayo for 2005. [28630/06]

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.

664. **Mr. Ring** asked the Minister for Health and Children the funding which was paid to doctors, on a county basis and on an individual basis, through the Indicative Drugs Target Saving Scheme in 2005 in regard to the Health Service Executive National Shared Services Primary Care Reimbursement Service. [28631/06]

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.

665. **Mr. Ring** asked the Minister for Health and Children the number of people working in the Home Care Grant Section of the Health Service Executive for County Mayo; the number of applications for the grant received to date; the number of applications fully processed; the number of successful applications; the plans the HSE have to increase the staffing levels to ensure that applications are dealt with in a timely fashion; and if she will make a statement on the matter. [28632/06]

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.

Grant Payments.

666. **Mr. Ring** asked the Minister for Health and Children the date a home care grant application for persons (details supplied) in County Mayo was received by the Health Service Executive; the number of people who have dealt with this application to date; the length of time this case has been reviewed; and the outcome of the application. [28633/06]

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.

667. **Mr. Ring** asked the Minister for Health and Children the reason a long stay bed was not given to a person (details supplied) in County Mayo when requested, in view of their age and the fact that their spouse can no longer care for them at home. [28634/06]

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.

668. **Mr. Ring** asked the Minister for Health and Children the number of hospital wards which have been closed in 2006 to date; the number of beds which have been lost in each hospital throughout the State for the same period due to renovations, infection control, recruitment policies or difficulties, special patient needs and financial reasons; and if she will make a statement on the matter. [28635/06]

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. 669 answered with Question No. 154.

Hospital Waiting Lists.

670. **Mr. Ring** asked the Minister for Health and Children the number of patients awaiting consultation with the rheumatologist in a hospital (details supplied) in County Galway. [28710/06]

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.

671. **Mr. Ring** asked the Minister for Health and Children the length of time a person must wait from first referral to actual date of appointment for a rheumatologist's appointment in a hospital (details supplied) in County Galway. [28711/06]

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.

Embryonic Stem Cell Research.

672. **Mr. Ring** asked the Minister for Health and Children the Government's position in relation to embryonic stem cell research; and if she will make a statement on the matter. [28712/06]

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 the Committee's report, along with the report of the Commission on Assisted Human Reproduction, will help to inform future policy in this area.

In the meantime, I have instructed my Department to prepare a policy proposals framework, as a first step in the process of development of appropriate legislation governing Assisted Human Reproduction in Ireland.

Hospital Staff.

673. **Mr. Ring** asked the Minister for Health and Children when a rheumatologist will be appointed to a hospital (details supplied) in County Mayo. [28713/06]

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.

Grant Payments.

674. **Mr. Kehoe** asked the Minister for Health and Children the position regarding an application for domiciliary allowance for a person (details supplied) in County Wexford; when a decision will be made; and if she will make a statement on the matter. [28714/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's questions 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.

675. **Mr. Naughten** asked the Minister for Health and Children if she will review the legislation covering the smoking ban to consider the introduction of a fine for persons found breaking the law on licensed premises; and if she will make a statement on the matter. [28741/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The position remains as set out in my reply to question No. 291 put down by the Deputy on 21 February last: in summary, as individual smokers are already liable to prosecution and to a fine on conviction, I have no plans to review this legislation.

Hospital Waiting Lists.

676. **Mr. Perry** asked the Minister for Health and Children if an appointment has been made for a person (details supplied) in the Adelaide and Meath Hospital; and if she will make a statement on the matter. [28750/06]

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.

677. **Mr. Perry** asked the Minister for Health and Children the progress made on the issues raised by persons (details supplied) in County Sligo; and if she will make a statement on the matter. [28756/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I have been informed by the Health Service Executive that ongoing meetings are taking place with the Family in respect of their son's care needs.

Nursing Home Subventions.

678. **Mr. Haughey** asked the Minister for Health and Children the reasons claimants under the scheme to repay charges for publicly funded long stay beds are given the option of donating some or all of this money; the use to which this money will be put; if her attention has been drawn to the fact that some claimants are annoyed by this provision; and if she will make a statement on the matter. [28808/06]

Minister for Health and Children (Ms Harney): The purpose of the donation fund is to allow for patients or family members who are satisfied with the care which was provided for a patient's long term care and wish to surrender all or part of a

repayment to help those less fortunate. Any donations made under this provision are completely voluntary.

Section 11 of the Health (Repayment Scheme) Act 2006 allows the Health Service Executive to establish a donation fund to enable those due a repayment, or anyone who wishes to do so, to donate money which will be used specifically for improvements in the public health services for elderly persons and persons with disabilities, the costs of which are non-recurring. All such donations will be exempt from capital acquisition tax and any probate tax liability.

The fund will be monitored and audited to ensure that the money is used appropriately and for the purposes for which it was intended. Reports on the operation of this fund will also be laid before the Houses of the Oireachtas.

Health Services.

679. **Mr. Ring** asked the Minister for Health and Children the number of children in County Mayo who have been refused assessment by occupational therapists in 2006 to date due to the lack of resources in the Health Service Executive; when the issue of resources will be addressed; and if she will make a statement on the matter. [28810/06]

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.

680. **Mr. Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be called for an assessment by an occupational therapist in relation to their fine motor skills; and if she will make a statement on the matter. [28811/06]

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.

681. **Mr. Ring** asked the Minister for Health and Children when the Health Service Executive were notified by a doctor that a person (details supplied) in County Mayo needed physiotherapy; when was their application for physiotherapy

received; the reason this person has yet to be called for this service; and when they will receive an appointment. [28812/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Waiting Lists.

682. **Mr. F. McGrath** asked the Minister for Health and Children the situation regarding a patient (details supplied) in County Tipperary; and to give them the maximum support. [28813/06]

696. **Mr. F. McGrath** asked the Minister for Health and Children if she will assist a person urgently (details supplied) in County Tipperary as they are on a five year waiting list and need surgery soon. [28955/06]

Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 682 and 696 together.

The Deputy's questions relate to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medical Aids and Appliances.

683. **Mr. McGuinness** asked the Minister for Health and Children if she will expedite the provision of a wheelchair for a person (details supplied) in County Kilkenny, in view of the urgent and special circumstances of this case; and if she will make a statement on the matter. [28814/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Waiting Lists.

684. **Mr. McGuinness** asked the Minister for

Health and Children the reasons for the delay in arranging a cataract operation for a person (details supplied) in County Kilkenny; if she will expedite an early appointment in view of the circumstances of the case. [28815/06]

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.

Medical Aids and Appliances.

685. **Mr. McGuinness** asked the Minister for Health and Children if the special shoes required by a person (details supplied) in County Kilkenny, will be provided as a matter of urgency in view of the circumstances of the case; and if she will expedite a response. [28816/06]

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.

686. **Mr. McGuinness** asked the Minister for Health and Children if she will provide full funding for the provision of hearing aids in the case of a person (details supplied) in County Kilkenny; and if she will expedite the matter in view of the urgency of the case. [28817/06]

Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the Executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for audiology services. Accordingly, my Department has requested the Chief Officer for the Executive's South Eastern Regional area to investigate the matter raised and to reply directly to the Deputy.

Health Service Staff.

687. **Mr. Deenihan** asked the Minister for Health and Children if she will request the Health Service Executive southern area to provide an additional full-time language therapist at Kerry General Hospital, Tralee, County Kerry; and if she will make a statement on the matter. [28818/06]

Minister for Health and Children (Ms Harney):

The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have a reply issued directly to the Deputy.

Waste Disposal.

688. **Mr. McGuinness** asked the Minister for Health and Children if the local Health Service Executive officials will resolve the issue of the location of a septic tank serving a health centre (details supplied) in County Kilkenny; and if she will expedite a resolution to the problem. [28860/06]

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.

689. **Mr. McGuinness** asked the Minister for Health and Children if she will expedite an appointment (details supplied). [28861/06]

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.

690. **Cecilia Keaveney** asked the Minister for Health and Children when a neurologist will be appointed to the north west; and if she will make a statement on the matter. [28863/06]

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.

691. **Cecilia Keaveney** asked the Minister for Health and Children the timescale in appointing

a permanent consultant breast surgeon to Letterkenny General Hospital; and if she will make a statement on the matter. [28864/06]

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.

Hospitals Building Programme.

692. **Mr. McHugh** asked the Minister for Health and Children the position in relation to a project (details supplied) in County Galway; and if she will make a statement on the matter. [28866/06]

Minister for Health and Children (Ms Harney):

The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Waiting Lists.

693. **Mr. McGuinness** asked the Minister for Health and Children if an urgent appointment for a knee operation will be arranged for a person (details supplied) in County Kilkenny at Waterford Hospital, in view of the fact that their general practitioner deems it to be an urgent case. [28952/06]

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.

694. **Mr. McHugh** asked the Minister for Health and Children when a service (details supplied) will be provided in County Galway; and if she will make a statement on the matter. [28953/06]

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.

695. **Mr. McHugh** asked the Minister for Health and Children further to Parliamentary Question No. 150 of 5 July 2006, when a reply will issue; if she will ensure that a comprehensive reply issues forthwith; and if she will make a statement on the matter. [28954/06]

Minister for Health and Children (Ms Harney): My Department has made enquiries from the Health Service Executive and I understand a reply issued to the Deputy in this case on 20 July 2006.

Question No. 696 answered with Question No. 682.

Cancer Screening Programme.

697. **Mr. Ring** asked the Minister for Health and Children the reason the cervical screening service has been removed from County Mayo; when will this service resume in County Mayo; and a breakdown of the counties that currently have the cervical screening service. [28956/06]

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.

Pending the national roll-out of the ICSP, the provision of a testing service in Co. Mayo for cervical cancer is the responsibility of the Health Service Executive. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to respond directly to the Deputy in relation to the matters raised.

Question No. 698 answered with Question No. 154.

Health Services.

699. **Mr. Ring** asked the Minister for Health and Children the measures the Health Service Executive have undertaken to create public awareness of osteoporosis. [28958/06]

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.

Medical Aids and Appliances.

700. **Mr. Wall** asked the Minister for Health and Children the plans she has to provide grant aid to sports clubs and voluntary organisations to help with the purchase price of defibrillators in view of the tremendous work that defibrillators can play in the protection of human life. [28978/06]

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.

General Medical Services Scheme.

701. **Mr. Noonan** asked the Minister for Health and Children if pension credit will be allowed to general practitioners for the years they served as temporary DMOs, and for the years they worked in the fee per item scheme and in the capitation scheme when it was not possible to make contributions; if her attention has been drawn to the fact that many general practitioners have inadequate pensions due to the limited number of years for which it was possible for them to make such contributions; and if she will make a statement on the matter. [28999/06]

Minister for Health and Children (Ms Harney): Temporary District Medical Officer posts were not superannuable. In September 1999, following agreement between my Department and the IMO an ex-gratia payment of £1,000 (€1,270) was to be made to temporary District Medical Officers. I understand that changes made on a retrospective basis in respect of persons who previously held temporary public service posts may, subject to specific criteria and conditions being met, allow such persons to superannuate such previous temporary service and subsequently gain entitlement to a pension. Given that temporary District Medical Officers would have been employed by the former health boards I have asked the Health Service Executive to examine this issue in the context of the provisions governing retrospective action in this area.

Temporary District Medical Officers who took up Fee-per-Item or Capitation contracts for service to provide general practitioner services under the General Medical Services (GMS)

[Ms Harney.]

Scheme would come under the terms contained in those contracts.

General Practitioners, including those who hold contracts to provide services to public patients under the terms of the GMS Scheme, work in the private sector as independent service providers. General Practitioners are not employed by the State. As such GPs in common with other professional groups are, in the first place, solely responsible for making provision for many aspects of their professional careers including their pension on retirement from practice.

Many GPs while operating as private practitioners also hold contracts for service under the GMS Scheme. The vast majority of such GPs hold the GMS GP Capitation contract the terms of which reflect the agreed outcome of negotiations between my Department and the GP representative body, the Irish Medical Organisation (IMO). This type of contract was first introduced in 1989. Included in the GMS GP Capitation contract is a provision relating to a scheme of superannuation as follows:

“A scheme of superannuation shall be established which shall be administered by the Irish Medical Organisation. The Health Boards (now the HSE) shall pay into such a scheme a sum equivalent to 10% of total capitation fees payable to medical practitioners under the scheme. In addition, each medical practitioner shall contribute 5%, which sum shall be deducted from the capitation payments due to the medical practitioner and shall be paid on his behalf and for his benefit into the aforementioned scheme by the Board.”

In accordance with this contract provision the IMO appoint Trustees to administer the superannuation scheme which is known as the “GMS Superannuation Plan”. From October 2001 under the terms of the Plan members were allowed to make additional voluntary contributions giving members the opportunity to augment benefits accruing at retirement. In 2004, the contribution made by the former health boards to the “GMS Superannuation Plan” amounted to over €16 million while in 2003 it was in excess of €15 million. It will be noted that this was in addition to capitation payments and other fees paid to GPs under the GMS Scheme which totalled (excluding the superannuation contribution) over €290 million in 2004 for approx. 2,200 GPs and in excess of €271 million in 2003 for approx 2,180 GPs.

A small number of GPs hold Fee-per-Item GMS Scheme contracts with the HSE. This contract for service was introduced in 1972 when the GMS Scheme was first established. There are 17 GPs holding such contracts. The Fee-per-Item GP contract was also agreed on foot of negotiations between the Department of Health and Children and the IMO. It did not contain provision for a scheme of superannuation. It fell to each GP to make arrangements in this respect as they felt appropriate. It will be noted that in 1989,

on the introduction of the GMS GP capitation contract, those GPs with Fee-per-Item contracts were given the option of taking up the former.

Health Service Staff.

702. **Mr. Gormley** asked the Minister for Health and Children the number of physiotherapists qualifying here in 2005 and 2006 who are employed in the Irish health service; the number of vacancies for newly qualified physiotherapists in the health service; and if she will make a statement on the matter. [29000/06]

Minister for Health and Children (Ms Harney):

I wish to advise the Deputy the Health Service Personnel Census collects information on numbers employed and does not gather information on when qualifications were obtained. As the Deputy's question relates to human resource management issues which are the responsibility of the Health Service Executive under the Health Act 2004, the Parliamentary Affairs Division of the Executive has been asked to respond directly to the Deputy in regard to the information sought.

703. **Mr. Gormley** asked the Minister for Health and Children the reason a new physiotherapy training school was opened in the University of Limerick in 2002 with 25 places when graduates of existing schools were finding it difficult to find appropriate employment here; if, in view of the shortage of doctors, she will consider an upgrade course for physiotherapists to doctor, with free fees and grants in return for a commitment to work in the Irish health service for a specified number of years; and if she will make a statement on the matter. [29001/06]

Minister for Health and Children (Ms Harney):

In response to concerns regarding labour shortages, my Department commissioned a report from Dr. Peter Bacon and Associates on current and future supply and demand conditions to 2015 in the labour market for speech and language therapists, occupational therapists and physiotherapists. The report was published in 2001 and arising from its recommendations an additional physiotherapy course providing 25 places was established in the University of Limerick in 2002.

Responsibility for the management of human resource issues, including recruitment of staff, lies with the Health Service Executive (HSE) under the Health Act 2004. I am advised by the HSE that in June 2006 its representatives, including Therapy Managers, visited all third level colleges providing therapy training courses to meet with potential graduates including physiotherapy. A central employment applications system was set up and applications forwarded to each health region in line with the applicants first and second preferences. A full review is now underway by

the HSE to ascertain the employment status of the successful graduates and this will be completed shortly.

The Deputy may wish to note that the arrangements for undergraduate degree-level medical education are a matter, in the first instance, for the Minister for Education and Science. In January 2006, the Government endorsed the introduction of a graduate entry stream to medicine (parallel to the existing CAO route) as proposed in the Report of the Working Group on Undergraduate Medical Education and Training (Fottrell Report). The report was jointly published in February 2006 by the Department of Education and Science and my Department. I understand that a “Call for Proposals” to institutions interested in providing graduate entry degree programmes is to be issued shortly by the Higher Education Authority. The introduction of a graduate entry stream – the first intake to which is planned for 2007 – will provide opportunities for graduates (including physiotherapy graduates) to apply for admission to medical education degree programmes.

Nursing Home Subventions.

704. **Mr. Hogan** asked the Minister for Health and Children when payment will be made to a person (details supplied) in County Carlow in respect of a nursing home rebate; and if she will make a statement on the matter. [29003/06]

Minister for Health and Children (Ms Harney):

As the Health Service Executive has responsibility for administering the Health Repayment Scheme, enquiries relating to the scheme are referred to the Parliamentary Affairs Division of the Executive. My Department has asked the HSE to have this matter investigated and to have a reply issued to the Deputy.

705. **Mr. Hogan** asked the Minister for Health and Children when payment will be made to a person (details supplied) in County Carlow in respect of nursing home subvention; and if she will make a statement on the matter. [29004/06]

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.

706. **Ms Shortall** asked the Minister for Health and Children the amount of funding set aside to date for the upgrading of the cystic fibrosis unit

in St. Vincent's Hospital; the amount received by the hospital; and the amount spent on the project to date. [29010/06]

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.

707. **Mr. J. Breen** asked the Minister for Health and Children the status of plans to extend Ennis General Hospital; if plans have been lodged with the appropriate authority; if the value for money examination stage has been completed; and if she will make a statement on the matter. [29056/06]

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.

708. **Mr. J. Breen** asked the Minister for Health and Children her plans, in view of the large catchment area of north Clare, to extend the opening hours of a day care centre (details supplied) from its existing two day week to cater for the ever increasing population base of that area; and if she will make a statement on the matter. [29060/06]

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.

709. **Mr. J. Breen** asked the Minister for Health and Children further to Parliamentary Question No. 200 of 3 May 2006, the number of people who have contracted clostridium difficile; the number of cases which have proven to be fatal as a result of this superbug; and if she will make a statement on the matter. [29061/06]

Minister for Health and Children (Ms Harney):

My Department understands that the Parliamentary Affairs Division of the Health Service

[Ms Harney.]

Executive (HSE) issued a response to the Deputy on 15th May in relation to the information requested. The HSE advised the Deputy that *Clostridium Difficile* is not a notifiable disease and therefore national data is not gathered on numbers of cases.

The HSE further advised the Deputy that it is participating in a UK/Irish study looking at the point prevalence of Hospital Acquired Infection.

The Deputy may wish to contact the HSE in due course for the results from this study which are due in November 2006.

Question No. 710 answered with Question No. 154.

National Treatment Purchase Fund.

711. **Mr. N. O’Keeffe** asked the Minister for Health and Children if assistance will be given in arranging an appointment for a person (details supplied) in County Cork to be assessed for a hip replacement operation; if her attention has been drawn to the fact that they have been waiting eighteen months to see a doctor or consultant; and if she will consider having this person referred for surgery under the National Treatment Purchase Fund Scheme. [29072/06]

Minister for Health and Children (Ms Harney):

The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Nursing Home Charges.

712. **Mr. F. McGrath** asked the Minister for Health and Children the position in relation to the health repayment scheme and claims by living spouses and children and the issue of repayments to the repayment scheme fund. [29107/06]

Minister for Health and Children (Ms Harney):

I presume the Deputy is referring to the small number of instances whereby a contribution was paid on behalf of a fully eligible person for publicly funded long stay residential care by a close family member. Under the Health (Repayment Scheme) Act 2006, a living spouse or living child of a relevant person who has paid, on behalf of the relevant person, the whole or part of the recoverable health charges paid in respect of an individual can apply for a repayment. In such instances where a partial or full payment was paid by a child or spouse on behalf of a fully eligible person who was wrongly charged and where there was adequate proof that such a payment was made that child or spouse is eligible for a repayment under the scheme.

I presume when referring to the repayment scheme fund, the Deputy means the donation fund which the Health Service Executive may establish under Section 11 of the Health (Repayment Scheme) Act 2006. The purpose of the donation fund is to allow for patients or family members who are satisfied with the care which was provided for a patient’s long term care and wish to surrender all or part of a repayment to help those less fortunate.

Any donations made under this provision are completely voluntary. The fund enables those due a repayment, or anyone who wishes to do so, to donate money which will be used specifically for improvements in the public health services for elderly persons and persons with disabilities, the costs of which are non-recurring. All such donations will be exempt from capital acquisition tax and any probate tax liability.

The fund will be monitored and audited to ensure that the money is used appropriately and for the purposes for which it was intended. Reports on the operation of this fund will also be laid before the Houses of the Oireachtas.

713. **Mr. McHugh** asked the Minister for Health and Children if provision is being made in the nursing homes repayment scheme to compensate persons with medical cards who were on a waiting list for a place in a public nursing home but had to take a place in a private nursing home due to the fact that a place was not available in a public nursing home; and if she will make a statement on the matter. [29182/06]

Minister for Health and Children (Ms Harney):

The Health (Repayment Scheme) Act 2006 was signed by the President on 23 June 2006 and the legislative provisions of the Act came into effect on 30 June 2006. The repayment scheme was launched publicly by the Health Service Executive (HSE) and the scheme administrator KPMG/McCann Fitzgerald on 14 August 2006. All those fully eligible persons who were wrongly charged for publicly funded long stay residential care and are alive and the estates of those who were wrongly charged and died since 9 December 1998 will have the charges repaid in full.

Persons who were in publicly contracted beds in private nursing homes are covered by the terms of the Supreme Court judgement. The provisions of the judgement do not apply to individuals in private nursing homes who have entered these homes under the Nursing Home Subvention Scheme. In the case of private nursing home care the contract is between the individual and the private nursing home owner.

Services for People with Disabilities.

714. **Mr. Durkan** asked the Minister for Health and Children when a disability personal assistant at the required level will be offered to a person

(details supplied) in County Wexford; and if she will make a statement on the matter. [29183/06]

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.

Question No. 715 answered with Question No. 154.

Hospital Services.

716. **Mr. Durkan** asked the Minister for Health and Children when a person (details supplied) will be admitted to Peamount Hospital; and if she will make a statement on the matter. [29185/06]

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.

My Department has been advised that the Executive issued a reply directly to the Deputy in relation to this case on the 15th September 2006.

Health Service Allowances.

717. **Mr. Durkan** asked the Minister for Health and Children when an orthopaedic footwear allowance, or payment, will be made in the case of a person (details supplied) in County Dublin; and if she will make a statement on the matter. [29186/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

718. **Mr. Durkan** asked the Minister for Health and Children when home help will be offered to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [29187/06]

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.

719. **Mr. Durkan** asked the Minister for Health and Children when a medical card will issue to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [29189/06]

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 Surveys.

720. **Mr. F. McGrath** asked the Minister for Health and Children the reason the national disability survey 2006 has no section in relation to standards and quality of disability services particularly in relation to health and education. [29241/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): As a result of inquiries made by my Department, I have been advised that the National Disability Survey to which the Deputy refers is a matter for the Central Statistics Office.

Hospital Services.

721. **Mr. Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be transferred to the National Rehabilitation Hospital for physiotherapy and occupational therapy. [29253/06]

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.

Medical Aids and Appliances.

722. **Mr. Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be provided with new knee

[Mr. Ring.]

locks; if this request will be sanctioned urgently; the reason it is taking so long to get this request dealt with in view of the effect it is having on this person's quality of life; and if she will make a statement on the matter. [29254/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

723. **Mr. Ring** asked the Minister for Health and Children when a decision will be made on a home care package application for a person (details supplied) in County Mayo. [29255/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Service Schemes.

724. **Mr. Ring** asked the Minister for Health and Children the position in relation to a scheme (details supplied) in the Health Service Executive western region; and if she will make a statement on the matter. [29256/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

725. **Mr. Kehoe** asked the Minister for Health and Children the action she and the Health Service Executive have taken to create public awareness of osteoporosis; and if she will make a statement on the matter. [29257/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the manage-

ment 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.

Questions Nos. 726 to 728, inclusive, answered with Question No. 154.

Hospitals Building Programme.

729. **Mr. Cregan** asked the Minister for Health and Children if she will report on the progress of the proposed provision of a special dementia unit and hospice beds at St. Ita's Hospital, Newcastle West, County Limerick; and if she will make a statement on the matter. [29263/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Services for Persons with Disabilities.

730. **Mr. Kehoe** asked the Minister for Health and Children when a person (details supplied) in County Wexford will receive a full time personal assistant to help with their disability; and if she will make a statement on the matter. [29275/06]

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.

Census of Population.

731. **Ms C. Murphy** asked the Minister for Health and Children if figures released by the Central Statistics Office in July 2006 via the Census 2006 Preliminary Report will be used by her Department for any reason; if so, what the figures will be used for; and if she will make a statement on the matter. [29307/06]

Minister for Health and Children (Ms Harney): The Census 2006 Preliminary Report was published by the Central Statistics Office (CSO) in July of this year just three months after the Census was taken on the night of 23rd April, 2006.

This represents very timely access to the provisional results, and my Department uses this information for a wide variety of purposes to inform policy and planning and to evaluate population health.

It should be noted that Preliminary Census data are based on summaries returned by each of the 4,400 Census enumerators. These figures provide basic counts by sex and area of residence and are subject to revision. The full value of the Census will be realised when the final results by specific subject matter (e.g. age, marital status, occupation) begin to become available from April of 2007.

The principal value and use of the Preliminary Report is in indicating trends in both the growth of the population and key demographic characteristics since the last Census in 2002. In addition, the new estimated population data allows more accurate and updated calculation of rates and trends in causes of mortality, in health conditions and in health determinants which are essential for needs assessment and in targeting and prioritising health promotion campaigns.

It should be noted that my Department relies on a wide range of CSO census, survey and registration data in order to carry out its work. This includes, in particular, Vital Statistics registration data, Household Budget Survey (HBS) data, the new Survey of Income and Living Conditions (EUSILC), the Quarterly National Household Survey (QNHS) in addition to a range of financial and national accounts data produced by the CSO.

Health Services.

732. **Ms C. Murphy** asked the Minister for Health and Children if additional resources have been requested by the Health Service Executive for provision of front line therapy services where there are extensive waiting lists; if so, the requests which have been made; the way in which they have been responded to; and if she will make a statement on the matter. [29314/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): As the Deputy may be aware the Health Service Executive has its own vote and apart from specific developments (such as the Multi-Annual Investment Programme, to support the development of high priority disability support services over the 2006-2009 period), it is a matter for the Health Service Executive to prioritise the allocation of this funding.

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.

733. **Ms C. Murphy** asked the Minister for Health and Children when the review of the child care regulations will be complete; and if she will make a statement on the matter. [29315/06]

755. **Mr. Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 214 of 20 June 2006 when the child care report will be published; and if she will make a statement on the matter. [29453/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): I propose to take Questions Nos. 733 and 755 together.

The review of the Child Care (Pre-School Services) Regulations 1996 and (Amendment) Regulations 1997 has been completed. I expect to be in a position to sign the revised Regulations in the near future. I understand that work is in progress in the Health Service Executive to address training issues for pre-school inspection staff in anticipation of the introduction of the revised Regulations.

Recreation Policy.

734. **Ms C. Murphy** asked the Minister for Health and Children if the expected publication of a recreation policy will be accompanied by a funding allocation to implement that policy; and if she will make a statement on the matter. [29316/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The allocation of resources to support the implementation of the national recreation policy for young people will be considered within the context of the budgetary process and the finalisation of the estimates provisions for Government Departments in 2007.

Question No. 735 answered with Question No. 154.

Health Service Allowances.

736. **Mr. Wall** asked the Minister for Health and Children the reasons the grant allocated by the Health Service Executive for the provision of central heating for homes of senior citizens has been withdrawn or delayed; the number of such grants that have been allocated in each of the past three years; the cost in each of the past three years; and if she will make a statement on the matter. [29347/06]

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

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Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Grant Payments.

737. **Mr. Wall** asked the Minister for Health and Children the number of top-up grants awarded by the Health Service Executive in each of the past three years to supplement the disabled persons grant as operated by Kildare County Council; the cost in each year of such grants; if there is a waiting list for such grants; and if she will make a statement on the matter. [29348/06]

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.

Medical Cards.

738. **Mr. Wall** asked the Minister for Health and Children the number of new medical cards issued in the past year in County Kildare; the number of new doctor only medical cards issued in County Kildare in the past year; the number of medical cards allocated in County Kildare; the number of doctor only medical cards issued in County Kildare; and if she will make a statement on the matter. [29349/06]

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.

739. **Mr. Wall** asked the Minister for Health and Children the number of hours allocated by her Department and the Health Service Executive for the home-help service for each of the past three years; the number of home-helps employed by the H.S.E. in County Kildare; the number of home attendants employed by the H.S.E. in County Kildare; and if she will make a statement on the matter. [29350/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the

responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospitals Building Programme.

740. **Mr. Wall** asked the Minister for Health and Children the position of the development of Naas General Hospital; the position of proposals to address the old section of the hospital; the proposals to determine the use of the Kildare County Council offices recently acquired by the Health Service Executive; and if she will make a statement on the matter. [29351/06]

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.

Pharmacy Regulations.

741. **Mr. Deasy** asked the Minister for Health and Children if she will review her position on dealing with the issue of pharmacies in health centres in the second Pharmacy Bill; her views on dealing with this issue in the first Pharmacy Bill in view of the implications of these developments on patient choice and the patient safety issues highlighted in the Sixth Shipman Report; and if she will make a statement on the matter. [29352/06]

Minister for Health and Children (Ms Harney): On foot of the recommendations of the Pharmacy Review Group, my Department has commenced drafting new pharmacy legislation in two pharmacy bills. The Heads and General Scheme of a new pharmacy bill have been approved by Cabinet and are currently with the Parliamentary Council's Office for drafting. It is my intention, subject to Cabinet approval, that the new pharmacy bill will be published and submitted to the Oireachtas in the Autumn. The bill will deal with the following matters: firstly, changes to the governance of the Pharmaceutical Society of Ireland; secondly, provisions to update the registration process for pharmacists and introduce a registration system for pharmacies; thirdly, provisions for the introduction of a fitness to practise regime for pharmacists and pharmacy businesses; finally, miscellaneous provisions, including allowing for the removal of the derogation under Article 2.2 of Council Directive 85/433/EEC (the restriction on pharmacists educated in other EU or EEA countries from owning, managing or

supervising pharmacies that are less than 3 years old).

The second bill will address the regulation of pharmacy and pharmacy services, including the definition of pharmacy services and of a community pharmacy, enhanced provisions for the inspection of pharmacies, and the provision for regulation of pharmacies for matters such as physical conditions, standards, record keeping and promotional activities. It is also proposed to deal with general provisions relating to community pharmacy contracts for services, as well as the remaining recommendations of the Pharmacy Review Group.

The Government accepted the Review Group recommendation that there should be no beneficial ownership or business interest of any kind between prescribing and dispensing and, in regard to multi-GP practices with adjacent pharmacies, that contracted pharmacies and general practices should occupy discrete premises, with separate entrances. I have agreed to consider the potential conflict of interest issues arising from the development of health centres with adjacent contracted pharmacies and this issue will be addressed in the second bill in the light of that examination. In the interim, my Department has advised the Health Service Executive to take due care in assessing pharmacy contract applications so that any commercial relationship between a pharmacy contractor and a health centre will not affect the proper provision of services as required under clauses 21, 22(3), 22(4) and 23 of the pharmacy contract, dealing with ownership of pharmacies and beneficial interest. I have also written to the Medical Council in relation to this issue.

The Deputy will note that the location of services is a land use planning issue and therefore a matter for the relevant planning authority. I am not in a position to dictate the location of privately funded and owned pharmacies or GP practices, nor to restrict the awarding of State pharmacy contracts based on location.

Programme for Government.

742. **Ms Shortall** asked the Minister for Health and Children the sections and subsections of the Children's Act 2001 coming under the remit of her Department that have not commenced; and the date for their commencement. [29363/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The elements of the Children Act 2001 coming under the remit of the Minister for Health and Children are Parts 2, 3 and 11 and Section 77. The other elements of the Act come under the remit of the Minister for Justice, Equality and Law Reform and the Minister for Education and Science.

Part 2 establishes for the first time on a statutory basis the Family Welfare Conference. Part 3 amends the Child Care Act 1991 by inserting two new parts — Part IVA, which imposes duties on

the Health Service Executive in relation to a child who may be in need of special care or protection, and Part IVB, relating to private foster care. Part 11 provides for the establishment of the Special Residential Services Board on a statutory basis to co-ordinate residential services for children detained in detention schools and in special care units. Part 11 was fully commenced on 7 November 2003 and almost all of Parts 2 and 3 were commenced in September 2004. Regulations for family welfare conferences and special care units were also commenced in September 2004.

The sections of the Children Act 2001, which the Minister for Health and Children has a responsibility for commencing and which have not yet been commenced, are sections 23D, section 77 and sections 7(1)(a), 10(2) and 13(2) (which relate to section 77) and the amended Sections 227 and 230, (which were amended by the Criminal Justice Act 2006). My office is working closely with the relevant Government Departments and agencies towards a well co-ordinated implementation of the amended Act. The commencement of these Sections is being planned in this context.

743. **Ms Shortall** asked the Minister for Health and Children the statutory instruments, including reference numbers signed by her under the Children's Act 2001; and if she will make a statement on the matter. [29365/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): I wish to advise the Deputy that the Statutory powers and duties of the Minister for Health and Children set out in the schedule to Statutory Instrument No. S.I. 474 of 2003 have been delegated to me under that Instrument.

On the 4th November 2003, Statutory Instrument No. 527 of 2003 was co-signed by myself as Minister for State at the Department of Health and Children and Mr Noel Dempsey, Minister for Education and Science. This Statutory Instrument commenced Part 11 of the Children Act 2001 and established the Special Residential Services Board on a statutory basis.

On the 23rd September 2004, I signed Statutory Instrument No. 548 of 2004. This Statutory Instrument commenced Part 2 of the Children Act 2001, which provides for family welfare conferencing (excluding sections 7(1)(a), 10(2) and 13(2)) and also Part 3, which amends the Child Care Act of 1991 and provides for the making of special care orders, the regulation of special care units and private foster care (excluding section 23D).

On the 24th September 2004, I signed Statutory Instrument No 549 of 2004. This Statutory Instrument commences the Children (Family Welfare Conference) Regulations 2004. These regulations prescribe certain matters in relation to family welfare conferences under Part 2 of the Children

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Act 2001 for the purposes of enabling the provisions of Part 2 to have full effect and for its administration.

In addition, the Children Act 2001 amends the Child Care Act, 1991 by inserting new Parts IVA and IVB. On the 24th September 2004, I signed Statutory Instrument No 550 of 2004. This Statutory Instrument commences the Child Care (Special Care) Regulations 2004. These regulations set out the various requirements to be complied with by the Health Service Executive in relation to the placing of children in special care units, the conduct of these units provided by the Executive or a voluntary body or any other person and the operation and the care of children in such units, in accordance with the relevant provisions of the Child Care Act 1991 as amended by the Children Act 2001.

Health Services.

744. **Ms Enright** asked the Minister for Health and Children the progress which has been made in relation to a case (details supplied) in County Offaly following a reply of 3 August 2006 from his office; and if she will make a statement on the matter. [29428/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): This matter is being investigated by the Department and as already indicated to the Deputy, this has taken some time because of the historical elements involved. I expect that my Department will contact the Deputy shortly.

National Treatment Purchase Fund.

745. **Ms Enright** asked the Minister for Health and Children if she will confirm receipt of correspondence from a person (details supplied) in Cork outlining their serious health difficulties; if her attention has been drawn to the fact that this person has lost 70 per cent of finger movement while waiting for an urgent operation; if this operation will be carried out under the National Treatment Purchase Fund; and if she will make a statement on the matter. [29429/06]

Minister for Health and Children (Ms Harney): I have seen the letter from the person referred to by the Deputy. I have considerable sympathy for his situation. Clearly the scheduling of his treatment is a matter of independent clinical decision-making and prioritisation. I would hope that on continuing evaluation, it will prove possible for his treatment to be scheduled and carried out in Ireland.

I note from the letter that the person is attending a Consultant for his condition as a private patient and has been advised by the National Treatment Purchase Fund that it caters only for public patients. I would suggest that the

person should seek an early appointment with his Consultant to see if his treatment can be expedited.

Health Services.

746. **Mr. Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 291 of 20 June 2006, if core funding has been provided to the Irish Wheelchair Association to mainstream services currently provided by community employment participants; and if she will make a statement on the matter. [29431/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The mainstreaming of core services for people with a disability is a matter in the first instance for the Health Service Executive to examine and evaluate. The Social Partnership agreement "Towards 2016" states: "in its consideration of the core funding requirements of agencies providing services for people with disabilities, the HSE will be asked to take into account the appropriateness of core funding essential health personal social services." The HSE is prepared to consider claims for the substitution of permanent staff for CE personnel, where such proposals merit a high priority as service developments.

At a meeting last week with the Minister for Health and Children, the Irish Wheelchair Association submitted its current estimate of the cost of mainstreaming its services. These costings will be examined by the Department, in consultation with the HSE.

National Cancer Strategy.

747. **Mr. Naughten** asked the Minister for Health and Children when she expects to bring proposals to Government relating to the National Cancer Strategy; her plans to introduce a screening programme for bowel cancer for 60 to 69 year olds; and if she will make a statement on the matter. [29435/06]

Minister for Health and Children (Ms Harney): I brought proposals to Government on the National Cancer Control Strategy prior to its publication last June. The Strategy encompasses all aspects of cancer, including prevention, screening, diagnosis, treatment, supportive and palliative care. My objective is to develop an integrated cancer control programme based on :

- evidence of what works to prevent and treat cancer
- standards that assure quality in all aspects of cancer control and
- fairness, so that all patients, irrespective of county, region or personal financial means, can be assured of the best cancer care.

Our efforts to prevent cancer will include societal and public policy responses to reduce

smoking and alcohol misuse and improve diet and exercise. I have written to the Minister for Finance on fiscal measures to reduce the consumption of tobacco. Heads of a Bill are being prepared for consideration by Government to regulate the use of sunbeds, including prohibiting their use by those under 16. I will shortly establish a National Cancer Screening Agency to amalgamate BreastCheck and the Irish Cervical Screening Programme (ICSP) to deliver both programmes nationally. BreastCheck will commence national roll-out next year. It is my goal to have the ICSP rolled out nationally by 2008, based on an affordable model. The Agency will also advise in relation to a colorectal cancer screening programme, specifically on the population to be screened, at what intervals screening should take place, the type of test required and the requirements for a quality assured and well organised cost effective symptomatic service.

The Health Service Executive is establishing a National Cancer Control Programme. A Programme Director, at national level, will be accountable for all HSE cancer control activities. A single national budget for all cancer control activities will be developed. The Programme will facilitate national standards for equity and access and will maximise ambulatory care. The HSE will establish four Managed Cancer Control Networks to deliver the Programme. Clinical leaders in oncology will be appointed to lead the delivery of quality multi-disciplinary care nationally and at network level. I have established a National Quality Assurance Group for Symptomatic Breast Disease to develop an agreed set of guidance for the interdisciplinary management of breast cancer.

My Department will, in consultation with the Interim Health Information and Quality Authority, further progress the Strategy recommendations on accreditation, quality guidelines, information and health technology assessment. I intend to invest substantially in cancer control based on the reform programme I have outlined.

748. **Mr. Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 88 of 8 June 2006, when the additional consultant rheumatologist position will be advertised; and if she will make a statement on the matter. [29436/06]

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.

749. **Mr. Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 89 on 8 June 2006, the progress to date of the high level working group in progressing the issues pertaining to the standardisation of the home help service including the issuing of contracts of employment; and if she will make a statement on the matter. [29438/06]

Minister for Health and Children (Ms Harney): The work of the high level review group, comprised of representatives from the Health Service Executive, SIPTU and IMPACT, has completed two phases of data gathering focusing on the following:

1. Home Help Organisers — an assessment exercise to establish the level of service provided to clients in each of the Health Service Executive areas and the voluntary sector.
2. Home Helps — an assessment of the level of implementation of the 2004 Home Help Agreement including ascertaining the availability of employment records for Superannuation purposes.

Following on from this exercise, the group are currently developing a national contract of employment for home help workers. In addition, a model for the delivery of home help services will be developed by the HSE for consideration and agreement by the representative group. It is intended that this model will provide for appropriate structures to allow for the co-ordination and delivery of a standardised level of home help service to the public.

I have been advised by the HSE that the implementation of the above, together with the issuing of contracts of employment for home helps, are contingent on the co-operation of all appropriate grades of staff and, in particular, the home help organisers (represented by IMPACT) who are currently in dispute with the Health Service Executive because of their non co-operation with the introduction of home care packages, increases in current service levels and changes in work practices.

Should this non co-operation continue or indeed escalate, it will result in delays to implementing the required changes to enable the delivery of a standardised service to clients.

750. **Mr. Naughten** asked the Minister for Health and Children if she has satisfied herself that the diabetic services in the west of Ireland are adequate in view of the fact that people in the region have the highest prevalence of diabetes; her plans to develop the existing services; and if she will make a statement on the matter. [29439/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the manage-

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ment 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. 751 answered with Question No. 630.

Services for People with Disabilities.

752. **Mr. Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 171 of 20 June 2006, when she will make available the findings of the strategic review of specialist health service provision for people with disabilities; and if she will make a statement on the matter. [29443/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): In accordance with a commitment in "Sustaining Progress", the Department of Health and Children has carried out a strategic review of specialist health service provision for people with disabilities, in consultation with relevant interests. A document setting out the key findings of the review will be made available as soon as it has been finalised.

Vaccination Programme.

753. **Mr. Naughten** asked the Minister for Health and Children the outcome of an examination into the feasibility of introducing the vaccine damage compensation scheme; when such a scheme will be put in place; and if she will make a statement on the matter. [29446/06]

Minister for Health and Children (Ms Harney): The issue of vaccine damage, including a compensation scheme, is being considered by my Department at present and that examination will be concluded shortly.

Proposed Legislation.

754. **Mr. Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 202 of 13 June 2006, when she plans to introduce the first pharmacy Bill in Dáil Éireann; and if she will make a statement on the matter. [29450/06]

Minister for Health and Children (Ms Harney): The Heads and General Scheme of a new Pharmacy Bill have been approved by Cabinet and are currently with the Parliamentary Council's Office for formal drafting of the legislation. It is my intention, subject to Cabinet approval, that the new Pharmacy Bill will be published and submitted to the Oireachtas in the Autumn.

Question No. 755 answered with Question No. 733.

Grant Payments.

756. **Mr. Wall** asked the Minister for Health and Children when a person (details supplied) in County Kildare will receive payment of their home care grant; and if she will make a statement on the matter. [29459/06]

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.

Vaccination Programme.

757. **Caoimhghín Ó Caoláin** asked the Minister for Health and Children if it is proposed to introduce immunisation against invasive pneumococcal disease into the general immunisation programme for children here in view of its introduction in the Six Counties; and if she will make a statement on the matter. [29466/06]

Minister for Health and Children (Ms Harney): Ireland's recommended immunisation programme is based on the guidelines of the National Immunisation Advisory Committee of the Royal College of Physicians of Ireland. These guidelines are prepared with the assistance of an active committee from associated disciplines in paediatrics, infectious diseases, general practice and public health. Vaccines are continually evolving and guidelines change given the nature of these developments.

The inclusion of the pneumococcal vaccine in the Primary Childhood Immunisation Programme is being considered by the National Immunisation Advisory Committee as part of its review of the immunisation guidelines. No decision has yet been reached. My Department and the Health Service Executive will be guided by the expert advice from the NIAC in this regard.

The Immunisation Guidelines for Ireland currently recommend vaccination against pneumococcal disease for persons who are at increased risk of the disease and its complications, particularly for those with:

- Asplenia or severe dysfunction of the spleen, including surgical splenectomy
- Chronic renal disease or nephrotic syndrome
- Chronic heart, lung or liver disease illness including cirrhosis

- Diabetes mellitus
- Sickle cell disease
- Immunodeficiency or immunosuppression due to disease or treatment, including HIV infection at all stages
- Patients with CSF leaks, either congenital or complicating skull fracture or neurosurgery
- Persons aged 65 years or older.

Departmental Expenditure.

758. **Dr. Twomey** asked the Minister for Health and Children the amount of capital spending on ICT in the Health Service Executive provided for in her department's estimates for 2006; the amount of such expenditure which has been sanctioned by her Department prior to 1 September 2006; and if she will make a statement on the matter. [29505/06]

Minister for Health and Children (Ms Harney): The 2006 Estimates for Public Services provide €70m for ICT investment by the Health Service Executive. The HSE's proposed ICT investment plans for 2006 are the subject of ongoing discussions between the HSE, the Department of Finance and my Department. No formal sanction for 2006 investment has issued as yet.

Question No. 759 answered with Question No. 135.

Hospitals Building Programme.

760. **Mr. Durkan** asked the Minister for Health and Children the steps taken over the summer months to advance the Naas Hospital Development Project; if all outstanding matters have been cleared to facilitate early site works; and if she will make a statement on the matter. [29645/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. This includes responsibility for considering new capital proposals or progressing those in the health capital programme.

Accordingly, my Department is requesting the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 761 answered with Question No. 121.

National Drugs Strategy.

762. **Mr. Crowe** asked the Minister for Health and Children if she has satisfied herself with the amount of drug free recovery places. [22847/06]

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.

763. **Mr. Crowe** asked the Minister for Health and Children if she has satisfied herself that there are a sufficient number of drug free early intervention programmes. [22846/06]

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.

764. **Mr. Gormley** asked the Minister for Health and Children the reason a co-ordinator post for the arts programme provided by Women's Aid was reduced by the Health Service Executive from a full-time post to a two day a week in 2003; her plans to review the situation with a view to increasing it to a four day a week post, in view of the difficulties currently experienced by Women's Aid in maintaining this very important programme; and if she will make a statement on the matter. [29667/06]

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.

Health Services.

765. **Mr. Gormley** asked the Minister for Health and Children if her attention has been drawn to the discovery of a venomous snake in Kerry in August; the facilities that are in place in this country to deal with snake bites; and if she will make a statement on the matter. [29680/06]

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

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the Parliamentary Affairs Division of the Executive to have a reply issued directly to the Deputy.

766. **Mr. Gormley** asked the Minister for Health and Children the cost of ankle injuries to the state annually; and if she will make a statement on the matter. [29681/06]

Minister for Health and Children (Ms Harney):

The information requested by the Deputy is not routinely collected by my Department. The matter will be investigated and a reply will be issued directly to the Deputy as soon as possible.

Health Service Staff.

767. **Mr. Durkan** asked the Minister for Health and Children if a review will be undertaken regarding home help in County Kildare, as many of those employed in this capacity have had their hours cut, reduced or are without contracts for the last two years; if new positions will be generated in this county; and if she will make a statement on the matter. [29749/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to human resource management issues within the Health Service Executive. As this is a matter for the Executive under the Health Act, 2004, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 768 answered with Question No. 133.

Cancer Prevention.

769. **Mr. G. Mitchell** asked the Minister for Health and Children if she will make a statement on the document Cancer Prevention: What the Experts Say. [29798/06]

Minister for Health and Children (Ms Harney):

The document referred to by the Deputy is a publication of the Stillorgan & District Cancer Support Services. It has as its central thesis that "although great advances have been made in the detection, diagnosis and treatment of cancer, by far the greatest hope lies in its prevention." Prevention and early detection is a key element of the Strategy for Cancer Control which I published last June. My objective is to develop an integrated cancer control programme based on:

- evidence of what works to prevent and treat cancer
- standards that assure quality in all aspects of cancer control and
- fairness, so that all patients, irrespective of county, region or personal financial

means, can be assured of the best cancer care.

As many as one third of cancers could be prevented by public policy initiatives and the promotion of healthy lifestyles. As I emphasised on publication of the Strategy, the Government has decided that it needs to put renewed emphasis on prevention as well as treatment. The Strategy endorses the National Health Promotion Strategy which is being progressed by my Department.

Our efforts to prevent cancer will include societal and public policy responses to reduce smoking and alcohol misuse and improve diet and exercise. I have written to the Minister for Finance on fiscal measures to reduce the consumption of tobacco. Heads of a Bill are being prepared for consideration by Government to regulate the use of sunbeds, including prohibiting their use by those under 16.

Screening for certain types of cancer plays a crucial role in the detection of pre-cancerous and early disease, saving lives and reducing morbidity. I will shortly establish a National Cancer Screening Agency to amalgamate BreastCheck and the Irish Cervical Screening Programme (ICSP) to deliver both programmes nationally. BreastCheck will commence national roll-out next year. It is my goal to have the ICSP rolled out nationally by 2008, based on an affordable model. The Agency will also advise in relation to a colorectal cancer screening programme.

In parallel, my Department is working closely with the Health Service Executive in establishing a National Cancer Control Programme. I intend to invest substantially in cancer control under this programme.

Health Services.

770. **Mr. Wall** asked the Minister for Health and Children when an appointment will be given to a person (details supplied) in County Kildare to ensure that the person can obtain optical treatment; and if she will make a statement on the matter. [29799/06]

Minister for Health and Children (Ms Harney):

The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

771. **Mr. Wall** asked the Minister for Health and Children if a person (details supplied) in County Kildare can be facilitated with an earlier date for an MRI scan at Tallaght General Hospital, in view of the fact that the person is suffering major health problems and their school-

ing is also being affected; and if she will make a statement on the matter. [29800/06]

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.

772. **Mr. O'Dowd** asked the Minister for Health and Children the plans she has to provide an emergency dental service in County Louth; and if she will make a statement on the matter. [29812/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

773. **Ms Shortall** asked the Minister for Health and Children the position regarding the policy in respect of the person who unexpectedly avails of acute hospital services in a region other than their regions of residence and the areas in which that person subsequently wants to access nursing home or rehabilitation services in their home region; the procedures for the transfer of Health Service Executive responsibility for such a patient from one region to another; the reason for the extreme administrative difficulties which a person (details supplied) in Dublin 9 is encountering, who is currently in an acute bed in Limerick Regional Hospital and who is seeking to transfer to step-down facilities in the Dublin region. [29826/06]

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.

I would expect that patient preference would be taken into account in such circumstances, and my Department has asked the Parliamentary Affairs Division of the Executive to investigate this case and to have a reply issued directly to the Deputy.

Health Services.

774. **Ms Shortall** asked the Minister for Health and Children if her attention has been drawn to the fact that recipients of home help in some health board areas are still being required to make private financial contributions directly to home help staff to retain the service; and the plans she has to introduce legislation to end this practice or otherwise ensure that the service is provided as a fully free public service. [29827/06]

Minister of State at the Department of Health and Children (Mr. S. Power): Under Section 61 of the Health Act 1970, the HSE may make arrangements to assist in the maintenance at home of a sick or infirm person or a dependent of such person either, as the chief executive officer may determine in each case, without charge or at such charge as s/he considers appropriate.

Prior to the establishment of the HSE, varying practices had developed in relation to the operation of the Home Help service across the country. The HSE has informed the Department that it has established a working group, which is currently addressing all issues relating to the Home Help service with the aim of standardising the operation of the service across all areas. The HSE has further advised that it is aware that in some areas there is a history of clients contributing towards the overall cost of the service and it will shortly be finalising proposals to standardise eligibility across all HSE areas.

Hospital Services.

775. **Mr. Perry** asked the Minister for Health and Children if she will intervene on behalf of a person (details supplied) and have them called for their hip operation; and if she will make a statement on the matter. [29828/06]

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.

Nursing Home Subventions.

776. **Mr. Connaughton** asked the Minister for Health and Children the position regarding an application for the nursing home subvention for a person (details supplied) in County Galway; and if she will make a statement on the matter. [29829/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of

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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.

777. **Mr. McGuinness** asked the Minister for Health and Children if a full medical card or GP only card will be issued in the case of a person (details supplied) in County Kilkenny; and if a positive response will be expedited. [29830/06]

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.

778. **Mr. O'Connor** asked the Minister for Health and Children if she will raise with the Health Service Executive the absolute need to commence the redevelopment of a health centre (details supplied) in Dublin 24; her views on the concern of the local community at the continued delays; and if she will make a statement on the matter. [29831/06]

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.

779. **Mr. Timmins** asked the Minister for Health and Children the position in relation to a person (details supplied) in County Wicklow who is waiting for speech therapy if the appointment could be made as a matter of urgency; and if she will make a statement on the matter [29873/06]

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.

Medical Cards.

780. **Mr. Gregory** asked the Minister for Health and Children the reason a medical card was withdrawn from a person (details supplied) in Dublin 7. [29889/06]

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.

781. **Mr. Gregory** asked the Minister for Health and Children for response to the issues raised in the correspondence (details supplied); and if she will make a statement on the matter. [29890/06]

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.

782. **Mr. McGuinness** asked the Minister for Health and Children if a replacement doctor has been found at a clinic (details supplied); if persons (details supplied) in County Kilkenny will continue to receive care; and if she will make a statement on the matter. [29898/06]

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.

783. **Mr. McGuinness** asked the Minister for Health and Children if an earlier appointment than 30 May 2008 will be arranged for a person (details supplied) in County Kilkenny; and if she will make a statement on the matter. [29899/06]

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.

Medical Cards.

784. **Mr. McGuinness** asked the Minister for Health and Children if a full medical card will be approved for a person (details supplied) in County Kilkenny; and if she will make a statement on the matter. [29900/06]

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.

785. **Mr. McGuinness** asked the Minister for Health and Children if an appointment will be made as a matter of urgency for a person (details supplied) in County Carlow. [29901/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to have a reply issued directly to the Deputy.

786. **Mr. McGuinness** asked the Minister for Health and Children the reasons for the delay in arranging an appointment for a person (details supplied) in County Kilkenny. [29902/06]

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. 787 answered with Question No. 154.

788. **Mr. Gregory** asked the Minister for Health and Children further to Parliamentary Question No. 175 of 7 June 2006, if the practice of some chiropodists in demanding top-up payments has been dealt with; and if she will make a statement on the matter. [29928/06]

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. This process has been underway for some time and considerable progress has been made in talks on a settlement.

My Department is currently preparing legislation to clarify and update existing legislation on eligibility for health and personal social services. The Bill will define specific health and personal services more clearly; define who should be eligible for what services; set out clear criteria for eligibility; establish when and in what circumstances charges may be made and provide for an appeals framework.

Hospital Services.

789. **Mr. O'Connor** asked the Minister for Health and Children if she will make a statement confirming plans for the future of the National Children's Hospital at Tallaght Hospital. [29940/06]

Minister for Health and Children (Ms Harney): In late 2005, the Health Service Executive (HSE), at my request, undertook a review of tertiary paediatric services. McKinsey & Company were engaged by the HSE and their report included a number of key recommendations:

- The population and projected demands in this country can support only one world class tertiary paediatric hospital
- It should be in Dublin, and should ideally be co-located with a leading adult academic hospital (i.e. should be within a practical walking distance of such a hospital)
- It should also provide all the secondary (i.e. less complex) hospital needs of children in the Greater Dublin area
- These secondary services should be supported by strategically-located Urgent Care Services.

A joint HSE / Department of Health and Children Task Group was established in February

[Ms Harney.]

2006 to advise on the optimum location of the proposed new hospital. The Task Group invited the six major adult academic hospitals (including The Adelaide and Meath Hospital, incorporating the National Children's Hospital) to make submissions. Each of the paediatric hospitals expressed strong support for the development of a single paediatric hospital, and emphasized the crucial need for decisions in relation to the new hospital to be taken urgently. Consultant representatives reiterated their commitment to move to the new hospital regardless of its location.

Following extensive examination, discussion and consultation, the Task Group recommended that the new national tertiary paediatric hospital should be built on a site to be made available by the Mater Misericordiae Hospital. The Task Group's report and its recommendations were endorsed by the Board of the HSE. At its meeting on 8th June, the Government strongly endorsed the recommendation that the new National Paediatric Hospital be developed as an independent hospital on a site to be made available by the Mater Hospital. The Government mandated the HSE to move forward with the development of the new hospital and its associated urgent care centres, and to explore any philanthropic proposals in relation to its development. The governance arrangements that will arise in the context of amalgamation of the three children's hospitals will also be pursued, in particular the measures needed to ensure that the new hospital is multi-denominational and pluralist in character.

A joint HSE/Department of Health and Children Transition Group has since been established to advance the development of the new Hospital. Among the key items to be addressed are the definition of a high level framework brief for the new Hospital and the determination of the scope and location of the Urgent Care Service required to support the new hospital. The Group is expected to enter into consultations with relevant stakeholders, which will include representatives of the National Children's Hospital.

Question No. 790 answered with Question No. 146.

Medical Aids and Appliances.

791. **Mr. O'Shea** asked the Minister for Health and Children when she intends to publish the promised report on the overall use of defibrillators; if it will include reference to the use of defibrillators by the fire service (details supplied); and if she will make a statement on the matter. [29952/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question concerns the use of defibrillators by the Waterford fire service and relates therefore, 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. 792 answered with Question No. 165.

Health Service Staff.

793. **Mr. Stagg** asked the Minister for Health and Children if her attention has been drawn to the fact that employment ceilings imposed by the Government in 2003 prior to the creation of the Health Service Executive have effectively collapsed the speech and language therapy service in County Kildare, where there is now a 23 month waiting list for assessment; if her discussions with the Department of Finance have led to a lifting of the ceiling in this area, which would allow the advertising of five vacant posts. [29978/06]

804. **Mr. Durkan** asked the Minister for Health and Children when the full compliment of speech and language therapists throughout County Kildare will be provided; if the full requirement has been identified; when such requirements will be met; and if she will make a statement on the matter. [30015/06]

Minister for Health and Children (Ms Harney):

I propose to take Questions Nos. 793 and 804 together.

Let me say at the outset that there is no embargo on the recruitment of staff in the public health service. Nor does my Department set employment quotas at national level for any grade in the public health service. It is a matter for the Health Service Executive, as part of its management of its employment ceiling, to determine the appropriate staffing mix required to deliver its service plan priorities, including speech and language therapy services. I have consistently emphasised the importance of prioritising the filling of front line vacancies in complying with approved employment levels. I have also emphasised the need to achieve an appropriate balance between clinical and non-clinical posts.

Approved employment levels for the health service have been adjusted since 2002 in line with Government policy on public sector employment and also to take account of specific policy measures aimed at increasing service levels. My Department is currently in discussions with the Department of Finance and the Health Service Executive to agree revisions to the health service employment ceiling to take account of service developments, including disability services.

A priority for the HSE 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. The investment package will facilitate the recruitment of up to 200 extra therapists, particularly speech and language, occupational therapy and physiotherapy. Due to the current limited supply of these grades, it is acknowledged that in the short term recruitment from overseas will be required. The HSE has put in place a project plan for this.

In regard to the recruitment of speech and language therapists generally, the Deputies will be pleased to note that the Health Service Personnel Census shows a total of 596 wholetime equivalent (WTE) staff at end March, 2006. This represents an increase of 315 WTE staff or 112% since end December, 1997. The number of training places in speech and language therapy has increased by 300% since 2001.

As the Deputy's question relates to service provision in County Kildare, which is the responsibility of the Health Service Executive under the Health Act 2004, the parliamentary affairs division of the executive has been asked to respond directly to the Deputy in regard to the information sought.

Care of the Elderly.

794. **Mr. Stagg** asked the Minister for Health and Children the number of elderly persons in County Kildare currently awaiting allocation of a long term care place in State nursing homes. [29986/06]

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.

795. **Mr. Stagg** asked the Minister for Health and Children if the Primary, Community and Continuing Care Directorate of the Health Service Executive have completed their assessment of the long term care needs of elderly people; if their assessment concludes that the State should now construct public nursing homes along the lines of the successful Maynooth Community Unit in County Kildare throughout the State. [29987/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary

affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

796. **Mr. Stagg** asked the Minister for Health and Children the reason for the delay in a response issuing to Parliamentary Question No. 89 of 6 July 2006. [30001/06]

Minister of State at the Department of Health and Children (Mr. S. Power): I have been advised that the Health Service Executive (HSE) issued a reply to the Deputy on the 26th September 2006, in relation to Question No. 89.

Cancer Screening Programme.

797. **Mr. Stagg** asked the Minister for Health and Children the reason for the delay in issuing a response to Parliamentary Question No. 241 of 8 November 2005. [30003/06]

Minister for Health and Children (Ms Harney): BreastCheck has informed my Department that it will issue a response to the Deputy next week.

Ambulance Service.

798. **Mr. Stagg** asked the Minister for Health and Children the reason for the delay in issuing a response to Parliamentary Question No. 92 of 6 July 2006. [30004/06]

Minister for Health and Children (Ms Harney): My Department has been advised by the Health Service Executive that a reply has now issued to the Deputy in relation to this matter.

Hospitals Building Programme.

799. **Mr. Stagg** asked the Minister for Health and Children when tenders will be invited for Phase 3C of Naas Hospital. [30005/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. This includes responsibility for considering new capital proposals or progressing those in the health capital programme. Accordingly, my Department is requesting the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

800. **Mr. Stagg** asked the Minister for Health and Children the number of additional home help hours allocated to County Kildare in 2006 from the State allocation of 1.75 million. [30006/06]

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.

801. **Mr. Durkan** asked the Minister for Health and Children the full schedule of facilities and services, including the number of medical and surgical beds to be provided in the concluding phase of the Naas Hospital development plan; if the plan is proceeding as anticipated; when the project will be concluded; and if she will make a statement on the matter. [30012/06]

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.

802. **Mr. Durkan** asked the Minister for Health and Children her plans to upgrade or extend the various health centres throughout County Kildare, with a view to catering for the increase in the population; and if she will make a statement on the matter. [30013/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

803. **Mr. Durkan** asked the Minister for Health and Children if she will maintain in full the mobile hospital services in north west Kildare and other locations; and if she will make a statement on the matter. [30014/06]

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.

Question No. 804 answered with Question No. 793.

Health Services.

805. **Mr. Durkan** asked the Minister for Health and Children the number of children who have received orthodontic treatment in each of the past five years; the extent to which this impacts on the number of children needing attention; and if she will make a statement on the matter. [30016/06]

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.

806. **Mr. Durkan** asked the Minister for Health and Children the number of children identified as being in need of orthodontic treatment in each of the past six years; the number who received treatment on an annual basis; and if she will make a statement on the matter. [30017/06]

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.

807. **Mr. Durkan** asked the Minister for Health and Children if she has satisfied herself regarding the adequacy and frequency of school medical examinations; and if she will make a statement on the matter. [30018/06]

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 requested the parliamentary affairs division of the executive to arrange to have this matter investigated and I understand that a reply has now issued to the Deputy on the matter.

Question No. 808 answered with Question No. 194.

National Treatment Purchase Fund.

809. **Mr. Durkan** asked the Minister for Health and Children the number of cases dealt with under the hospital treatment purchase scheme in each of the past five years; the costs involved; and if she will make a statement on the matter. [30020/06]

Minister for Health and Children (Ms Harney): As the Deputy's question relates to the operation of the National Treatment Purchase Fund (NTPF) my Department has asked the Chief Executive of the NTPF to reply directly to the Deputy in relation to the information requested.

Hospital Services.

810. **Mr. Durkan** asked the Minister for Health and Children the degree to which the number of hospital beds now available is adequate or otherwise to meet the population needs; and if she will make a statement on the matter. [30021/06]

Minister for Health and Children (Ms Harney): In 2001, the year of the publication of Health Strategy, the average number of in-patient beds and day places available for treatment of patients in the 53 public acute hospitals was 12,145. At the end of 2005, this figure had increased by 1204 to a total of 13,349, involving an additional 724 in-patient beds and 480 day places. In addition, a further 450 acute beds/day places are in various stages of planning and development under the Health Service Executive's Capital Plans.

In July 2005, I announced an initiative to have private hospitals built on the campuses of public hospitals. This is designed 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 is currently engaged in a procurement process with the private sector to build and operate private hospitals on 10 public hospital sites. All of these additional in-patient beds/day places will mean that this Government's commitment in the Health Strategy to increase total acute hospital capacity is well on the way to completion. In the light of the progress made to date and following discussions between the HSE and my Department, it has been decided to carry out a review of our acute hospital bed requirements up to the year 2020.

Hospital Waiting Lists.

811. **Mr. Durkan** asked the Minister for Health and Children the position in regard to hospital waiting lists; if such lists are on the increase; and if she will make a statement on the matter. [30022/06]

Minister for Health and Children (Ms Harney): Responsibility for the collation and publishing of waiting list and waiting time data now rests with the National Treatment Purchase Fund (NTPF).

The NTPF, which is now a statutory body, was established as one of the key actions for dealing with public hospital waiting lists arising from the Health Strategy. My Department has, therefore, asked the Chief Executive of the NTPF to reply to the Deputy directly with regard to the information requested.

Questions Nos. 812 and 813 answered with Question No. 194.

Autism Incidence.

814. **Mr. Durkan** asked the Minister for Health and Children the extent of the research into the high incidence of autism here; and if she will make a statement on the matter. [30025/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I am not aware of any specific research into the incidence of autism in Ireland. However, my Department is funding two projects through the Health Research Board. One of these studies concerns the prevalence of bowel disorder in adults with autism. The other is a study into the possible genetic cause of autism. My Department has committed €5m in funding to this latter study which is part of an international genetics project.

Infectious Diseases.

815. **Mr. Durkan** asked the Minister for Health and Children the number of incidents of MRSA reported to date; the hospital or areas in respect of which the greater number of cases have been reported; the action taken to combat the issue; and if she will make a statement on the matter. [30026/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to have a reply issued directly to the Deputy.

816. **Mr. Durkan** asked the Minister for Health and Children the number of reported incidents of tuberculosis in each of the past five years; and if she will make a statement on the matter. [30027/06]

Minister for Health and Children (Ms Harney): The Health Protection Surveillance Centre (HPSC) monitors rates of TB in Ireland on an ongoing basis and identifies any increases in rates or clusters of the disease. According to data provided by the HPSC TB notifications in Ireland between 2001 and 2005 were as shown in the following table.

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Year	Number of cases	Crude Rate per 100,000 population
2001	381	9.7
2002	408	10.4
2003	407	10.4
2004 (provisional)	432	11.0
2005 (provisional)	461	11.8

In 2003, 407 cases of TB were notified to HPSC giving a national crude incidence rate of 10.4/100,000 population. This is very similar to the rate notified in 2002 and 2001. However, it remains lower than the crude incidence rates reported between 1991 and 1999, which ranged from 11.5/100,000 to 18.5/100,000. The overall notification rate for countries of the EU and Western Europe in 2003 was 13.6/100,000, for countries which reported to EuroTB. The highest rate reported was in the Baltic States (47.0-82.0/100,000).

Hospital Services.

817. **Mr. F. McGrath** asked the Minister for Health and Children the position regarding patients on trolleys at Beaumont Hospital. [30099/06]

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.

Proposed Legislation.

818. **Mr. Boyle** asked the Minister for Health and Children the consideration which has been given to bringing about an outright legislative ban on experimentation on non-human primates here. [30113/06]

Minister for Health and Children (Ms Harney): It is the practice in Ireland not to licence experiments involving the use of primates; however, I have no plans to introduce legislation in this regard.

The use of live animals in scientific research and other experimental activity is strictly controlled in accordance with the Cruelty to Animals Act 1876, as amended by the European Communities (Amendment of Cruelty to Animals Act, 1876) Regulations 2002 and 2005. Under the Act an experiment may only be performed for one of the following purposes:

(i) the development, manufacture, quality, effectiveness and safety testing of drugs, food-stuffs and other substances or products for—

(a) the avoidance, prevention, diagnosis or treatment of disease, ill-health or other abnormality or their effects in human beings, animals or plants, or

(b) the assessment, detection, regulation or modification of physiological conditions in human beings, animals or plants;

(ii) the protection of the natural environment in the interests of the health or welfare of human beings or animals;

(iii) the illustration of lectures in medical schools, hospitals, colleges or elsewhere.

Experiments on live animals can only be performed by persons licensed to do so and in premises registered for that purpose. Licences are granted in accordance with the provisions of the Act and are subject to stringent conditions. As part of the licence application process each applicant must show why the experiment/procedure on living animals is essential and why the objective of the experiments cannot be achieved by the use of alternative techniques. Justification for the choice of species is also required. The application for a licence must be signed by two qualified persons of professorial standing, as specified in the Act, from a relevant scientific, medical or veterinary discipline verifying that the project is original or makes a relevant contribution to scientific knowledge and that the use of animals is essential as no alternative method is reasonably and practicably available.

Ireland supports the work of the European Centre for the Validation of Alternative Methods (ECVAM). ECVAM was established by the European Commission to promote the scientific and regulatory acceptance of alternative methods which are of importance to the biosciences and which reduce, refine or replace the use of laboratory animals. Ireland is represented on its Scientific Committee.

Question No. 819 answered with Question No. 154.

Health Services.

820. **Mr. Boyle** asked the Minister for Health and Children if she has satisfied herself that her policy approach to the treatment of type one childhood diabetes is ensuring equality of access and treatment particularly in the Cork City and County area. [30117/06]

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.

Medical Cards.

821. **Mr. Boyle** asked the Minister for Health and Children the number of medical card holders that are resident in Cork City. [30136/06]

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.

822. **Mr. Boyle** asked the Minister for Health and Children the number of doctor only medical card holders that are resident in Cork City. [30137/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

823. **Mr. Boyle** asked the Minister for Health and Children her views on whether it is wise to amalgamate the Mercy University and South Infirmary and Victoria Hospitals and relocate them to Glanmire leaving Cork city centre with no public hospital. [30139/06]

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 HSE to reply to the Deputy in relation to plans for the provision of acute hospital services in Cork.

Health Services.

824. **Dr. Twomey** asked the Minister for Health and Children the number of persons in the Health Service Executive North East Region who have been placed in contracted beds in nursing homes in 2006; the numbers from this area currently in contracted beds; the number of nursing homes involved in the care of these persons; the amount of the weekly payments currently being made in respect of the five most costly cases; and the HSE

hospital which sourced the contracted beds. [30160/06]

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.

Mental Health Services.

825. **Dr. Twomey** asked the Minister for Health and Children the number of inquiries conducted by the Mental Health Commission, since 1 January 2005, under section 55 of the Mental Health Act, 2001 indicating the nature of the issues inquired into; the outcome of the inquiries; the steps taken to deal with matters which arose on foot of each inquiry; and if the inquiries were requested by her or were undertaken on the initiative of the commission. [30161/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): In April 2005, the Mental Health Commission decided to establish an inquiry with the following terms of reference: "To review current care and treatment practices in the Central Mental Hospital and to report to the Commission". This inquiry is ongoing.

826. **Dr. Twomey** asked the Minister for Health and Children the nature of the issues referred, by the Inspector of Mental Health Services, to the Mental Health Commission in 2005; the nature of the issues which were considered to need immediate action; the services involved; the actions which were proposed to be taken to remedy the situation; and the extent to which remedial action was taken and has been successful. [30162/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): As reported in the 2005 Annual Report of the Mental Health Commission, including the Report of the Inspector of Mental Health Services, the Mental Health Commission was alerted to issues in a number of services that were considered in need of immediate action. The services concerned were provided with details of the Inspector's concerns and given recommendations on how these issues should be addressed. The services were also informed that unannounced follow up visits would take place during the following three months. The reports of the inspectorate on the service concerned were considered by the Mental Health Commission including the response of the service concerned and the Mental Health Commission then wrote

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to the individual service advising of what action should be taken.

The services were as follows:

[1] St. Mary's Hospital Castlebar: The issues of concern were:

- (a) lack of adequate care planning for patients;
- (b) lack of key worker system;
- (c) absence of therapeutic activities for patients on the wards;
- (d) absence of assessment of patients prior to re-location to a new unit;
- (e) absence of psychiatric and medical review of patients on the ward.

Following correspondence with the service, the Mental Health Commission was informed that all patients had been assessed and reviewed with up-to-date care plans and a programme of activities had been established. The three wards had been closed and patients had moved to a refurbished unit on the grounds of the hospital. A patient in continuous seclusion had been transferred to specialist accommodation. This report is available in book 5 Annual Report Mental Health Commission 2005.

[2] St. Luke's Hospital, Clonmel: The issues of concern were:-

- (a) The locking of bedroom doors at night in one ward;
- (b) The practice of directly admitting patients to long-stay wards;
- (c) The inappropriate mix of patient groups on one ward;
- (d) The unacceptable physical environment.

Following the unannounced visit, senior management in St. Luke's Hospital reported that the practice of locking patients in their rooms at night had ceased. The condition of one patient in seclusion had improved. An audit of the practice of direct admissions to long-stay wards was ongoing and a five year development plan for the mental health services was being prepared. This report is available page 143-144, Book 4, Health Service Executive South — Mental Health Commission Annual Report 2005. The service continues to be monitored by the Mental Health Commission and a visit is planned for next month.

[3] St. Loman's Hospital, Palmerstown, Dublin 20. The concerns which centred on one unit, St. Joseph's, included:-

- (a) Lack of consultant psychiatrist reviews of residents;
- (b) Lack of documented evidence of regular reviews in nursing care plans;

(c) Discharged patients accommodated in a locked unit;

(d) Residents' money being pooled and used for communal purposes without their consent. Residents did not have access to their own money;

(e) Poor physical upkeep and maintenance of the unit.

Since then, consultant psychiatrist reviews of residents were undertaken and care plans are being developed. The practice of pooling residents' allowances on the unit had ceased. The unit remained locked. Following further contact, the Mental Health Commission was informed of plans to close the unit and provide the residents with more appropriate accommodation. This is ongoing and is being monitored by the Mental Health Commission. This report is available in Book 3, Health Service Executive Dublin Mid-Leinster, Mental Health Commission Annual Report 2005.

[4] St. Finan's Hospital, Killarney. The issues of concern included:-

- (a) Locking of bedroom doors at night;
- (b) Absence of adequate care planning and key worker system;
- (c) Absence of psychiatric and medical review of patients;
- (d) The employment status of a patient participating in work opportunities.

In the most recent report from the service, it was stated that work was advancing on care planning and the key worker system. Alternative facilities are being sourced to provide more appropriate accommodation. Two patients who are locked in their bedrooms at night are reviewed regularly. A further review by the Mental Health Commission is planned before year end. This report is available in Book 4, Health Service Executive South, Annual Report Mental Health Commission 2005.

The work carried out by the Inspector of Mental Health Services is vital to improving the standard and quality of services provided to people with mental illness. Following concerns raised by the Inspector the services mentioned above have acted to improve conditions. However, it is important that all services respond quickly to problems identified by the Inspector and that areas of concern are examined at a national level by the Health Service Executive with a view to improving all mental health services.

Hospital Accommodation.

827. **Dr. Twomey** asked the Minister for Health and Children the number of public long-term care beds in the State. [30163/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's ques-

tion relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Nursing Home Subventions.

828. **Dr. Twomey** asked the Minister for Health and Children the number of people in respect of whom nursing home subvention is paid; and the number of those people in receipt of enhanced subvention as of 1 September 2006. [30164/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

829. **Mr. F. McGrath** asked the Minister for Health and Children the reason a person is waiting for a public nursing home place. [30165/06]

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.

830. **Mr. Timmins** asked the Minister for Health and Children the position in relation to people over 70 who have medical cards and are in need of dental treatment (details supplied); and if she will make a statement on the matter. [30166/06]

Minister for Health and Children (Ms Harney): A range of dental services for adult medical card holders is available under the Dental Treatment Services Scheme (DTSS) from participating dentists holding contracts with Health Service Executive (HSE). The treatments provided include examinations, fillings, extractions, dentures, x-rays and some root canal treatment.

The scheme is administered by the HSE — Primary Care Reimbursement Service on behalf of the HSE and it is monitored at a local level by Principal Dental Surgeons with a regional responsibility for the DTSS.

A DTSS Review Group has been established to undertake a comprehensive review of Primary Care Oral Health Services provided under the DTSS. Represented on the Review Group are the HSE, the Department of Health and Children, the Department of Social and Family Affairs, the Department of Finance, the Irish Dental Association and the HSE Employers Agency. The schedule of services provided for under the DTSS will be examined as part of the review, as well as monitoring and evaluation procedures.

831. **Mr. Crawford** asked the Minister for Health and Children if she has satisfied herself that a person (details supplied) in County Monaghan has to wait two years or more to meet a consultant in order to get on a list for orthopaedic surgery; and if she will make a statement on the matter. [30167/06]

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.

Medical Cards.

832. **Mr. Crawford** asked the Minister for Health and Children the number of full medical cards available on a county basis; the number of doctor only cards granted on a county basis; if she has satisfied herself that the system is working; and if she will make a statement on the matter. [30168/06]

Minister for Health and Children (Ms Harney): As aspects of the Deputy's question, concerning medical card and GP visit card numbers by county, relate 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 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.

As the Deputy will be aware, a number of changes have been made to the medical card and GP visit card schemes since 2005. The income guidelines used to assess eligibility for the medical and GP visit card have been increased by a cumulative 29%. The assessment of means is now based on income after tax and PRSI and full account is taken of reasonable expenses in respect of rent/mortgage payments, childcare and travel to work. These changes have had the effect of further reducing the threshold at which a person would qualify for the medical card or the GP visit card. In June 2006 I agreed with the HSE a

[Ms Harney.]

further adjustment to the income assessment guidelines used for GP visit cards and these are now 50% higher than those used for medical cards.

These changes have meant that more individuals and families have become eligible, the assessment process has been made fairer and administrative arrangements have been simplified and streamlined. A standard application form is now available, the HSE website allows prospective applicants to check their eligibility and the HSE has engaged in publicity and advertising campaigns to make people aware of the changes and to encourage applications.

The HSE has informed me that, in addition, a specific programme of work is being undertaken, focussed on further modernisation of the administrative and operational arrangements for these and other related primary care schemes. This is intended to make them more customer-friendly, administratively streamlined, fair, accountable and IT-enabled. This programme of improvement is also focused on ensuring that the schemes are administered in a standardised way across the country. An overall Steering Group has been established to oversee the programme, with regional groups to implement each aspect of the modernisation agenda in a standardised manner within their respective regions.

Health Services.

833. **Caoimhghín Ó Caoláin** asked the Minister for Health and Children if she will provide the necessary resources and press the Health Service Executive to increase the number of public health nurses available at a health centre (details supplied) in County Dublin to deal with the backlog of infant health checks; and if she will make a statement on the matter. [30169/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

National Repayments Scheme.

834. **Mr. Deasy** asked the Minister for Health and Children if she will reconsider the cut-off date of 9 December 1998 for families who are making claims under the national repayments scheme in respect of family members who are deceased; her views on whether such an arbitrary cut-off date is unfair and open to legal challenge; and if she will make a statement on the matter. [30170/06]

Minister for Health and Children (Ms Harney):

The Health (Repayment Scheme) Act 2006 was signed by the President on 23 June 2006 and the legislative provisions of the Act came into effect on 30 June 2006. The repayment scheme was launched publicly by the Health Service Executive (HSE) and the scheme administrator KPMG/McCann Fitzgerald on 14 August 2006.

Under the scheme all those fully eligible persons who were wrongly charged and are alive will have their charges repaid in full. The estates of all those fully eligible persons, who were wrongly charged and died since 9 December 1998 will have the charges repaid in full. The scheme does not allow for repayments to the estates of those who died prior to that date.

The decision to limit repayments to the estates of those who died in the six years prior to 9 December 2004 reflects the reference in the Supreme Court judgement to the statute of Limitations — “the state has available to it the Statute of Limitations i.e. a six year limit”. The Government has a responsibility to have regard to what the Supreme Court said, in order to limit the scale of total repayments which today's taxpayer would otherwise have to fund. The scheme strikes a fair balance in this regard.

Question No. 835 answered with Question No. 156.

Fisheries Protection.

836. **Ms Burton** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the danger of over fishing on the Tolka river, and in view of the popularity of this leisure activity in the Dublin 15 area, if there are proposals to develop a fishing lake, similar to the lake that has been developed in Darndale, in the same area; if Abbotstown could be a suitable location for the development of such an amenity; and if he will make a statement on the matter. [28838/06]

Minister of State at the Department of Communications, Marine and Natural Resources

(Mr. Browne): Primary responsibility for the management, conservation, protection and development of inland fisheries is a matter for the Fisheries Boards in this case the Eastern Regional Fisheries Board. The Board is aware of the increased interest in angling along the Tolka and advises that, through its Dublin Angling Initiative, they have provided introductory courses to game, coarse and sea angling for the youth in this area.

I am not aware, nor indeed is the Eastern Regional Fisheries Board, of any proposals to create a fishing lake or similar facility along the Tolka. I understand that the fisheries board would work closely with the relevant authorities to advance such a development.

Energy Resources.

837. **Ms Burton** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to reports that a package of grant assistance is currently being prepared to encourage sustainable energy, the types of renewable energy that will be included in the package; the estimated cost of this package; and if he will make a statement on the matter. [29744/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): A number of innovative new sustainable energy programmes have already been launched as part of a €65 million initiative announced in the context of Budget 2006. The programme is being rolled out over a five year period and provides funding for the domestic, commercial, services and industrial sectors as follows:

The €27 million “Greener Homes” domestic renewable heat grants programme is providing grants for householders for the purpose of installing renewable heating including wood biomass boilers and stoves, solar panels and heat pumps.

The €22 million Bioheat grants programme provides grants for commercial scale wood biomass boilers aimed at the business and services sectors;

The €11 million Combined Heat and Power grants programme is providing funding for the commercial sector to switch to more efficient electricity and heat generation;

A funding programme for the development of commercial biofuels facilities will be launched shortly.

In addition to these funding measures, a number of other financial initiatives have been introduced:

In July, I launched a five-year excise relief programme for biofuels, valued at over €200 million. The programme builds on a pilot initiative rolled out in 2005, in which eight bio-fuels projects were granted excise relief over a two-year period.

In June, I launched the Renewable Energy Feed-in-Tariff which is providing a fixed feed-in-tariff for renewable electricity over a fifteen year period.

In support of ongoing policy development we have published five major studies on renewable electricity, bio-energy, CHP, ocean energy and renewable energy. The Bio-energy Ministerial Task Force will develop, by end-year a cohesive national bioenergy strategy. Further policy initiatives are being considered in the context of these developments and the forthcoming Green Paper on Energy Policy. The scope for future

funding programmes will be considered in the context of the Estimates and Budget processes.

838. **Ms Burton** asked the Minister for Communications, Marine and Natural Resources the remit of the Bio-Energy Task Force; the members of the Task Force and when it expects to report; and if he will make a statement on the matter. [29745/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I chair the Ministerial Bio-energy Task Force on Bio-energy which was established and had its first meeting in July. Its members include the Tánaiste, and the Ministers for Finance, Agriculture and Food, Environment, Heritage and Local Government, Transport and Enterprise Trade and Employment. The Taoiseach’s office is also represented. The primary objective of the Task Force is to draw up a cohesive national bio-energy strategy by the end of the year, which will set targets for deployment of bioenergy, identify priority areas for development and the necessary support measures to encourage supply and demand. This strategy will also take account of EU developments, and the views of key stake holding the Energy Green Paper consultation process.

Water Quality.

839. **Mr. Morgan** asked the Minister for Communications, Marine and Natural Resources when the inter-Departmental or Public Authority Committee will report to him in respect of each designated area established under European Communities (Quality of Shellfish Waters) Regulations 2006; how extensive these reports will be; the action he will take in respect of cases where proper standards are not met; and if he will make a statement on the matter. [28168/06]

857. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the measures in place to protect bays from pollution; the international laws which have been enacted to protect Irish waters from pollution; and if he will make a statement on the matter. [28842/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 839 and 857 together.

In general the protection of water quality in coastal bays is the responsibility of the Minister for the Environment, Heritage and Local Government. The Minister for Transport also has responsibilities relating to the prevention of pollution from shipping.

The Department has responsibility for the implementation of the EU Shellfish Waters Directive, which is concerned with the quality of shellfish waters and applies to those waters that have been designated by Member States as need-

[Mr. N. Dempsey.]

ing protection or improvement in order to support shellfish growth. In all there are 14 areas designated under the European Communities (Quality of Shellfish Waters) Regulations 2006 (S.I. No. 268 of 2006).

The Department has established an inter-Departmental/Public Authority Committee with a view to monitoring the programmes established under the Regulations in respect of each designated area. The Committee met for the first time on the 29 June 2006 and discussed, *inter alia*, the critical issues and objectives associated with the implementation of the Shellfish Waters Directive across all relevant public policy areas. Members of the Committee have been reporting back to the Department on these issues over the summer period.

The Committee is scheduled to meet again on Thursday 28 September 2006 for consideration of the reports received. It is expected that an outline timeframe for the completion of the Committee's work will be possible following the next meeting.

Telecommunications Services.

840. **Mr. Kehoe** asked the Minister for Communications, Marine and Natural Resources the expected timeframe for the availability of broadband in an area (details supplied) in County Wexford; and if he will make a statement on the matter. [28308/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated by the independent Commission for Communications Regulation (ComReg).

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 the Department's Regional Broadband Programme is addressing the infrastructure deficit by building high speed fibre based broadband networks, in association with the local and regional authorities, in the major towns and cities. These Metropolitan Area Networks (MANs) are open access fibre based trunk networks that will allow the private sector to offer world-class broadband services at competitive costs.

Twenty-seven MANs are now completed including the Wexford Town MAN. The Department also administers a group broadband scheme, which is designed to promote the roll out of broadband access through the establishment of sustainable broadband services in towns, villages, rural hinterlands and under-served areas of larger towns on the basis of local and regional authority coordination and community driven initiatives. Under this scheme a broadband project was approved for South Wexford including Bridge-

town, Kilmore, Kilmore Quay, Ballyhogue, Galbally and Bree, Co. Wexford. These schemes are now operational and a broadband service is available.

The Department's website www.broadband.gov.ie gives full details of broadband availability in all areas, including ADSL, cable, fibre, satellite and fixed wireless. The website also lists prices of the various service levels on offer and contact details for each service provider.

841. **Mr. Kehoe** asked the Minister for Communications, Marine and Natural Resources the measures which are being put in place to accelerate the roll-out of broadband technology across the country; and if he will make a statement on the matter. [28309/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated by the independent Commission for Communications Regulation, ComReg.

The Government is addressing the infrastructure deficit in the regions by building high-speed, open-access Metropolitan Area Networks (MANs) in 120 towns and cities nationwide. Phase One of this Programme has delivered fibre optic networks to 27 towns and cities throughout the country.

This Programme has been extended to over 90 towns in various locations nationwide. It is expected that these MANs will be completed during 2006 and 2007. These networks will allow the private sector to offer world-class broadband services at competitive costs.

The Department also offers funding assistance for smaller towns and rural communities through the County and Group Broadband Scheme. The scheme is technology-neutral, allowing the community to select the most suitable broadband delivery platform for the area. To date, over 150 projects have been approved for funding under this Programme.

A joint industry/Government fund of €18 million has been established for the Broadband for Schools Programme to resource the provision of high speed broadband connectivity to all primary and post-primary schools in the country by end Autumn 2006, at no cost to the schools themselves. 94% of schools have broadband installed to date; the aim is to complete the outstanding schools in the coming weeks.

Despite these successes there will still be some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. I am currently examining options to address the delivery of broadband services to these areas and I hope to be in a position to bring proposals to Government shortly.

842. **Mr. Kehoe** asked the Minister for Communications, Marine and Natural Resources the percentage of the country that has ready access to broadband technology for both business and domestic use; and if he will make a statement on the matter. [28310/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated by the independent Commission for Communications Regulation, ComReg.

It is now estimated that over 85% of the population currently has access to broadband services. A lack of investment by the telecommunications sector in the necessary infrastructure has been an impediment to the delivery of competitive broadband services, primarily in the regions. The Government is addressing this investment deficit in the regions by building high-speed, open access Metropolitan Area Networks (MANs) in 120 towns and cities nationwide. Phase One of this Programme has delivered fibre optic networks to 27 towns and cities throughout the country.

This Programme has been extended to over 90 towns in various locations nationwide. It is expected that these MANs will be completed during 2007 and 2008. These networks will allow the private sector to offer world-class broadband services at competitive prices.

My Department also offers funding assistance for smaller towns and rural communities through the County and Group Broadband Scheme. The scheme is technology-neutral, allowing the community to select the most suitable broadband delivery platform for the area. To date, over 160 projects have been approved for funding under this Programme.

A joint industry/Government fund of €18 million has been established for the Broadband for Schools Programme, to resource the provision of high speed broadband connectivity to all primary and post primary schools in the country by end

Autumn 2006, at no cost to the schools themselves; 94% of schools have broadband installed to date; the aim is to complete the outstanding schools in the coming weeks.

Broadband subscriber numbers have increased hugely in the last two years. Almost 140,000 new broadband subscribers were added in 2005, and a further 100,000 in the first half of 2006 alone.

The latest ComReg quarterly report states there are 372,000 broadband subscribers as of June 2006. This is equivalent to 26.57% of all households. A snapshot of the market conducted by ComReg in the middle of September put the total number of broadband subscribers at over 410,000 subscribers, or almost 30% of households.

The official Government target was to have 400,000 subscribers by end-2006. This has been comfortably exceeded. My challenge to industry is to reach 500,000 broadband subscribers by the middle of 2007. Despite these successes there are some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. I am currently examining options to address the delivery of broadband services to these areas and I hope to be in a position to bring proposals to Government shortly.

Post Office Network.

843. **Mr. Naughten** asked the Minister for Communications, Marine and Natural Resources the number of post offices that have been closed in County Roscommon in each of the years 1999 to 2005 and to date in 2006; the number of post offices that have been downgraded in the same period; and if he will make a statement on the matter. [28406/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The closure of individual post offices is a matter for the board and management of the company. According to An Post the following is the information requested in respect of post office closures and conversions in County Roscommon for the years 1999 to September 2006:

Post Offices closed/converted	1999	2000	2001	2002	2003	2004	2005	2006 (to date)
POs Closed	0	0	1	0	2	1	3	1
POs converted to Agency	0	0	0	3	7	1	1	0

844. **Mr. Naughten** asked the Minister for Communications, Marine and Natural Resources the number of post offices that have been closed in County Westmeath in each of the years 1999 to 2005 and to date in 2006; the number of post offices that have been downgraded in the same period; and if he will make a statement on the matter. [28407/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The closure of individual post offices is a matter for the board and management of the company. According to An Post the following is the information requested in respect of post office closures and conversions in County Westmeath for the years 1999 to September, 2006:

[Mr. N. Dempsey.]

Post Offices closed/converted	1999	2000	2001	2002	2003	2004	2005	2006 (to date)
POs Closed	1	1	3	0	3	1	1	1
POs converted to Agency	0	0	0	9	0	1	1	1

845. **Mr. Naughten** asked the Minister for Communications, Marine and Natural Resources the number of post offices that have been closed in County Leitrim in each of the years 1999 to 2005 and to date in 2006; the number of post offices that have been downgraded in the same period; and if he will make a statement on the matter. [28408/06]

Post Offices closed/converted (Co. Leitrim)	1999	2000	2001	2002	2003	2004	2005	2006 (to date)
POs Closed	0	3	2	1	0	0	0	1
POs converted to Agency	0	0	0	8	3	1	0	1

846. **Mr. Naughten** asked the Minister for Communications, Marine and Natural Resources the number of post offices that have been closed in County Longford in each of the years 1999 to 2005 and to date in 2006; the number of post offices that have been downgraded in the same period; and if he will make a statement on the matter. [28409/06]

Post Offices closed/converted	1999	2000	2001	2002	2003	2004	2005	2006 (to date)
POs Closed	0	0	1	0	3	0	0	0
POs converted to Agency	0	0	0	3	1	0	1	0

847. **Mr. Naughten** asked the Minister for Communications, Marine and Natural Resources the number of post offices that have been closed in County Galway in each of the years 1999 to 2005 and to date in 2006; the number of post offices that have been downgraded in the same period; and if he will make a statement on the matter. [28410/06]

Post Offices closed/converted	1999	2000	2001	2002	2003	2004	2005	2006 (to date)
POs Closed	3	0	1	3	4	2	0	0
POs converted to Agency	0	0	0	3	4	2	1	0

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The closure of individual post offices is a matter for the board and management of the company. According to An Post the following is the information requested in respect of post office closures and conversions in County Leitrim for the years 1999 to September, 2006:

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The closure of individual post offices is a matter for the board and management of the company. According to An Post the following is the information requested in respect of post office closures and conversions in County Longford for the years 1999 to September, 2006:

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The closure of individual post offices is a matter for the board and management of the company. According to An Post the following is the information requested in respect of post office closures and conversions in County Galway for the years 1999 to September, 2006:

848. **Mr. Naughten** asked the Minister for Communications, Marine and Natural Resources the number of post offices that have been closed in County Mayo in each of the years 1999 to 2005 and to date in 2006; the number of post offices that have been downgraded in the same period; and if he will make a statement on the matter. [28411/06]

Post Offices closed/converted	1999	2000	2001	2002	2003	2004	2005	2006 (to date)
POs Closed	0	1	3	1	6	2	3	0
POs converted to Agency	0	0	0	5	15	2	3	1

Energy Regulation.

849. **Mr. G. Mitchell** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the fact that old age pensioners are paying more for the golden rate per unit of gas in Dublin than younger persons; and if he will make a statement on the matter. [28416/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Responsibility for the regulation of gas tariffs lies with the Energy Regulator, the Commission for Energy Regulation (CER). The CER's legal remit regarding tariffs is set out in Section 23 (2) (b) (vii) of the Gas (Interim) (Regulation) Act, 2002. As the CER is legally independent in the performance of its functions, I have no function in the setting of gas tariffs.

I am, however, advised by the CER that the golden rate tariff is a special tariff that is specifically made available to customers over the age of 65. One of the advantages of this tariff is that it does not include a standing charge, as is the case with other tariffs charged to customers (such as the standard rate tariff).

This tariff is more favourable, (less expensive) compared to other tariffs up to an annual consumption of 10,200 kWh. Above this annual consumption, Bord Gáis Energy Supply (BGS) advise their customers to choose a more appropriate tariff based on the level of their consumption. For example, elderly customers living with family may have a higher annual consumption and, therefore, would be advised to select a different type of tariff.

BGS has published a leaflet on gas tariffs called, 'Your Tariff, Your Choice', which is available from BGS or on the BGS website www.bordgaisenergysupply.ie, in which the optimum rates for each customer are explained.

Alternative Energy Projects.

850. **Mr. McHugh** asked the Minister for

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The closure of individual post offices is a matter for the board and management of the company. According to An Post the following is the information requested in respect of post office closures and conversions in County Mayo for the years 1999 to September, 2006:

Communications, Marine and Natural Resources if further to his announcement of the greener home grant for people installing energy efficient systems in their homes that allowances would be made for people who had foresight and had already installed the energy efficient systems in their home before his announcement; and if he will make a statement on the matter. [28477/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): One of the key objectives of the grant scheme is to stimulate the market for domestic renewable technologies and to encourage people to purchase and install renewable technologies, who might not otherwise have done so, because of associated capital costs. The Deputy will appreciate that, as with any grants scheme, there has to be some reference date and start point and in the case of the Greener Homes scheme, as with other schemes of this nature, the relevant date is the date of launch of the scheme which was 27 March 2006. The key determinant is that no work has been initiated prior to the launch date and also that no money has been paid prior to an application being approved by SEI.

The position in respect of eligibility for grant support is clear and is outlined in the range of documentation on the Sustainable Energy Ireland (SEI) website, in addition to the letter of offer which is issued to applicants. It is important, in the interests of transparency to apply the rules of the scheme in a uniform and consistent manner.

Offshore Exploration.

851. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the procurement procedure for buying mineral, petroleum and natural gas rights off the North East Coast of Ireland; and if he will make a statement on the matter. [28478/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Petroleum resources within the national jurisdiction belong

[Mr. N. Dempsey.]

to the State. Exploration for and extraction of these resources are regulated under the Petroleum and Other Minerals Development Act, 1960, and the Licensing Terms for Offshore Oil and Gas Exploration and Development 1992. There are two mechanisms for issuing exploration licences. The first applies to frontier areas which are opened from time to time through licensing rounds in which companies make competitive bids on the basis of exploration-based work programmes, the second applies to more accessible areas for which applications may be made at any time through an 'open door' policy; the north east coast is in this category.

Exploration for and extraction of non-petroleum mineral resources are regulated under the Minerals Development Acts 1940 to 1999. Exclusive prospecting licences are granted under the Acts which allow the holder to explore for specified minerals within a designated licence area. Competitions are held four times a year for recently surrendered prospecting licence areas. Applications can be made at any time for areas where licences have not been held recently or where no licence has been previously held. No prospecting licences are held at present for offshore minerals.

The exclusive right to work all non-petroleum minerals within in the national jurisdiction, with a very small number of exceptions, is vested in the State. All offshore minerals within the national jurisdiction are the property of the State. In the event of a discovery of a commercial

deposit, a prospecting licence holder may apply for a state mining lease to extract the minerals, terms for which are negotiated on a case-by-case basis, once the Minister is satisfied with the proposed development.

Coastal Protection.

852. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources the proposals he has to provide comprehensive funding for coastal protection works; and if he will make a statement on the matter. [28579/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne):

Expenditure on coast protection in the period 2000-05 was €35.508 million. This year €3 million Exchequer funding is allocated for works at a number of locations around the coastline. In addition, in August of this year, I secured an additional allocation of €1.718 million for urgent coastal protection projects.

In 2005 a new Coastal Development Measure, co-funded with the Department of Community, Rural and Gaeltacht Affairs was introduced. The jointly funded scheme will run from mid 2005 to mid 2007 and will facilitate coastal erosion works in CLÁR areas, including Gaeltacht areas and Islands. Each Department will contribute €250,000 over the period of the scheme.

The financial envelope including funding requirements for the Coastal Protection Measure under the NDP 2007-2013 is currently being formulated. Projects approved for funding in 2006 are listed below.

2006 Coast Protection Programme

Location	Project	Total Cost	DCMNR/ DCRGA Cost
		€	€
<i>Donegal</i>			
Bundoran Pier	Construction of retaining wall	104,500	78,375
Kincasslagh	Repairs to dune system	20,000	15,000
<i>Louth</i>			
Port Beach	Study	39,000	29,250
Annagassan	Rock revetment Phase 3	130,000	97,500
<i>Meath</i>			
Mornington	Armour protection	100,000	75,000
Bettystown-Laytown	Coastal Protection Study	12,000	9,000
Laytown-Seafield Rd	Coastal protection Study	12,000	9,000
<i>Mayo</i>			
*Mulranny Beach	Repairs to causeway & bridge	100,000	75,000
<i>Dublin</i>			
Clontarf	Studies/advanced design/site investigations	250,000	187,500

Location	Project	Total Cost	DCMNR/ DCRGA Cost
		€	€
<i>Fingal</i>			
Portrane	Repairs to dunes at the Burrow	100,000	75,000
<i>Dun Laoghaire-Rathdown</i>			
Killiney	Gabians at Killiney Beach	287,975	215,981
<i>Wicklow</i>			
The Murrough	Coastal Studies	55,000	41,250
Bray	Flood prevention works to promenade	6,000	4,500
Bray to Greystones	Protection works to cliff walk	92,113	69,085
Clogga Beach	Protection works at access	70,000	52,500
<i>Wexford</i>			
Courtown	Planning & design for major protection scheme	100,000	75,000
Rosslare	Rock revetment	500,000	375,000
Ballinamona	Restore access to beach	50,000	37,500
Carne	Rock revetment	100,000	75,000
Rosslare	Study of coastal dynamics & protection requirements	200,000	150,000
St. Helen's Bay	Rock revetment	400,000	300,000
Rosslare	Maintenance	45,000	45,000
<i>Waterford</i>			
Bonmahon	Reconstruct sand dunes, protection works scheme design	875,000	656,200
Ballyquin	Rock armour and gabian wall	100,000	75,000
Helvick	Pier repairs	250,000	187,500
<i>Cork</i>			
Gyleen	Cliff protection works	275,000	206,250
<i>Kerry</i>			
Rossbeigh	Cliff & road protection studies & design etc.	20,000	15,000
Maharees	Revetment works	18,000	13,500
*Baile an Rannaig	Protection to sand dunes in Smerwick Harbour	70,000	52,500
*Cooncrome	Protection works to car park	50,000	37,500
*Gleesk	Repairs & strengthen sea wall	30,000	22,500
Ballyheigue/Dromatoor	Cliff road protection works	500,000	375,000
<i>Galway</i>			
Innishboffin	Protection works	600,000	450,000
<i>Sligo</i>			
Dunmorán Strand	Work at Ardnaglass River	450,000	337,500
Totals		6,011,588	4,519,891

*Co-funded with the Department of Community, Rural & Gaeltacht Affairs under CLÁR Scheme.

Port Development.

853. **Mr. Carey** asked the Minister for Communications, Marine and Natural Resources the discussions which have taken place with the Dublin Port Company regarding its plan for the

expansion of the port; if discussions have taken place with the company regarding suggested proposals to infill an area of 52 acres; and if he will make a statement on the matter. [28580/06]

864. **Mr. F. McGrath** asked the Minister for Communications, Marine and Natural Resources

[Mr. F. McGrath.]

if he will reject outright the latest application of the Dublin Port Company to reclaim 52 acres of the inner Dublin Bay; the position regarding the ownership of the foreshore in question; and the suitability of the port companies environmental impact statement. [28896/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): I propose to take Questions Nos. 853 and 864 together.

An application from Dublin Port Company for approval under the Foreshore Acts for the proposed reclamation of an area of some 21 hectares of foreshore was made to the Department in March 2002. Since then, Departmental officials have held periodic discussions with Dublin Port Company's management regarding issues arising from the application. This is a regular occurrence in most major foreshore applications.

The application is being considered in accordance with the appropriate procedures. These include a process of public consultation in which it will be open to interested persons to make submissions on the proposal.

The proposed development will also require planning permission before any determination can be made on the foreshore application. Issues associated with ownership of the foreshore as well as environmental matters will form an important part of the Department's consideration to the proposal.

Harbours and Piers.

854. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the funding which has been made available for harbour development in recent months; the way these projects will be funded; the harbours getting funding; and the funding which will be allocated to specific harbours. [28839/06]

Minister of State at the Department of Communications, Marine and Natural Resources

(Mr. Browne): Funding of €22.837 million is available for the Fishery Harbours Development Programme in 2006. An additional €1.628 million in new funding has been provided for a number of small harbour development projects bringing the total allocation to €24.465 million.

A number of projects under the Fishery Harbours Development Programme are at various stages of development. This year the extension to the pier at Clogherhead, County Louth will be substantially completed at a total estimated cost of €11 million. Part of the development at Castletownbere (primarily the dredging element) will be completed in 2006 and €13.07 million has been allocated this year.

The projects allocated funding under the Small Harbours Programme are co-funded by local authorities and in CLÁR areas by the Department of Community, Rural and Gaeltacht Affairs. Details of the funding allocated in recent months are set out hereunder.

2006 Small Harbours Programme

Project	Project Description	DCMNR Cost 75%/ 37.5%	Co-funded DCRGA 37.5%	Total cost 100%
		€	€	€
<i>Wexford</i>				
Courtown	Grouting and structural repairs to harbour wall	37,500		50,000
Kilmore Quay	Site investigation to complement hydrographic survey	135,000		180,000
Killurin Pier	Slipway reconstruction and safety works	22,500		30,000
Slade Harbour	Structural Improvements to old pier wall	30,000		40,000
Cahore	Protection works	18,750		25,000
<i>Waterford</i>				
Ardmore Pier	Raising of the Deck Level	12,000		16,000
Blackwater	Construction of slipway and turning circle	45,000		60,000
<i>Cork</i>				
Knockadoon	Redecking & reproofing of slipway	75,000		100,000
Schull Pier	Relocation of services and new lighting	33,750	33,750	90,000
Cape Clear	Harbour Development	200,000		200,000
Cape Clear	Remedial Works	50,000		50,000
Cape Clear	Harbour road construction	40,000		40,000
Cape Clear	Hydrodynamic Study	100,000		100,000
Ballycotton	Phase 1 of development	375,000		500,000
Garnish Pier	Redevelopment of pier	217,500		290,000

Project	Project Description	DCMNR Cost 75%/ 37.5%	Co-funded DCRGA 37.5%	Total cost 100%
		€	€	€
<i>Kerry</i>				
Caherciveen Pier	Additional fendering	7,500	7,500	20,000
Renard	Repair and stabilisation of pier-study	75,000		100,000
Tarbert	Structural assessment	157,500		210,000
<i>Limerick</i>				
Kilteery	Surface decking	18,750		25,000
<i>Clare</i>				
Ballyvaughan	Pier Repairs	44,625	44,625	119,000
Doonbeg	Pier extension and dredging (SI and design)	22,500		30,000
Carrigaholt	Repairs to old pier & dredging	63,750	63,750	170,000
<i>Galway</i>				
Cleggan Pier	New Berthage & access (preliminary report)	54,750		73,000
Blackweir, Maree	Holding tank & breakwater	120,000		160,000
Rosroe	New key wall and slipway	74,550	74,550	198,800
Ballyconnelly	Construction of access road	60,000	60,000	160,000
Wallace Quay	Construction of access road, new deck slab and parapet wall	75,000	75,000	200,000
Inishnee, Roundstone	New slipway	127,500		170,000
Tarrea Pier	Pier underpinning & public lighting	41,250		55,000
Parkmore Pier, Kinvara	Essential repairs	22,500		30,000
<i>Mayo</i>				
Purteen	New development options study	75,000		100,000
Newport	Repairs to quay and dredging	37,500		50,000
Roigh pier	New Slipway	75,000	75,000	200,000
Cloghmore	Re deck old pier and structural improvements	56,250	56,250	150,000
Porturlin	S.I. & Feasibility Study	112,500		150,000
<i>Sligo</i>				
Raghly Pier	Harbour Improvement works	633,750		845,000
<i>Donegal</i>				
Dungloe	Slipway and turning area	67,500	67,500	180,000
Woodquarter	Public Lighting	7,500		10,000
Portnoo	Urgent safety works	22,500		30,000
Arranmore, Stacamore Pier	Re-decking and mooring rings	7,500	7,500	20,000
Donegal Town	Pontoons for small craft and waterbus with slipway extension	150,000		200,000
Rathmullen	Pier fendering	75,000		100,000
General	Piers, Lights & Beacons	15,000		15,000
Total		3,692,175	565,425	5,541,800

Coastal Protection.

855. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the funding which has been made available for coastal protection work in recent months; the way these projects will be funded; the harbours which are getting funding; and the funding which will be allocated to specific harbours. [28840/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Funding of €3 million is available for the Coastal Protection Programme in 2006. An additional €1.718 million in new funding has been provided for a number of urgent coastal protection projects.

A Value for Money report in March 2002 highlighted the need for a more strategic focus in

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addressing the problem of coastal erosion in Ireland. In the light of this the Department initiated a coast protection strategy study in 2003. The study is addressing the nature and extent of erosion and flooding at various locations and different types of coastline in Ireland and is seeking to identify the most effective means, technically, financially and environmentally, in responding to particular instances and types of

erosion and flooding. It is expected that when this study is completed a more targeted approach to programme delivery will result and will enable a greater level of efficiency to be achieved.

The projects approved under this year's Programme are co-funded by Local Authorities and in CLÁR areas by the Department of Community, Rural and Gaeltacht Affairs. Details of the funding allocated in recent months are set out hereunder.

2006 Coast Protection Programme

Location	Project	Total Cost	DCMNR/ DCRGA Cost
		€	€
<i>Donegal</i>			
Bundoran Pier	Construction of retaining wall	104,500	78,375
Kincasslagh	Repairs to dune system	20,000	15,000
<i>Louth</i>			
Port Beach	Study	39,000	29,250
Annagassan	Rock revetment Phase 3	130,000	97,500
<i>Meath</i>			
Mornington	Armour protection	100,000	75,000
Bettystown-Laytown	Coastal Protection Study	12,000	9,000
Laytown-Seafield Rd	Coastal protection Study	12,000	9,000
<i>Mayo</i>			
*Mulranny Beach	Repairs to causeway & bridge	100,000	75,000
<i>Dublin</i>			
Clontarf	Studies/advanced design/site investigations	250,000	187,500
<i>Fingal</i>			
Portrane	Repairs to dunes at the Burrow	100,000	75,000
<i>Dun Laoghaire-Rathdown</i>			
Killiney	Gabians at Killiney Beach	287,975	215,981
<i>Wicklow</i>			
The Murrough	Coastal Studies	55,000	41,250
Bray	Flood prevention works to promenade	6,000	4,500
Bray to Greystones	Protection works to cliff walk	92,113	69,085
Clogga Beach	Protection works at access	70,000	52,500
<i>Wexford</i>			
Courtown	Planning & design for major protection scheme	100,000	75,000
Rosslare	Rock revetment	500,000	375,000
Ballinamona	Restore access to beach	50,000	37,500
Carne	Rock revetment	100,000	75,000
St Helen's Bay	Rock revetment	400,000	300,000
Rosslare	Study of coastal dynamics & protection requirements	200,000	150,000
Rosslare	Maintenance	45,000	45,000
<i>Waterford</i>			
Bonmahon	Reconstruct sand dunes, protection works scheme design	875,000	656,200
Ballyquin	Rock armour and gabian wall	100,000	75,000

Location	Project	Total Cost	DCMNR/ DCRGA Cost
		€	€
Helvick Pier	Cliff stabilisation	250,000	187,500
<i>Cork</i>			
Gyleen	Cliff protection works	275,000	206,250
<i>Kerry</i>			
Rossbeigh	Cliff & road protection studies & design etc.	20,000	15,000
Maharees	Revetment works	18,000	13,500
*Baile an Rannaig	Protection to sand dunes in Smerwick Harbour	70,000	52,500
*Cooncrome	Protection works to car park	50,000	37,500
*Gleesk	Repairs & strengthen sea wall	30,000	22,500
Ballyheigue/Dromatoor	Cliff road protection works	500,000	375,000
<i>Sligo</i>			
Dunmorán Strand	Work at Ardnaglass river	450,000	337,500
<i>Galway</i>			
Innishboffin	Protection works	600,000	450,000
Totals		6,011,588	4,519,891

*Co-funded with the Department of Community, Rural and Gaeltacht Affairs under CLÁR Scheme

Aquaculture Development.

856. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the funding which has been made available for aquaculture development in recent months; the way these projects will be funded; the projects which are getting funding; the funding which will be allocated to specific projects; the way it was decided which projects will get funding; and if he will make a statement on the matter. [28841/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): On 23 July this year, I announced approval for €13.3 million in grant aid for 44 projects in the Border, Midland and Western (BMW) and South and East (S and E) Regions under the Aquaculture Development Measure of the National Development Plan 2000-2006. These projects cover a wide range of activities such as the development of new species, expansion and modernisation of salmon and trout farms, together with expansion of shellfish farm facilities. The €13.3 million grant aid will support a total investment of approximately €29 million.

Private projects are normally co-funded at a grant aid rate of up to 45%, however, also included in my announcement, was €2 million which had been allocated to 7 specific projects under the Technical Environment Support Programme (TESP), which is a once-off initiative, with grant aid of up to 65% of eligible expenditure on qualifying projects. These projects are all aimed at achieving significant improvements in the environmental impact of the marine based salmonid sector, through improved levels of production efficiency. TESP forms part of the measures being implemented to restructure the sector during the period of the minimum import price trade protection measure.

Under the Measure, An Bord Iascaigh Mhara (BIM) and Údarás na Gaeltachta make public calls for projects on an annual basis. Projects that fulfil the eligibility criteria are identified by the agencies and prioritised on the basis of their contribution to the achievement of the measure objectives. Those projects that meet the selection criteria are put forward by BIM and Údarás na Gaeltachta, for approval by the Aquaculture Selection Boards for the BMW and S and E regions.

Details of the individual projects are in the following tables.

Applicant	Area	Project Description	Grant-Aid	Total Project Investment
			€	€
Abalone Chonamara Teo	Galway	The production of abalone in a land based re-circulation system	274,178	609,281
Ballybay Perch Ltd.	Monaghan	Establishment of a Perch farm	298,669	663,708

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Applicant	Area	Project Description	Grant-Aid	Total Project Investment
			€	€
Bifand Ltd.	Galway	Improve the Environmental impact and competitiveness of a salmon farm	136,760	210,399
Boet Mor Seafood (Ireland) Ltd.	Galway	Expansion of an oyster farming project	76,131	190,324
Bord Iascaigh Mhara — Environmental & Quality Programme	Public	Extension for further year to operate an environmental & quality programme for Irish Aquaculture	287,955	287,955
Bord Iascaigh Mhara — Carrying capacity study	Public	Investigation into the carrying capacity of bay areas in Ireland in the BMW region	250,000	250,000
Bord Iascaigh Mhara — Regional Development Programme	Public	Extension for a further year of regional development programme for Aquaculture	77,748	77,748
Bradán Fanad Teo	Galway	Split between 2 projects to improve feeding efficiencies and reduce environmental impact	762,753	1,569,730
Carlingford Oyster Company Ltd.	Louth	Expansion & modernisation of the company's oyster farming operation	74,419	186,046
Celtic Atlantic Salmon (Ireland) Ltd.	Galway	Purchase of a feed barge, Spyball camera and a fish stunner to improve environmental impact and competitiveness of salmon farm	299,451	460,693
Cool Springs Arctic Charr Ltd.	Sligo	Establishment of an Arctic Charr farm	223,345	496,322
Crosserlough Fish Farm Ltd.	Cavan	Establishment of a Perch farm	254,205	564,900
Curraun Blue Ltd.	Mayo	Split between 2 projects in the development of organic sea reared rainbow trout	231,538	375,941
Donegal Aquaculture Services Ltd.	Donegal	Provision of grading, handling and dispatch services	54,581	136,450
Donegal Oceandep Oysters Ltd.	Donegal	Expansion of oyster farming facilities	152,077	380,190
Donegal Oysters Ltd.	Donegal	Expansion of oyster farming facilities	179,077	447,690
EZO Teo	Mayo	The production of abalone in a land based re-circulation system	548,508	1,218,905
Feirm Farrage Oileann Chliara Teoranta	Clare Island	Split between 2 projects to expand & modernise salmon farming operation and purchase a Sea Cap feeding pontoon which along with associated equipment will improve environmental impact of operation	1,078,788	2,225,759
Foyle Fresh Seafoods Ltd.	Donegal	Purchase of equipment for the modernisation and development of the company's mussel farming business	159,616	399,039
Irish Ornamental Fish Farms Ltd.	Offaly	Expansion of an ornamental fish farming project	289,440	643,200
Killary Fjord Shellfish Ltd.	Galway	Development and modernisation of mussel farming facilities	83,287	208,217
Meitheal Eisc Teo	Galway	Split between 2 projects to develop a salmon farm to produce organic salmon and reduce environmental impact	1,644,211	3,567,848
North West Shellfish Ltd.	Donegal	Expansion and modernisation of the company's scallop farming operation	191,108	477,768
Sliogeisc na Rossan Teo	Donegal	Expansion of oyster farming facilities	39,040	97,600
Total			7,666,885	15,745,713

BMW Region

S&E Region

Applicant	Project Description	Grant Aid	Total Project Investment
		€	€
Bantry Harbour Mussels Ltd.	Modernisation of a rope mussel farm	98,092	245,227
Bia Mara (Deise) Teo	Expansion of an oyster farming project	277,658	694,142
Bio Atlantis Ltd	Establishment of a mussel farm	220,872	490,824
Brandon Bay Seafoods (Ireland) Ltd.	Expansion of an abalone hatchery and on-growing facilities	444,072	986,824
Clune Fisheries Ltd.	Establishment of a perch farm	349,650	777,000
Dunmanus Bay Mussels Ltd.	Modernisation of a rope mussel	106,798	266,992
Feirm Eisc Cleire	Development of an Abalone Hatchery and grow-out facility	979,323	2,176,272
Iasc Sliogagh Dun Garbhain Teoranta	Expansion of an oyster farming project	154,506	386,262
IDAS Ltd.	Modernisation and development of a trout farm and hatchery	299,256	748,140
Kush Seafarms Ltd.	Modernisation and development of a rope mussel farm	324,543	811,356
Meitheal Trá na Rinne	Installation and up-grading of equipment for grading oysters	54,640	136,600
Mr. John Power	Purchase of a feeding boat to improve Feed Conversion ration thereby improving environmental impact and competitiveness of the trout farming operation.	120,250	185,000
P.K.A. Ltd.	Expansion of an oyster farming project	135,349	338,370
Saltspray Mussel Technology Ltd.	Modernisation of the company's mussel production facilities	117,264	293,160
Seal Harbour Enterprises Limited	Modernisation of a rope mussel production facility	224,403	561,003
Southward Limited	Development of rope mussel production facilities	395,717	989,290
Tadhg O Maoileoin	Expansion of oyster farm	81,000	202,500
Templenoë Oysters Ltd.	Expansion of an oyster farming project	70,636	176,587
Tower Aqua Products Limited	Establishment of an abalone on-growing farm	965,879	2,146,397
Utterly Oysters Ltd.	Development of an oyster farm at Ballymacoda Bay	205,023	512,556
TOTAL		5,624,931	13,124,502

Question No. 857 answered with Question No. 839.

Fisheries Protection.

858. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the measures in place to combat illegal commercial net fishing; and if he will make a statement on the matter. [28843/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The competent authority for fisheries control in Ireland is the Department of Communications, Marine and Natural Resources through its control services. This work is carried out through close co-operation with the Irish Naval Service and Aer Corps. The Naval Service,

from its base at Haulbowline controls and monitors all fisheries activities within Ireland's EEZ. Approximately 90% of naval time and resources is devoted to fisheries protection work. This work is supported by control and surveillance activities carried out by the Aer Corps. Sea-Fishery Protection Officers in the Department form the land-based control services for ports and other landing places. The new Sea Fisheries and Maritime Jurisdiction Act 2006 modernises, consolidates and updates all of Ireland's sea fisheries legislation. It has in particular many features that strengthen Ireland's system of control and enforcement of the provisions of the Common Fisheries Policy, including in particular the combating of illegal fishing. The Act provides Sea-Fishery Protection Officers with various powers to enable them to provide effective control of fisheries and conduct effective investigations into fisheries cases. Specific powers are provided related to the detention of fishing boats and persons onboard where

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illegal fishing is suspected, offences related to the obstruction and assault of Sea-Fisheries Protection Officers engaged in their lawful work. The Act also lays down provisions for penalties and forfeitures in fisheries cases. The Act also makes provision for the establishment of a new Sea-Fisheries Protection Authority. The new Authority will come into being on 1 January 2007 and will oversee control and enforcement of fisheries legislation in Ireland. At EU level, a new Maritime Control Agency is being set up to promote greater co-ordination and co-operation on control across the Union. These measures are all designed to combat illegal fishing and it is the responsibility of each Member State with participants in the fishery concerned to ensure that their fishermen comply with the regulations.

859. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the measures in place to combat illegal angling; and if he will make a statement on the matter. [28844/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): There is a considerable body of legislation, both primary and secondary, relating to the illegal capture of fish from rivers. This legislation is in place to conserve and protect our inland fisheries stocks. Under the Fisheries Acts, the Central and regional fisheries boards are primarily responsible for the management and protection of fisheries including measures in relation to enforcement. Each year the Department provides substantial Exchequer funds to the fisheries boards to carry out their statutory functions, including the combating of illegal angling.

860. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources a breakdown of the amount of illegally caught salmon found in the last quarter, six months, to date in 2006 and each of the years 2000 to 2005; if these fish were caught by nets or by rod; and if he will make a statement on the matter. [28845/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Under the Fisheries Acts, responsibility for enforcement of inland fisheries legislation rests primarily with the Central and regional fisheries boards. As the queries raised by the Deputy are an operational matter for the individual Boards, I have contacted the Chief Executive Officer of the Central Fisheries Board to ensure that the information sought is collated and forwarded directly to the Deputy as soon as possible.

861. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources

a breakdown of the amount of illegally caught fish by species found in the last quarter, six months, to date in 2006 and for each of the years 2000 to 2005; the way these fish were caught; and if he will make a statement on the matter. [28846/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne):

When the Department or the Naval Service detects illegal fishing activity, the case is referred to the Attorney General's Office for consideration and appropriate action, including prosecution when considered appropriate. In relation to wide ranging allegations brought to the attention of the Ministers in the summer of 2004 and subsequent wide ranging allegations, taking account of the matters raised and the potential seriousness of the allegations, the matters were formally referred to An Garda Síochána for investigation. Those investigations are ongoing and are solely a matter for An Garda Síochána and I have no role in these investigations. Any findings of illegal landings determined in such investigations and reported to the Department will, in accordance with legal advice, be reported to the EU Commission. Late last year the UK authorities advised that a quantity of mackerel amounting to over 40,000 tonnes had been determined as having been landed illegally in Scotland and not officially declared, by Irish-registered fishing boats. The quantities related to landings over the period 2001 to 2005. The UK authorities have the formal responsibility for informing the EU Commission in respect of landings into UK ports and have formally reported the quantity involved in respect of Irish registered vessels for 2005. The UK authorities have not at this time formally reported data to the EU Commission for the years 2001 to 2004 but have indicated the quantities involved to the Commission and to the Department.

Data on illegal landings detected by the Department's control staff and the Naval Service relates to individual cases and is presented to the Attorney General's Office for consideration in relation to possible subsequent legal proceedings. Accordingly, I do not consider it advisable to make the data sought available at this time as it could impact on any prosecutions taken against those involved. Any findings of illegal landings determined in investigations and reported to the Department will, in accordance with legal advice, be reported to the EU Commission, as required by EU legislation. The Sea Fisheries and Maritime Jurisdiction Act, 2006, recently enacted by the Oireachtas, is intended to strengthen Ireland's capacity to provide a dissuasive code of deterrents and sanctions to address over-fishing and all illegal fishing activity.

Fisheries Statistics.

862. **Mr. Perry** asked the Minister for

Communications, Marine and Natural Resources the measures in place to ensure accurate reporting of catch statistics; and if he will make a statement on the matter. [28848/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The Department recognises the importance of accurate reporting of catch statistics. With this in mind, the Department invested in a new computer system, IFIS, (The Integrated Fisheries Information System) which was introduced in early 2005. This system provides a single centralised database containing all information in relation to the administration and enforcement of Sea Fisheries legislation which integrates the related business processes of Licensing, Registration and Sea Fisheries Control. This system also enhances the ability of the Department to meet its obligations in relation to the provision of timely catch data to the European Commission under the Common Fisheries Policy. Of course the primary source of catch data going into this new system is the fishing industry itself. All fishing vessels over 10 metres in length are required to keep a logbook of fishing activities, the species caught, the quantities, the location caught and the fishing gear used. This information is transferred from the logbook onto the IFIS system by the control authorities at the port. Improvements in the recording of data in the logbook and the data capture process, together with an enhanced control and inspection regime supported by dedicated training programmes, will ensure that the catch data provided by Ireland meets the highest standards of accuracy and reliability, going forward.

Communications Masts.

863. **Ms Burton** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the fact that two new phone transmitter panels have recently been placed on a site (details supplied) in Dublin 15; the effect the transmissions from these panels are believed to have on individuals living and working in the immediate vicinity; if more panels are planned for this building; and if he will make a statement on the matter. [28849/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My Department maintains a watching scientific brief on health issues relating to non-ionising radiation, including mobile telephony. The Department's involvement in matters concerning the health effects of non-ionising radiation (transmissions), which includes radio frequency emissions from mobile phone base stations is guided by advice from national and international health authorities which include the World Health Organisation of the United Nations. The limits for non-ionising radiation are global limits established inter-

nationally by the International Commission for Non Ionising Radiation Protection. There is no scientific evidence to date that exposure up to these limits is damaging to health. The Commission for Communications Regulation (ComReg), conducts audit measurements to verify compliance with these limits. My Department has been in contact with ComReg who instigated earlier measurements at the school in January 2006. According to ComReg another set of measurements was undertaken recently inside the school grounds. The report on these measurements is at present under review by ComReg. I will ask my officials to liaise with ComReg and to make contact with the Deputy when the report is finalised. The siting of individual mobile phone masts and panel antennae is a matter for the relevant planning authorities. My Department has no function in the matter. I acknowledge that real fears exist amongst certain parts of the community about the health impacts of these masts. I am sympathetic and understanding of these fears and the concerns that underpin them. However, I must point out that to date, there is no scientific medical evidence that mobile telephone masts, which include 3G mobile phone masts, operating within the internationally accepted guidelines, are injurious to health.

Question No. 864 answered with Question No. 853.

Fisheries Protection.

865. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the fact that there are reports of salmon being netted by commercial netmen in recent weeks, despite the fact that commercial netting has been illegal since 31 July 2006; if he has been directly informed of such incidents; the way in which the ban is being enforced; and if he will make a statement on the matter. [29023/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): It is not necessary that I be directly informed of every incident of illegal fishing as, under the Fisheries Acts, responsibility for enforcement of inland fisheries legislation rests primarily with the Central and regional fisheries boards. I was informed of the seizure of a significant quantity of untagged salmon in Kerry recently, which is being pursued by the South Western Regional Fisheries Board but I cannot comment further at this stage. I am advised that the fisheries boards have in place sophisticated monitoring and enforcement programmes to identify out of season illegal fishing. I am reluctant to provide any greater detail at the risk of compromising the enforcement effort. The Wild Salmon and Sea Trout Tagging scheme and associated regulations and bye-laws are in place

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to, *inter alia*, identify illegally caught salmon, eliminate sales outlets for such illegal fish and to improve traceability in the distribution chain. The current mandatory application of carcass tags and logbooks assists in identifying illegally caught salmon. It is important that all alleged incidents of illegal fishing are reported to the relevant regional fisheries board so that they can be properly investigated and prosecuted.

Fishing Vessel Licences.

866. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources if the system for registration of tonnage will be changed, as it is inadequate and problematic for fishermen; if he has received submissions calling for a change to the system; and if he will make a statement on the matter. [29041/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): From 1 January 2003, EU Law requires that Member States have had to respect a strict entry-exit regime applying to the capacity of their fishing fleets, measured in terms of both tonnage and engine power. This means that generally any entry of capacity into the Irish fishing fleet has to be compensated by the previous exit of the same amount of capacity at a ratio of 1:1. Under the Fisheries (Amendment) Act 2003 an open and transparent regime governing the licensing and registration of fishing boats, in accordance with EU law, was put in place. The details of the requirements are set out in Ministerial policy directives issued to the independent Licensing Authority for Sea-fishing Boats.

The Irish fishing fleet comprises five segments of which 2 are further sub-segmented. An applicant for a sea-fishing boat licence for a particular segment or sub-segment may, subject to the conditions laid down in the policy directives, acquire replacement capacity, in terms of tonnage and engine power, for that segment or sub-segment from another person for the purpose of licensing and registration of the vessel. Vessels that are being licensed and registered under the Scheme for the Licensing of Traditional Pot-fishing Boats in the Irish Inshore Fleet, did not have to provide replacement capacity. The purpose of this scheme, which was approved by the European Commission, was to bring within the regulatory framework unlicensed and unregistered inshore fishermen active at the time who had traditionally owned a small fishing boat and had a record of active commercial pot-fishing. A condition of the scheme was that the capacity of boats licensed and registered under the scheme is not eligible as replacement capacity. The scheme is closed and any applications for sea-fishing boat licences for inshore vessels, since the closure of the scheme, can only be considered under the standard provisions of sea-fishing boat licensing. I occasionally

receive submissions from individuals regarding various aspects of the replacement capacity system, which may affect them. I have no proposals at present to change the system. In any case, any changes would have to be in accordance with EU and national law.

Flood Relief.

867. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources his proposals to deal with flooding problems likely to arise from global warming and the consequent rising of sea levels; and if he will make a statement on the matter. [29047/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne):

In 2002 the Department of Communications, Marine and Natural Resources initiated a national coastal protection strategy study to review coastal protection generally, examine policy options and set out a basis for effective decision making in regard to resource allocation. This study is currently in progress. Attention is at present being focused on detailed studies in a pilot area of coast stretching from Killybegs, Co. Dublin to Carnsore Point, Co. Wexford. In the pilot area information is being assembled on the current and historic position of the coastline, the nature of the coast, its vulnerability to erosion and flooding and the nature of the hinterland in terms of economic, heritage and environmental assets. The information is being collated on a geographic information system, GIS. Areas at risk of tidal flooding in the pilot area are being delineated at two levels of probability. An extreme flood outline is being determined for the combined storm surge and high tide event with a 0.1% annual exceedance probability. Converted into a band on a digital terrain model, this will define the outer limit for damage estimates and planning guidance. High tide, surge and wave inundation levels with an annual exceedance probability of 0.5% are being determined which will show on the GIS the indicative flood plain.

Very limited data is available on storm surges around the coast of Ireland so it is necessary to develop a hydrodynamic tidal model to simulate tides and surges from historical meteorological data. Storm surge modelling is ongoing. All events identified as extreme storm surges between 1956 and 2002 have been simulated and water levels have been extracted at locations in the Irish Sea along the pilot area coastline. The effects of global warming on mean sea level rise and increased storminess around the Irish coast are being assessed and will be included in the outputs of the National Coastal Protection Strategy Study. It is intended that following completion of the pilot study that the surge modelling and identification of areas at risk will be extended to the entire coastline of Ireland including Dublin.

Land use restrictions, if any, resulting from these studies are a matter for the relevant planning authority. This Department will advise the Department of Environment, Heritage and Local Government on impacts and sensitivity of erosion and flood risk in relation to planning and development, including the provision of assistance as required in the development of guidelines and standards.

In 2003 this Department provided funding to Dublin City Council and Fingal County Council towards the cost of the Dublin Coastal Flooding Protection Project. This project, which was initiated following the tidal flooding which occurred in Dublin in February 2002, is aimed primarily at addressing the risks from tidal flooding around the Dublin coastline and within the tidal reaches of a number of rivers and canals.

Broadcasting Services.

868. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the circumstances, having regard to the need to preserve security and integrity of air traffic radio transmissions and the rights of local communities to local radio as provided for under the broadcasting legislation whereby the local broadcasting of services from parish churches throughout the country interfered with aircraft or air traffic control radio transmissions in view of the fact that domestic radio appliances have an ability to receive transmissions in the range from 88 and 108 mhz and that air traffic transmissions are not receivable on such appliances; if the Irish Aviation Authority has given details as to the way in which the interference took place which led to closing down by order of ComReg of broadcasting from churches on safety grounds; the broadcasting, aviation, transport or telecommunications authorities or bodies, agencies or groups that have enquired into or contemplated the use of the radio frequencies in question and for what purpose; and if he will make a statement on the matter. [29090/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Commission for Communications Regulation (ComReg) is the statutory body responsible for the management of the radio spectrum in Ireland and as such, is required to investigate any interference with services, particularly where critical safety issues are concerned. Spectrum management is designed to ensure that all licensed services can operate without interference. The law in relation to broadcasting is set down in the 1988 Television and Radio Act. Broadcasting in the FM, or other broadcasting bands, is subject to regulation by the Broadcasting Commission of Ireland (BCI) — the broadcasting content regulator. In order to broadcast in the FM wavelength a licence is required and any churches transmitting or broadcasting services without a licence

from the BCI would be in breach of the law. The function of ComReg in relation to broadcasting is to manage the radio spectrum and in doing so to try to accommodate the BCI by making frequencies available to it in relation to the contracts it awards to new licensed broadcasters. ComReg has no legal power to allow any person to broadcast in the absence of a sound contract with the BCI.

ComReg launched a licensing scheme in June of this year that allows community and religious organisations to transmit services and events, such as religious services, for the benefit of people in local communities throughout the country. The spectrum allocated for the scheme is in a frequency band that will not cause interference to other services using spectrum, including emergency and aviation services. The regulations governing the issue of these licences required my consent as Minister for Communications, under the Wireless Telegraphy Act 1926. I understand from ComReg that they met with representatives of the Catholic Church earlier this year to explain the licensing scheme to them and that the Church representatives expressed satisfaction with the new arrangements. I have asked ComReg to get in touch directly with the Deputy in relation to the technical issues raised in the Deputy's question.

Alternative Energy Projects.

869. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the steps he has taken or proposes to take to encourage or offer grant support to promote oil seed for heating purposes, without separation of oil; and if he will make a statement on the matter. [29092/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The €27m Greener Homes Scheme provides grant aid for renewable heat technologies including wood biomass, solar panels and heat pumps. A further wood biomass programme, valued at €22 million, has been launched for the commercial heating sector. The development of support strategies for oil seed as a renewable energy source have focussed to date on renewable transport fuels. The biofuels excise scheme currently focused on the transport sector has the potential to offer significant opportunities for the development of pure plant oil growing and processing facilities in Ireland, and also provides economies of scale and commercial returns for processors. In that context, the technical scope for promoting usage in the heating sector can be explored as part of our commitment to develop the full range of options to optimise the potential of the bioenergy resources.

Telecommunications Services.

870. **Mr. Allen** asked the Minister for Communications, Marine and Natural Resources if he will make a statement on a situation whereby Eircom are refusing to install broadband in areas of Kerry Pike, Clogheen, County Cork, and have informed residents who applied for broadband service that they should contact their local TDs and himself on the matter; and the steps he proposes to take to ensure that these people receive a Broadband service. [29281/06]

871. **Mr. Allen** asked the Minister for Communications, Marine and Natural Resources if he will make a statement on a situation whereby Eircom are refusing to install broadband in parts of Glanmire, County Cork, and have informed residents who applied for broadband service that they should contact their local TDs and himself on the matter; and the steps he proposes to take to ensure that these people receive a broadband service. [29282/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 870 and 871 together.

The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated by the Commission for Communications Regulation (ComReg), the independent regulator. The question of enabling telephone exchanges for broadband is an operational matter for Eircom in a fully liberalised market, and I do not have any function in the matter. However, it has been clear for some time that the private sector has failed to invest at the level necessary to keep pace with the demand for broadband. 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 have been completed under the first phase and are currently being managed by ENet, the Management Services Entity. The second phase extends the programme to over 90 towns with a population of 1,500 and above that do not have a satisfactory broadband offering from the private sector.

My Department also offers funding assistance for smaller towns and rural communities through the County and Group Broadband Scheme. The scheme is technology-neutral, allowing the community to select the most suitable broadband delivery platform for the area. To date, over 160 projects have been approved for funding under this Programme. A joint industry/Government fund of €18 million has been established for the Broadband for Schools Programme to resource

the provision of high speed broadband connectivity to all primary and post primary schools in the country by end Autumn 2006, at no cost to the schools themselves. 94% of schools have broadband installed to date; the aim is to complete the outstanding schools in the coming weeks. However, I recognise that despite these successes there are some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. I am currently examining options to address the delivery of broadband services to these areas and I hope to be in a position to bring proposals to Government shortly.

Census of Population.

872. **Ms C. Murphy** asked the Minister for Communications, Marine and Natural Resources if figures released by the Central Statistics Office in July 2006 via the Census 2006 Preliminary Report will be used by his Department for any reason; if so, what the figures will be used for; and if he will make a statement on the matter. [29299/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I can advise that my Department has, from time to time, used relevant statistics and data compiled by the Central Statistics Office as appropriate to our policy goals and operational needs across the Communications, Energy, Fisheries and Earth Screening Sectors. As the Deputy will appreciate, relevant statistics and data sets are a useful resource and I am pleased that the relevant data arising from Census 2006, is available in the context of the Departments ongoing responsibilities.

Alternative Energy Projects.

873. **Mr. Wall** asked the Minister for Communications, Marine and Natural Resources the number of applications received by his Department from applicants seeking to provide alternative energy projects in the Kildare and Carlow region; and if he will make a statement on the matter. [29383/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): A total of 361 applications have been received from the Kildare and Carlow region, for grant aid under the €27m Greener Homes domestic grants scheme, which I launched on 27th March. A further two applications from this region have been made for funding under Sustainable Energy Ireland's commercial Bioheat and Combined Heat and Power programmes. Assessments are ongoing in relation to the Renewable Energy Feed-in-Tariff programme launched in June and the Biofuels Mineral Oil Tax Relief Scheme II, launched in July. Details of the applications received in various regions under these prog-

rammes will be available when the results of these schemes have been announced.

Electricity Metering.

874. **Mr. Wall** asked the Minister for Communications, Marine and Natural Resources if his attention had been drawn to the problems that consumers are encountering in regard to the new billing system adopted by the ESB in that meters are read only twice per year; the meetings he or his officials have had with the ESB in this regard; the results of such consultations; and if he will make a statement on the matter. [29384/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The issue of ESB meter inspections is a day-to-day operational matter for the ESB and not one in which I have a function.

Telecommunications Services.

875. **Mr. Wall** asked the Minister for Communications, Marine and Natural Resources the position regarding the roll-out of broadband for all the remaining areas of Kildare; and if he will make a statement on the matter. [29385/06]

885. **Mr. Stagg** asked the Minister for Communications, Marine and Natural Resources in view of the significant investment by the State in enabling the roll-out of broadband to towns in County Kildare at a cost of €13 million, the assurances he has received from Eircom in relation to the upgrading of local exchanges. [29973/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 875 and 885 together.

The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated by the Commission for Communications Regulation (ComReg), the independent regulator. The upgrading of telephone exchanges for the provision of broadband is an operational matter for Eircom, and I do not have any function in the matter. However, 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. 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. The Metropolitan Area Networks (MANs) will allow the private sector to offer world-class broadband services at competitive costs. Twenty-seven MANs have been completed under the first phase and are currently being managed by ENet, the Management Services Entity. The second

phase extends the programme to over 90 towns with a population of 1,500 and above that do not have a satisfactory broadband offering from the sector. Kildare is developing eight MANs in respect of the following towns: Kildare, Newbridge, Rathangan, Sallins, Maynooth, Clane, Monasterevin, and Kilcock. The network routes are currently being developed prior to issuing the invitation to tender for detailed design. Construction of these projects is expected to commence in May 2007.

For rural communities and the hinterlands of larger towns, my Department offers funding under the county and group broadband scheme to enable them to become self-sufficient in broadband, in association with service providers. In Kildare, almost €88,000 in grant aid has been approved under the scheme to bring broadband to over 60 communities with a combined population of over 17,000. A joint industry/Government fund of €18 million has been established for the Broadband for Schools Programme to resource the provision of high speed broadband connectivity to all primary and post primary schools in the country by end Autumn 2006, at no cost to the schools themselves. 94% of schools have broadband installed to date; the aim is to complete the outstanding schools in the coming weeks. Despite these successes there are some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. I am examining options to address the delivery of broadband services to these areas and I hope to be in a position to bring proposals to Government shortly.

Harbours and Piers.

876. **Cecilia Keaveney** asked the Minister for Communications, Marine and Natural Resources when works on a harbour (details supplied) in County Donegal will commence; and if he will make a statement on the matter. [29416/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The harbour at Greencastle is owned by Donegal County Council and responsibility for its maintenance and development rests with the local authority in the first instance. In 2006 the Department has allocated funding of €2.4 million towards the commencement of the first phase of a development project for Greencastle Harbour under the Fishery Harbours Development Programme. Under that Programme the Department provides 75% funding and the Local Authority pays the balance of 25%. The proposed development at Greencastle has received full planning permission. The first phase is the construction of a rock breakwater. The second phase involves the construction of 100 metres of berthage for mussel dredger boats. The third and final phase would be the construc-

[Mr. Browne.]

tion of a 250m long deepwater pier. The Department is currently awaiting confirmation from Donegal County Council that they will contribute the 25% funding to the development. The question of providing further funding to the project in future years depends on the amount of Exchequer funding available for fishery harbours and overall national priorities.

877. **Cecilia Keaveney** asked the Minister for Communications, Marine and Natural Resources when works will begin on a breakwater (details supplied) in County Donegal; and if he will make a statement on the matter. [29417/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Bunrana Harbour is owned by Donegal County Council and responsibility for its maintenance and development rests with the local authority in the first instance. Donegal County Council submitted an application to the Department for funding to construct a breakwater to prevent siltation at the ferry slipway and a proposed boat harbour south of the existing pier. The proposed development would include an RNLI berth with 24 hour unrestricted tidal access in the boat harbour. The estimated total cost of the project is €1.65 million. In 2006 funding of €300,000 was approved to initiate the construction of the breakwater at Bunrana. 75% of this funding will be made available via a grant from the Department while Donegal County Council will provide the remaining 25%. The Department gave approval in March 2004, subject to the resolution of an issue over rental charges, for a foreshore lease to allow construction of a marina and associated works at Bunrana and a foreshore licence to allow dredging to take place. The finalisation of the lease and licence has been delayed, as the rental issue has not yet been resolved. Donegal County Council has been contacted about this matter.

Post Office Network.

878. **Mr. Naughten** asked the Minister for Communications, Marine and Natural Resources further to Question No. 256 of 20 June 2006, if he has received a report from An Post on the pilot project to automate a selected number of non-automated offices; and if he will make a statement on the matter. [29442/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The matter of the automation of post offices is, in the first instance, an operational matter for the Board and management of An Post and one in which I have no statutory function. I have received no report on this matter. However, on making enquiries with An Post, I understand that the period for which the pilot project is being conduc-

ted is from 1st October 2005 to 30th September 2006. I understand that when this period is completed, the company will review the data and assess the impact of the trial at the offices concerned in relation to various factors including additional costs of automation, additional levels of business and revenues generated as well as displacement of business. I have been informed that the results of the project will be available early next year.

Aquaculture Licences.

879. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the situation regarding licences for farming oysters on Lough Swilly; when oyster farmers at Lough Swilly will finally be granted licences to farm oysters on the lake; and if he will make a statement on the matter. [29470/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Some years ago concerns were communicated to the Department that parts of areas licensed for the bottom cultivation of mussels in Lough Swilly overlapped with wild-oyster beds in the Lough. Arising from these concerns, a comprehensive survey of the wild-oyster beds in the Lough was carried out, in conjunction with wild fisheries interests. The results of the survey indicated that there was a minor degree of overlap between oyster beds and the sites licensed for mussel cultivation. In light of these results and following consultation with the licence holders, arrangements were made to have the mussel seed removed from the areas of overlap on a voluntary basis. Any oysters retrieved during this process were re-laid. An application from the wild-oyster association for a licence to cultivate oysters in the Lough is under consideration by the Department. Officials of the Department have met representatives of the association and advised them as to the further information required to allow consideration of their application to be progressed. Some of the additional information has been received and it is expected that the outstanding issues can be resolved without undue delay.

Energy Resources.

880. **Mr. Ferris** asked the Minister for Communications, Marine and Natural Resources the proportion of the state's electricity consumption that is currently being provided by renewable sources, and if he believes that the target of 13.2% by 2010 will be met. [29616/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Renewables Directive (2001/77/EC) obliges Ireland to develop and implement a programme capable of increasing the amount of electricity from renewable energy sources to 13.2% of total

consumption by 2010. The target of 13.2% approximates to 1450 megawatts (MW) of installed generating capacity to be operational to the electricity network by 2010. Currently there are over 860MW of renewable capacity connected to the national grid. This consists of over 590MW of wind-powered plant, 236MW of hydro powered plant with the balance (circa 35MWs) made up of different biomass technologies. Support programmes put in place by the Government have more than doubled the capacity of renewable energy powered electricity generating plants connected to the electricity network in the last two years. Building on this progress I recently announced an ambitious programme to almost treble the contribution by renewable energy sources from 5.2% of gross electricity consumption in 2004, the last full year for which figures are available, to 15% by 2010. The new target will require growth in the sector to more than double from the capacity currently connected to 1650 megawatts by 2010. The additional new capacity required to achieve this target will be delivered by projects under the previous AER V and AER VI competitions and the new Renewable Energy Feed In Tariff (REFIT) programme.

Mobile Telephony.

881. **Mr. Gormley** asked the Minister for Communications, Marine and Natural Resources to report on the progress of the inter-departmental committee on the Health Effects of Mobile Phones; when he expects to receive the committee's report; when the report will be publicly released; and if he will make a statement on the matter. [29733/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Inter-departmental Committee on the Health Effects of Electromagnetic Fields is at an advanced stage in its consideration of the policy issues regarding any potential health effects. An Expert Group of independent national and international scientific and medical experts, commissioned by the Inter-departmental Committee, is currently finalising its report and will shortly submit it to the Inter-departmental Committee. The Inter-departmental Committee expects to finalise its recommendations and report to the Government before the end of the year.

Electricity Generation.

882. **Mr. Ferris** asked the Minister for Communications, Marine and Natural Resources the proportion of electricity consumption which will be supplied from renewable sources in 2006; and if the target of 13.2% by 2010 will be met. [29765/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): We have

more than doubled the capacity of renewable energy powered electricity generating plants connected to the electricity network in the last two years. The 2010 target of 13.2% of total consumption from electricity generated from renewable energy sources will be met and exceeded. I have recently announced an ambitious programme to almost treble the contribution by renewable energy sources from 5.2% of gross electricity consumption in 2004, the last full year for which figures are available, to 15% by 2010. The new target will require growth in the sector to more than double from the capacity currently connected to 1650 megawatts by 2010. The additional new capacity required to achieve this target will be delivered by projects under the previous AER V and AER VI competitions and the new Renewable Energy Feed In Tariff (REFIT) programme.

Telecommunications Services.

883. **Mr. Connaughton** asked the Minister for Communications, Marine and Natural Resources when he will announce the third tranche of grants for broadband internet service providers; if Tuam, County Galway will be included; and if he will make a statement on the matter. [29766/06]

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 under the regulation of the independent Commission for Communications Regulation, ComReg. My Department administers a Group Broadband Scheme which offers small towns and rural communities of less than 1,500 people the chance to come together with service providers and obtain broadband connectivity for their areas with funding assistance from the Government. The most recent call for proposals has now closed and the question of a further round of financial assistance for the provision of broadband in rural areas is currently under consideration.

Alternative Energy Projects.

884. **Mr. Ferris** asked the Minister for Communications, Marine and Natural Resources his views on whether the forecast in Rural Ireland 2025 that 30% of our electricity demand could be supplied from renewable marine sources is viable; and if he will make a statement on the matter. [29767/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Earlier this year, I launched a new ocean energy strategy, which aims to put Ireland at the forefront of ocean energy development and position us to capitalise on this resource. The strategy was developed by Sustainable Energy Ireland (SEI)

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and the Marine Institute. As the first stage in implementing this strategy, we have recently upgraded the Hydraulics and Maritime Research Centre in UCC as well as opening an ocean energy test site a mile and a half off the coast of Spiddal, County Galway. This 37-hectare site will be open to test prototype ocean energy devices. The first wave energy device, WaveBob, has been deployed on the Spiddal site. SEI and the Marine Institute are also currently supporting a number of other ocean energy research and development initiatives. The second phase of the strategy will see the development of pre-commercial grid connected devices and provide for a grid connection to the Galway Bay test site. Ireland has one of the most promising ocean energy resources in the world, and the ocean energy strategy aims to position Ireland to take full advantage of this resource in the future. It is too early however to forecast the exact proportion of electricity demand which could be met from ocean energy by 2025 as this will depend on a variety of factors including the success of the RD&D projects being brought forward under the strategy.

Question No. 885 answered with Question No. 875.

Departmental Funding.

886. **Mr. Boyle** asked the Minister for Communications, Marine and Natural Resources if he received a request for funding from the Association of Irish Energy Agencies; and if he has positively considered a request. [30121/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My Department does not currently have on record a request for funding from the Association of Irish Energy Agencies. I am very supportive of the work of the Energy Agencies North and South to promote renewable energy and the rational use of energy. The Association is a network set up with the support of the EU Commission. I look forward to the Association's contribution to the consultation process on the forthcoming Green Paper on Energy Policy.

Communications Masts.

887. **Mr. Boyle** asked the Minister for Communications, Marine and Natural Resources the number of mobile masts constructed here; and the number of same which are shared facilities between two or more telecommunications companies. [30131/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Figures obtained from the Commission for Communications Regulation (ComReg) indicate that, as of 25th September 2006, there are 4,505 mobile telecommunications sites in Ireland. This figure

includes both the traditional stand-alone masts and the sites that are located on buildings or other support structures. The location of these mobile telecommunications sites is made publicly available on ComReg's website, www.askcomreg.ie. ComReg advise me that detailed statistics on the number of shared telecommunication sites are not available but they estimate that there are at least 250 shared sites in Ireland.

Harbours and Piers.

888. **Mr. Walsh** asked the Minister for Communications, Marine and Natural Resources if he will approve the appointment of a consultant to carry out a survey on the extension to the pier and the provision of a slipway (details supplied). [30157/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Travara Pier, Urhan, Beara, Co. Cork is owned by Cork County Council and responsibility for its maintenance and development rests with the Local Authority in the first instance. Cork County Council has not, to date, submitted any proposals to the Department in relation to Travara Pier.

Northern Ireland Issues.

889. **Mr. F. McGrath** asked the Minister for Foreign Affairs his views regarding the recent developments in relation to the Loughinisland massacre in the North of Ireland; and if he will support the families on this matter. [28150/06]

Minister for Foreign Affairs (Mr. D. Ahern): The Department of Foreign Affairs has raised the Loughinisland murders, including recent media reports concerning new evidence in the case, with the British Government through the British-Irish Intergovernmental Secretariat. The British side responded that the case remains under active investigation and that further lines of inquiry are being followed up. The Department is also in ongoing contact with the Police Ombudsman for Northern Ireland who is currently reviewing the police investigation. The Government is fully supportive of the families and will continue to assist them in any way we can. The Department has been in contact with the Loughinisland Justice Group with a view to arranging a meeting between officials and the families in the coming weeks.

Citizenship Applications.

890. **Mr. Quinn** asked the Minister for Foreign Affairs if a person (details supplied) will receive a certificate of naturalisation and consequently an Irish passport; and if he will make a statement on the matter. [28492/06]

891. **Mr. Durkan** asked the Minister for Foreign Affairs the position in relation to the Irish citizenship application in the name of a person (details supplied); and if he will make a statement on the matter. [29131/06]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 890 and 891 together.

Under the Irish Nationality and Citizenship Acts, 1956 to 2004, a person born outside Ireland with a parent who was born in Ireland is automatically an Irish citizen by descent. A person who was born outside Ireland with parents who were also born outside Ireland but with a grandparent who was born in Ireland may become an Irish citizen by Foreign Births Registration. Each applicant for Foreign Births Registration is required to produce sufficient documentation including birth, death and marriage certificates and other relevant records for himself and the parent and grandparent through whom citizenship is claimed to confirm the applicant's entitlement to Irish citizenship. The person to whom the Deputies have referred submitted an application for Irish citizenship by Foreign Births Registration to the Embassy of Ireland in New Delhi in 2000. The Embassy has, on several occasions, requested him to submit the official death certificate of his grandfather. The Embassy has not yet received the death certificate. When that document is submitted, the processing of the application can resume.

Military Neutrality.

892. **Mr. Quinn** asked the Minister for Foreign Affairs if airports here are being used to transport military equipment from, to, or on behalf of Israel; if requests for licences for such through-carriage have been requested; if so, the number of same; the number of these licences which have been granted; and if he will make a statement on the matter. [28287/06]

Minister for Foreign Affairs (Mr. D. Ahern): The Air Navigation (Foreign Military Aircraft) Order 1952 gives the Minister for Foreign Affairs primary responsibility for the regulation of activity by foreign military aircraft in Ireland. The regulation of the transport of munitions of war by civil aircraft is primarily a matter for my colleague, the Minister for Transport, to whom I understand an identical question has been put. The views of the Department of Foreign Affairs are sought on all such requests for the transit of munitions of war. In this regard, for example, I made clear during the recent crisis that permission would not be granted to any application for the transport of munitions of war to Israel. A search of my Department's records of overflight and landing requests for foreign military aircraft since 1 January 2003 has revealed no request

related to traffic of the type described by the Deputy.

Mexican Presidential Election.

893. **Mr. F. McGrath** asked the Minister for Foreign Affairs the reason for Ireland and the EU ignoring the Mexican people who are protesting regarding the 2 July 2006 presidential election results; and if this matter will be investigated. [28347/06]

Minister for Foreign Affairs (Mr. D. Ahern): Given the disputed outcome of the Mexican Presidential election on 2 July, the European Union, and Ireland nationally, expressed no view on the result pending the completion of the relevant processes under Mexican law, although an EU Election Observation Mission concluded that the conduct of the election had been fair. Following the definitive ruling of the Mexican Federal Electoral Tribunal on 5 September declaring Mr. Felipe Calderon the winner of the election, the European Union conveyed its congratulations to the President-Elect and urged all Mexicans to work for the future development of the country and respect the framework of its democratic institutions. The Taoiseach has written to Mr. Calderon to convey his congratulations and to wish him success in confronting the important challenges which Mexico will face over the coming years, not least those issues which have been highlighted by the long election process.

Foreign Conflicts.

894. **Mr. F. McGrath** asked the Minister for Foreign Affairs if Israel had devised a plan for attacking Hizbollah which they shared with US authorities before the 12 July 2006 kidnappings in Lebanon; and the details of Ireland's position during the conflict. [28348/06]

Minister for Foreign Affairs (Mr. D. Ahern): The Government has no information on the planning which preceded the Israeli military action in Lebanon, and I do not intend to speculate on the matter. Deputies will be aware that the immediate cause of the conflict was an unprovoked attack by Hizbollah on Israeli territory on 12 July, and the killing and capture of a number of Israeli soldiers. From the beginning, the Government called unambiguously for an immediate cessation of violence and the protection of civilian lives. I fully acknowledged that Israel had a right to defend itself against attacks such as those launched by Hizbollah, but not at the expense of the rights, and the lives, of Lebanese civilians. The Government's principal concern was with the effect of military actions on civilians, Israeli and Lebanese. We were shocked at the high level of casualties among Lebanese civilians, unconnected with any attacks against Israel, and at the widespread destruction of vital civilian infrastructure.

[Mr. D. Ahern.]

We worked directly with the parties and with our partners in the EU and at the UN to achieve a ceasefire. We availed of every opportunity to influence those most directly involved. On 26 July, with my colleague the Minister of Defence, I called in the Ambassador of Israel to emphasise the strength of the Government's position following the deaths of four unarmed UN peacekeepers in Southern Lebanon.

I represented the Government's views strongly at two emergency meetings of the General Affairs and External Relations Council during August. Ireland contributed to ensuring that the EU at our meeting on 1 August issued an unequivocal call for an immediate cessation of hostilities. I warmly welcomed the adoption of UN Security Council Resolution 1701 on 11 August. It created the basis on which the fighting was finally brought to a halt and it offers a path to a stable peace based on the territorial integrity, sovereignty and political independence of Lebanon. Good progress is being made in its implementation. The deployment of a strengthened UNIFIL force in Southern Lebanon, alongside units of the Lebanese Army, has ensured that the ceasefire has been maintained and that thousands of Lebanese citizens can return to their homes. Further peacekeeping forces will arrive in Lebanon over the coming months. The Government will shortly be in a position to make a decision on an Irish contribution to UNIFIL II.

With our partners in the EU, we will remain engaged in support of the reconstruction of Lebanon, and of a plan for a comprehensive settlement of the inter-related problems of the region. The Government has also responded rapidly and effectively to the humanitarian needs of the Lebanese people. During the crisis, we committed a total of €2 million in immediate emergency humanitarian assistance to Lebanon and the Occupied Palestinian Territories. We have also pledged a further €2 million for longer term reconstruction and assistance over the coming two years, in addition to the programmed bilateral assistance of over €4 million to Palestine in 2006.

Miami Five.

895. **Mr. F. McGrath** asked the Minister for Foreign Affairs if he will raise again the case of the Miami Five with the US authorities. [28363/06]

Minister for Foreign Affairs (Mr. D. Ahern): The case to which the Deputy refers relates to five Cuban citizens who were convicted in the US in 2001 on charges ranging from espionage to first degree murder. A panel of three judges from the 11th Circuit Court of Appeals in Atlanta overturned the 2001 convictions on 9th August 2005 and ordered a retrial based on new evidence. The Miami District Attorney duly filed an appeal

against the decision of the 11th Circuit Court of Appeals. Following an appellate hearing on 14 February 2006, a 10-2 decision to uphold the 2001 convictions was issued on 9 August 2006. As I have previously informed the House on a number of occasions, the Government has no standing in this matter, which is a bilateral consular question between the US and the Cuban authorities and, consequently, I do not intend to raise this matter with the US Government.

Departmental Staff.

896. **Mr. Ring** asked the Minister for Foreign Affairs the role of the duty officer in the Passport Office; and if he will make a statement on the matter. [28613/06]

Minister for Foreign Affairs (Mr. D. Ahern):

The Duty Officer services provided by the Passport Office were extended in June 1999 and the then Minister for Foreign Affairs, David Andrews T.D., wrote to all members of the Oireachtas on 25 June of that year outlining the features of the new scheme. The Department operates two services whereby passport facilities are provided outside of working hours, by the Passport Duty Officer Service in Dublin and Cork and by the Diplomatic Duty Officer Service.

The Passport Duty Officer Service is provided on Saturdays, Sundays and public holidays year round, except on Christmas Day and New Years Day. It operates from 9am to 6pm on Saturdays and from 9am to 2pm on Sundays and public holidays. During the peak travel season, April to August inclusive, the service is extended in Dublin and operates from 6pm to 10pm on Fridays, 9am to 5pm on Saturdays and from 9am to 2pm on Sundays and public holidays. The Passport Duty Officer provides full facilities to persons who have mislaid their passports, whose passports have been lost or stolen or who find at the last minute that they are out of date.

The Department's Diplomatic Duty Officer, who also has other duties, continues to attend to applications for passports outside these hours but only in genuine emergencies. Genuine emergencies are (i) situations of genuine and substantial distress such as the death or funeral of a relative or a relative dying abroad; (ii) urgent business abroad, particularly where Ireland is a beneficiary; or (iii) marriage abroad or a couple going on honeymoon when one of them finds a passport to have been lost or stolen. The Diplomatic Duty Officer is not authorised to issue passports in other circumstances. For reasons to do with security and with the legal position of minors, the Diplomatic Duty officer is not authorised to issue passports to minors or first-time applicants outside of normal hours except in situations of genuine emergency as outlined above.

Since the introduction of the Passport Duty Officer Service, in excess of 7,000 passports have been issued through this service. I wish to

acknowledge the commitment and dedication of both the Passport office staff and the Diplomatic Duty Officers in providing this highly valued service to the travelling public.

Overseas Development Aid.

897. **Mr. Kehoe** asked the Minister for Foreign Affairs his views on funding a school in Ghana, West Africa; and the steps involved in such an application. [28614/06]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): Irish Aid enters into funding partnerships through a number of funding schemes with various types of organisations in the delivery of development programmes. Any potential funding for a school in Ghana would be likely to be delivered through a Non Governmental Organisation or through an Irish Missionary Organisation. Details of the relevant funding schemes operated by Irish Aid are available on the Irish Aid Website, www.irishaid.gov.ie. In addition, Irish Aid also provides significant funding annually to the Irish Missionary Resource Service, IMRS, which in turn administers project and personnel funding schemes for Catholic missionaries worldwide. This ensures that development programmes are planned, prioritised and managed by the missionaries themselves. Applications for support of a development project should be made to the IMRS through the representative in Ireland of the missionary organisation making the application. The IMRS's website is www.imrs.ie and its address is St. Paul's Retreat, Mount Argus, Kimmage Road Lr., Dublin 6W. If the Deputy has a particular proposal in mind, I would invite him to send me details and I will have the matter examined by my officials.

Foreign Conflicts.

898. **Mr. F. McGrath** asked the Minister for Foreign Affairs if he will push the peace agenda in relation to the Middle East and the conflict along the Sudan/Chad border. [28615/06]

Minister for Foreign Affairs (Mr. D. Ahern): The situations in the Middle East and in Sudan are at the top of the foreign policy agendas of Ireland nationally and of the EU.

The conflict in Lebanon this summer, and the continuing crisis in the Occupied Palestinian Territories, serve to underline that there is no military or unilateral solution to the inter-related problems of the Middle East. It is the strong view of the Government, and of our partners in the European Union, that the underlying cause of the violence which has caused so much suffering to Lebanese, Israeli and Palestinian civilians in recent months is the absence of a credible process for a comprehensive settlement. The most recent meeting of the General Affairs and External

Relations Council, which I attended in Brussels on 15 September, stated the strong view of the EU that lasting peace and security in the region can only be ensured by a comprehensive settlement with a negotiated two-State solution to the Israeli-Palestinian conflict at its core.

The Government has consistently been active directly with the parties, within the EU and at the UN in the promotion of a just, lasting and peaceful comprehensive settlement. We have worked to ensure that the EU remains fully engaged in the process, with a clear and balanced message for all parties. I attended two emergency meetings of the Council in Brussels during August, which were instrumental in ensuring the adoption of Security Council Resolution 1701, the achievement of a ceasefire in Lebanon and the deployment to Southern Lebanon of a strengthened UNIFIL mission, alongside units of the Lebanese Army. I warmly welcome the progress which is being made in the implementation of Resolution 1701, which offers a path to a stable peace based on the territorial integrity, sovereignty and political independence of Lebanon. The Government will work with our partners to ensure its full implementation. We are also actively considering an Irish contribution to the UNIFIL II mission.

The urgent need for progress towards a negotiated two-State solution to the Israeli-Palestinian conflict has been at the heart of all my recent discussions at meetings of the Council and at the United Nations. The situation in Gaza in particular is unsustainable. The EU is determined to work with Israel and the Palestinians to revive a credible peace process, based on the essentials of the Quartet Roadmap. Both parties must meet their obligations under the Roadmap and under international law. We strongly support the courageous efforts of President Mahmoud Abbas to create a Palestinian national unity Government which is committed to a two-State solution and reflects the principles outlined clearly by the international Quartet. I have stated clearly the urgent need for progress towards a negotiated two-State solution to the Israeli-Palestinian conflict has been at the heart of all my recent discussions at meetings of the Council and at the United Nations. The situation in Gaza in particular is unsustainable. The EU is determined to work with Israel and the Palestinians to revive a credible peace process, based on the essentials of the Quartet Roadmap. Both parties must meet their obligations under the Roadmap and under international law. We strongly support the courageous efforts of President Mahmoud Abbas to create a Palestinian national unity Government which is committed to a two-State solution and reflects the principles outlined clearly by the international Quartet. I have stated clearly that if he succeeds, the EU and the international community must be generous and creative in our response. We are also working closely with the Israeli Government to encourage a more serious

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and open engagement with the Palestinians, starting with an early and substantive meeting between Prime Minister Olmert and President Abbas. Israel must also end all activities, including the expansion of settlements and the construction of the separation barrier on occupied territory, which are contrary to international law and undermine the prospects for a viable two-State solution.

The immediate priority must be to end the security and humanitarian crisis in Gaza. This will require an end to violence from all sources, the release of the kidnapped Israeli soldier and the detained Palestinian legislators, and the re-opening of border crossings for people and for goods. I believe that this can be achieved, through acts of political courage by the parties, and that a basis can be found for renewed negotiations towards the establishment of two viable, sovereign democratic states living together in peace and security. The Government will continue to play an active role, in cooperation with its EU partners, in the search for such a settlement, which is vital for the future stability of the region.

The Government's overall approach to the Darfur crisis is set out in reply to Question No. 900.

The crisis has also affected Chad. Over 250,000 refugees from Darfur have taken refuge there. Since late 2005 both countries have traded accusations of support for each other's rebels. An agreement to improve relations was signed in Tripoli on 8 February 2006, but there have been problems in implementation. On 14 April 2006, Chad broke off diplomatic relations with Sudan, alleging that Khartoum had supported an unsuccessful attempt by rebel forces to overthrow President Deby. On 14 June 2006, Sudan asked France to mediate with Chad and on 30 June Chad announced its readiness to hold talks with Sudan. On 26 July 2006 both sides signed an agreement to stop hosting rebels on each other's territory and on 24 August Chad handed over to African Union officials five suspected rebels from the Justice and Equality Movement (JEM) in Darfur, one of the groups which did not sign the May 2006 Darfur Peace Agreement (DPA). Diplomatic relations were restored and border crossings re-opened after the two Presidents met on 9 August in N'djamena.

At our meeting on 15 May 2006, EU Ministers for Foreign Affairs expressed concern about the instability on the Chad-Sudan border and its potential impact on the humanitarian situation of the population in both countries. Sudan was reminded that any assistance to attempts to overthrow the Chadian Government by unconstitutional means is incompatible with the pursuit of a political solution to the Darfur conflict. Both countries were urged to fully implement the February 2006 Tripoli Agreement, to put an end to any direct or indirect support to rebel groups

in the other country and to resolve outstanding issues through dialogue and on the basis of full respect for the territorial integrity of the other. On 15 September 2006 the EU welcomed the recent indications of an improvement in the relations between Sudan and Chad.

Passport Controls.

899. **Mr. Haughey** asked the Minister for Foreign Affairs if an Irish citizen with an Irish passport living in Ireland, but who was born in the USA, is required to produce their Irish passport when travelling from the UK to Ireland by air; and if he will make a statement on the matter. [28806/06]

901. **Mr. Bruton** asked the Minister for Foreign Affairs if people moving between Ireland and the UK are obliged to carry proof of Irish citizenship or if a driver's licence is sufficient; and if his attention has been drawn to persons born out of the State being challenged at entry points for only carrying a driver's licence. [28859/06]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 899 and 901 together.

A common travel area exists between Ireland and Britain which means that there is no formal passport requirement for Irish citizens (including, of course, Irish citizens born in the United States and carrying Irish passports) travelling between the two countries. An immigration officer may, however, ask a passenger for evidence in support of a claim that he or she is an Irish citizen. Supporting documents for this purpose apart from a valid passport could include, a valid driver's licence, a valid International Student card with photograph, a valid bus pass with photograph or valid work identification with photograph.

Foreign Conflicts.

900. **Mr. F. McGrath** asked the Minister for Foreign Affairs the further help Ireland will give to those facing death in Darfur; if emergency aid packages are being planned; and will Ireland support United Nations intervention. [28807/06]

902. **Mr. Bruton** asked the Minister for Foreign Affairs the initiatives he plans to take to assist in the continuing conditions in Darfur, both through Ireland's membership of international bodies and by direct provision of resources or assistance. [29019/06]

903. **Mr. Deenihan** asked the Minister for Foreign Affairs the measures he is taking to help bring about an improvement in the humanitarian crisis in the Darfur region of Sudan; and if he will make a statement on the matter. [29252/06]

905. **Mr. Haughey** asked the Minister for Foreign Affairs his position on the crisis in Darfur; if he will support the sending of troops by the EU as part of a UN mission to the region; and if he will make a statement on the matter. [29346/06]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): I propose to take Questions Nos. 900, 902, 903 and 905 together.

The Government is gravely concerned about the continuing humanitarian and political crisis in Darfur and is using all avenues to urge concerted international action to resolve the major humanitarian and political challenges which exist there.

Since the outbreak of violence in Darfur in 2003, Ireland has been providing extensive humanitarian assistance and support to the people of that region. In April 2005, I visited Darfur and saw at first hand both the huge humanitarian challenges on the ground and the sterling work being delivered by Irish NGOs, including Concern, Goal and Trócaire. On foot of my visit, I pledged €10 million in humanitarian aid to Sudan over two years. This pledge was fully met already earlier this year. In total, since 2004, Ireland has provided over €11 million in emergency aid to Darfur, including food and shelter assistance to displaced populations across the region. In response to the recent deterioration in the humanitarian situation, I have approved a further €1 million in humanitarian assistance for Sudan.

The Minister for Foreign Affairs, Deputy Dermot Ahern, visited Darfur last July to see conditions at first hand. He met with the Sudanese Foreign Minister and impressed on him the need to improve security, to remove any restrictions impeding humanitarian operations in the region, and to allow the transition to a UN peace-keeping force.

On 31 August 2006, the UN Security Council decided that a UN peace-keeping mission should be sent to Darfur, with a strong mandate for the protection of civilians and provision of security for the delivery of humanitarian assistance. The establishment of such a Force was originally called for by the African Union and is fully supported by them. It is regrettable, and indeed unacceptable, that the Sudanese Government continues to oppose the deployment of this UN Force.

Until transition to a UN mission takes place, the force established by the African Union, AMIS, must be adequately supported politically, financially and technically by the international community. I welcome the decision taken on 20 September 2006 by the African Union to extend the mandate of AMIS until 31 December 2006. Ireland has contributed €3 million in support of the AMIS mission to date, including €1.5 million contributed last July to ensure that it has the necessary resources to fulfil its mandate through

to the end of this year. Total EU support to AMIS since 2004 amounts to over €413 million.

The priority now for the international community is to exert effective pressure on the Sudanese Government to accept the transition of AMIS into a UN force. This is in Sudan's own best interests. The people of Darfur must be properly protected.

The issue of Darfur is very high on the agenda of the United Nations and the EU, and the Government is actively participating in deliberations. With our EU partners, we are also encouraging influential African countries and other States to convey similar strong messages to the authorities in Khartoum. The Minister for Foreign Affairs again strongly impressed this on his Sudanese counterpart when they met yesterday in New York.

Ultimately, the conflict in Darfur requires a political solution. The Darfur Peace Agreement provides a constructive and comprehensive basis for a lasting peaceful settlement in Darfur. I would urge those parties which have not yet signed the Darfur Peace Agreement to do so as soon as possible and commit to its full implementation.

Question No. 901 answered with Question No. 899.

Questions Nos. 902 and 903 answered with Question No. 900.

Census of Population.

904. **Ms C. Murphy** asked the Minister for Foreign Affairs if figures released by the Central Statistics Office in July 2006 via the Census 2006 Preliminary Report will be used by his Department for any reason; if so, what the figures will be used for; and if he will make a statement on the matter. [29306/06]

Minister for Foreign Affairs (Mr. D. Ahern): The Department of Foreign Affairs makes extensive use of CSO statistics, particularly in its efforts to disseminate accurate and up-to-date information about Ireland abroad.

The statistical information contained in the Census 2006 Preliminary Report is useful in this respect. It shows, for example, that the population of the State reached its highest recorded census level since 1861 and that our rate of population growth over the past 10 years is the highest in the EU.

However, having regard to the role and core responsibilities of the Department, the figures in the Census 2006 Preliminary Report do not have direct consequences for the Department's operations.

Question No. 905 answered with Question No. 900.

Foreign Conflicts.

906. **Mr. O'Connor** asked the Minister for Foreign Affairs the assistance being made available to Irish citizens caught up by the developing situation in Thailand; and if he will make a statement on the matter. [29821/06]

Minister for Foreign Affairs (Mr. D. Ahern): In light of the news that a coup was taking place in Bangkok on the evening of 19th September, contact was immediately established between the Department of Foreign Affairs, the Irish Embassy to Thailand (which is based in Kuala Lumpur, Malaysia) and the Honorary Consuls in Bangkok and Phuket.

Initial reports to the Department suggested that the situation was calm and that there was no immediate threat to the safety of Irish citizens in the country. Civil order did not break down and there was no overt public opposition to the military's actions, which took place without violence. Bangkok Airport continued to function normally and the situation remained calm throughout Thailand.

Irish Embassies and Honorary Consulates in the region monitored the situation closely, reported back to the Department and were ready to offer all necessary consular assistance to our citizens.

When the coup was unfolding and in its immediate aftermath, there were a number of calls to the Department, the Embassy and the Honorary Consulates from Irish visitors to Thailand, their relatives at home, and from Irish citizens who were planning to travel to Thailand. Callers were informed of the unfolding situation on the ground.

The Department's travel advice on the website was regularly updated so that Irish citizens could make informed decisions before travelling to Thailand, or on whether to leave Thailand. The advice reflected a considered assessment of the risks involved and was based on the best information available to the Department from our missions in the region and from the foreign services of other countries. The advice offered was to stay indoors to the extent possible; to exercise caution if travelling around Bangkok; to avoid any street demonstrations and Government buildings; and to monitor local announcements, including in regard to possible restrictions on movement. The Department did not advise against travel to Thailand.

Our Embassy and our Honorary Consulates in Bangkok and Phuket also made contact with a number of Irish visitors on behalf of concerned relatives in Ireland. No reports were received from other sources indicating that individual citizens required consular assistance. The Department continues to monitor the situation in Thailand, and the Deputy can be assured that the Embassy and Consulates will continue to provide consular assistance should this prove necessary.

However, at this time, the situation remains calm and does not seem to be a particular cause of concern. Any changes in the position will immediately be posted on the Department's website, www.dfa.ie.

Overseas Development Aid.

907. **Mr. O'Connor** asked the Minister for Foreign Affairs the way in which he intends to publicise the recently launched White Paper; and if he will make a statement on the matter. [29822/06]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): The White Paper on Irish Aid was launched by the Taoiseach on the 18th September in the Mansion House with over 500 people in attendance. The document was simultaneously launched on a dedicated website, where it can be downloaded (www.irishaid.gov.ie/whitepaper/).

The Minister for Foreign Affairs presented copies of the White Paper to the Secretary General of the United Nations in New York this week, and also to the President of the General Assembly and to the Indonesian and South African Foreign Ministers, the latter of whom is Chairperson of the Group of 77.

Copies are being distributed to all Irish Embassies and development missions around the world, to Citizen Information Centres around the country and to Irish Aid partner organisations. I am sending copies to Development Ministers of the European Union, other like-minded countries and to senior international figures involved in the area of development. My department is also producing a short and accessible publication explaining the key elements of the White Paper and the work of Irish Aid for more general distribution in Ireland.

Emigrant Support Services.

908. **Mr. O'Connor** asked the Minister for Foreign Affairs the progress on initiatives in respect of the Irish abroad; if he will detail contacts in the matter; and if he will make a statement on the matter. [29823/06]

Minister for Foreign Affairs (Mr. D. Ahern): Maintaining and strengthening links with Irish communities throughout the world is a key priority of my Department. Officials in our diplomatic missions and in the Irish Abroad Unit are very active in this regard and work closely with Irish community organisations across a wide range of issues.

The Government's firm commitment to enhance support for our communities abroad is reflected in the very substantial level of funding now available for emigrant services. In 2006, the unprecedented amount of €12 million has been secured for this purpose. This figure follows on

other large increases in recent years, so that funding is now twelve-times the sum that was available when this Government came to office in 1997.

So far this year, I have been happy to announce grants exceeding €9 million. Most of this funding is being distributed to Irish community organisations in Britain. In July, I announced grants of €8 million to over 140 organisations throughout Britain that are engaged in a wide range of activities of benefit to our community there.

While the needs of the vulnerable members of our community in Britain remain a particular area of concern, I am pleased that increased funding has enabled us to support a much wider range of initiatives than was possible in the past. Government funding is now supporting a number of capital projects, as well as initiatives that help to sustain Irish community networks.

The interests of the Irish in the United States remain an important priority for the Government. The circumstances of the undocumented Irish, in particular, continue to concern us. In all of our dealings with key figures in the US Administration and Legislature, we emphasise our strong support for measures that would enable the undocumented Irish to regularise their status and have open to them a path to permanent residence. The Government is working very closely with Irish community organisations that assist the Irish in the United States. We are happy to support them in their important work and I have approved funding to them of over €1 million this year.

While in New York this week, I met with representatives of a number of these organisations, including the Irish Lobby for Immigration Reform, an organisation that is proving most effective in representing the views of the undocumented Irish, as well as with representatives of the Irish welfare and advisory organisations that assist our community there.

While most funding is directed to organisations in Britain and the United States, a number of organisations in Ireland that are engaged in activities of benefit to Irish people abroad have received financial support. This year I have also approved funding for the first time to a number of Irish community organisations in Argentina. I look forward to announcing further grants later in the year to Irish community groups in Australia, Canada and elsewhere.

Another positive development this year has been the decision of the Government to widen the eligibility criteria of the Centenarian Award scheme such that all Irish citizens born in the island of Ireland who have reached 100 years of age, wherever they may reside, are now eligible to apply for the Bounty. Since the Government's decision, I am pleased to note that over one hundred centenarians resident outside of the State have received the Award from the President.

Diplomatic Representation.

909. **Mr. O'Connor** asked the Minister for Foreign Affairs if he will confirm that he is giving serious consideration to the opening of a new embassy in the Ukraine; and if he will make a statement on the matter. [29824/06]

Minister for Foreign Affairs (Mr. D. Ahern): Ireland established formal diplomatic relations with the Ukraine in 1992 and our Ambassador to the Czech Republic is accredited there on a non-resident basis. As I believe the Deputy will appreciate, any expansion of our diplomatic network can only be undertaken having regard to clear priorities. In this regard, and while the opening of new Missions is reviewed by the Government on a regular basis, there are no plans to establish a resident Embassy in the Ukraine at this time.

Foreign Conflicts.

910. **Mr. O'Connor** asked the Minister for Foreign Affairs if he will present an update on his contacts regarding the continued division of Cyprus; and if he will make a statement on the matter. [29825/06]

Minister for Foreign Affairs (Mr. D. Ahern): The United Nations has the lead role in the search for a comprehensive settlement of the Cyprus problem. As a result of the rejection of the Annan Plan by the electorate of the Republic of Cyprus on 26 April 2004, the accession of a united Cyprus to the EU on 1 May 2004 was not possible. Since 1 May 2004 the Republic of Cyprus has been a Member State of the EU but, in the absence of a comprehensive settlement, the application of the laws and regulations of the Union to the northern part of the island is suspended.

In a report earlier this year on Cyprus, Secretary General Annan emphasised the need for the parties to resume contacts and begin to think about how to re-engage in the search for a settlement. On 6 July last the UN Under-Secretary General for Political Affairs, Dr Ibrahim Gambari, met with President Tassos Papadopoulos of the Republic of Cyprus and Mr Mehmet Ali Talat, representing northern Cyprus. As a result of a request from USG Gambari, both leaders met directly on 8 July. The outcome of the meeting was an agreement to establish two technical committees: one on issues affecting the daily lives of people, and one on issues of longer-term substance. It is encouraging that some progress has been made in overcoming early obstacles encountered in the preliminary discussions on the establishment of the technical committees. We remain hopeful that both sides can make further progress and that the technical committees will begin deliberations in the near future.

Ireland, in particular through our Embassy in Nicosia, will continue to encourage both sides to

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renew their commitment to the negotiating process and the achievement of the objective of a bi-zonal, bi-communal federal State through an honourable, balanced and durable settlement protecting and guaranteeing the basic interests and aspirations of all.

Human Rights Issues.

911. **Mr. Boyle** asked the Minister for Foreign Affairs the position of the Government in relation to the abuses of religious freedoms in Kazakhstan and Uzbekistan. [30114/06]

Minister for Foreign Affairs (Mr. D. Ahern):

Within the EU and in the relevant international and regional organisations, Ireland actively promotes respect for human rights and fundamental freedoms worldwide. In this context, we monitor reports of abuses of religious freedom wherever they occur.

The UN Special Rapporteur on Religious Freedom or Belief, Ms Asma Jahangir, engages actively with a wide range of countries on incidents and governmental actions inconsistent with the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief and recommends remedial measures as appropriate. Ireland expects each UN member state to fully cooperate with UN human rights mechanisms, including this Special Rapporteur.

The Special Rapporteur is concerned that the Government of Uzbekistan has yet to invite her to visit the country, despite her clear wish to do so. I understand that she has also expressed concern about the requirement in Kazakhstan and Uzbekistan to register religious organisations, noting that registration should in no case be a precondition for practising one's religion. In the case of Uzbekistan, the Special Rapporteur has also emphasised the need for its legislation and practice in this area to be in full conformity with the International Covenant on Civil and Political Rights.

Ireland is very concerned about the general human rights situation in Uzbekistan. We actively supported EU action, specifically the restrictive measures agreed by the Council last October, as a response to the killing of up to 500 demonstrators at Andijan in May 2005 and the Uzbek Government's handling of the aftermath. The Council will be returning to this matter in the near future.

We also monitor developments in regard to the human rights situation in Kazakhstan. Through its Partnership and Cooperation Agreement, the EU is working to assist Kazakhstan on the path of economic and political reform, including the development of the institutions needed to ensure that human rights standards enshrined in legislation come to be implemented in practice.

Ireland also strongly supports the valuable work of the Organisation for Security and Cooperation in Europe, which includes the countries of Central Asia, in promoting tolerance, intercultural, inter-religious and inter-ethnic understanding. OSCE Participating States committed themselves at the OSCE Ministerial in Ljubljana last December to continue to raise awareness and develop measures to counter prejudice, intolerance and discrimination, while respecting human rights and fundamental freedoms, including freedom of thought, conscience, religion or belief. Kazakhstan hosted a major seminar on these issues earlier this year.

National Aquatic Centre.

912. **Ms Burton** asked the Minister for Arts, Sport and Tourism the number of employees at the National Aquatic Centre who have left in the past six months, either by choice or due to a termination of contract; the number of cases currently before the employee appeals tribunal; the issues involved; and if he will make a statement on the matter. [28294/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The day-to-day management of the National Aquatic Centre (NAC) is vested in a private company Dublin Waterworld Ltd. under a lease between Campus and Stadium Ireland Development Ltd. (CSID) and Dublin Waterworld Ltd. Under the terms of this lease the centre is operated on a commercial basis without the direct involvement of the either CSID or my Department in the day-to-day operation of the Centre. Accordingly, I do not have any information on the employment history of the staff at the Centre and any questions in this regard should be addressed by the Deputy direct to the management of Dublin Waterworld Ltd.

Sports Capital Programme.

913. **Mr. Kehoe** asked the Minister for Arts, Sport and Tourism the grants which are available to enable a boxing club to purchase equipment; if they qualify under the National Lottery grant scheme; and if he will make a statement on the matter. [28327/06]

920. **Mr. Kehoe** asked the Minister for Arts, Sport and Tourism the funding or grants which are available to a community group who wish to set up a boxing club; and if he will make a statement on the matter. [29271/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I propose to take Questions Nos. 913 and 920 together.

The Sports Capital Programme, which is administered by my Department, is the primary means of providing Government funding for sports facilities. Projects submitting an appli-

cation to the programme must be directly related to the provision of sport and recreation facilities and be of a capital nature, which, for the purpose of the programme, is defined as:

- expenditure on the improvement or construction of an asset and includes any costs directly incurred in this process; and
- purchase of permanently based sports equipment, i.e. it is securely housed, and will remain in use for 5 years or more.

The programme, however, does not assist in the purchase of sites, premises or personal equipment, such as sports kits, gloves, shoes/boots or personal protective clothing; nor does it assist in providing funding for administration or running costs.

Under the programme, funding is available to sports clubs (including boxing clubs), voluntary and community organisations and, in certain circumstances, schools and local authorities. The programme is advertised on an annual basis. All allocations under the 2006 sports capital programme have been made, but I intend to invite applications to the 2007 programme shortly and it will be open to the organisation(s) in question to submit an application for funding for equipment and/or facilities under that programme.

Swimming School Projects.

914. **Mr. F. McGrath** asked the Minister for Arts, Sport and Tourism if he will work with the Minister for the Environment, Heritage and Local Government and Dublin City Council in putting a compulsory purchase order on a swimming pool (details supplied) in Dublin 5 in order to prevent closure of this leisure service. [28359/06]

916. **Mr. F. McGrath** asked the Minister for Arts, Sport and Tourism if he will explain the contradiction of allowing the closure of a swimming pool (details supplied) in Dublin 5 while at the same time setting up a costly task force in relation to the Olympics in London; and if this swimming pool will be saved. [28426/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I propose to take Questions Nos. 914 and 916 together.

The question of a compulsory purchase order is, in the first instance, a matter for the relevant local authority. I understand that the swimming pool in question was built, by a religious order and while privately owned and operated by them, has been open to the public. I also understand that the pool received some financial support from Dublin City Council.

Under the Local Authority Swimming Pool Programme, my Department provides grant aid to local authorities towards the capital costs of a new or replacement public swimming pool or the refurbishment of an existing pool. The Prog-

ramme provides for a maximum grant level of 80% of eligible costs (90% in the case of disadvantaged areas) subject to a maximum of €3.8million. Where a project is being undertaken by an organisation other than a local authority, the proposal must be considered, supported and submitted by the local authority. Before supporting a project, the local authority would have to be satisfied that the proposal is viable, that the balance of funding required to complete the project is available and that the project when completed, would have a suitable level of public access. Consequently, questions relating to the location or operation of a particular public swimming pool should be directed towards the relevant local authority.

The priority under the current round of the Local Authority Swimming Pool Programme, which is administered by my Department and where the deadline for submission of applications was 31 July 2000, is to continue to support those projects remaining to be completed. My Department is carrying out an Expenditure Review of the Programme. On completion of this Review, which is currently being finalised, the question of re-opening the Programme can be considered. If the Pool Programme is re-opened, it will be open to all local authorities to submit applications under the terms that will apply.

I do not consider that this issue has any implications for the establishment of the London 2012 Olympics Task Force and my Department has no compulsory purchase powers.

Sports Capital Programme.

915. **Mr. Gilmore** asked the Minister for Arts, Sport and Tourism the grant assistance which has been made available through his Department or through any of the agencies under his Department for local horse shows or equestrian events in 2006; his views on providing financial assistance for a show (details supplied) in 2007; and if he will make a statement on the matter. [28415/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): No funding was allocated by my Department in 2006 for local horse shows or equestrian events. The national lottery-funded sports capital programme, which is administered by my Department, is the primary means of providing Government funding for sports facilities. Projects submitting an application to the programme must be directly related to the provision of sport and recreational facilities and be of a capital nature.

The Irish Sports Council (ISC) which 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 provides funding to 62 National Governing Bodies (NGBs) of sport under agreed funding conditions and with specific priorities in mind.

[Mr. O'Donoghue.]

The relevant NGB in this case is the Equestrian Federation of Ireland which received an allocation of €933,105 from the ISC in the current financial year in respect of its high performance programmes and current costs. The allocation of funding by the Federation to its affiliates is a matter for the body itself.

Support is available for sports events with a significant tourism impact under Fáilte Ireland's (FI) International Sports Tourism Initiative. Such grants are a day to day matter for Fáilte Ireland and my Department has no direct responsibility for funding in this area.

Question No. 916 answered with Question No. 914.

Swimming Pool Projects.

917. **Mr. McHugh** asked the Minister for Arts, Sport and Tourism the position in relation to the application for grant aid for a project (details supplied) in County Galway; the reason funding has not been allocated to date; his views on the provision of such projects through a public private partnership arrangement; and if he will make a statement on the matter. [28522/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Under the terms of the Local Authority Swimming Pool Programme, where a swimming pool project is being undertaken by an organisation other than a local authority, the proposal must be considered, supported and submitted by the relevant local authority. Before supporting such a project, the local authority would have to be satisfied that the proposal is viable, that the balance of funding required to complete the project is available and that the project, when completed, would have a satisfactory level of public access and that social inclusion aspects are addressed.

In 2004, Galway County Council submitted a tender to my Department seeking grant aid under the Local Authority Swimming Pool Programme for a project promoted by a private sector interest to construct a leisure centre, including a swimming pool, on a council site different to that initially recommended in a Feasibility Report prepared by the Council in 1999. The formal procedures under the programme are that Ministerial approval is required at each of the Preliminary and Contract Document stages, before tenders are invited for a project. Notwithstanding the fact that Galway County Council pursued an alternative approach to the procurement of the facility, my Department indicated to the County Council that it would be prepared to examine a detailed proposal on its merits. My Department's main concern in such cases is to ensure that the normal characteristics of a public swimming pool, such as public access and social inclusion considerations are adequately catered for.

Galway County Council has been in contact with my Department in order to progress the project and a formal detailed proposal, agreed between the Council and the promoter, was made by the Council in June 2006. Given the need to protect the State's interest arising from any grant aid awarded under the programme, my Department is having the legal aspects involved examined at present in consultation with the Chief State Solicitor's office.

On the general question of private sector involvement in the programme, it is a matter for local authorities to devise funding and operational arrangements, as they see fit, in relation to the provision of public swimming facilities in their areas. Experience shows that there is some potential for private sector involvement in the provision and operation of public swimming pools and some local authorities are exploring various ways of involving the private sector in their projects. From my Department's perspective, there is no objection to the involvement of the private sector in the provision and/or management of public swimming pools. However, in order to qualify for grant assistance under the programme, local authorities must satisfy themselves and the Department that the project meets the generally accepted operational considerations of a public pool in terms of public availability, charges, access for disadvantaged etc. This is normally achieved in consultation with the appropriate County or City Development Board.

Horseracing Ireland.

918. **Mr. Kehoe** asked the Minister for Arts, Sport and Tourism the amount of funding Horse Racing Ireland received from his Department in 2005; if he has satisfied himself that people with disabilities are being adequately catered for at race meetings. [28578/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Horse Racing Ireland (HRI) was established as the statutory body with responsibility for the horseracing industry under the Horse and Greyhound Act, 2001.

HRI receives a guaranteed level of funding from the Horse and Greyhound Racing Fund which is based on accrued excise duty on off-course betting, subject to a minimum level based on the year 2000 level adjusted for inflation. Any shortfall in the amount generated by the excise duty is made up by direct Exchequer subvention. Horse Racing Ireland received €54.68m from the fund in 2005.

HRI ensures that facilities for the disabled are prioritised at all racecourses through the operations of capital and health and safety grants. Horse Racing Ireland's capital grant support is directed at improving facilities in three principal areas within racecourses:

1. Improving facilities for racegoers (Access, Egress, Car Parking, Viewing, Toilets, Bars, Restaurants, etc).
2. Improving Facilities for industry personnel (Jockeys, Valets, Trainers, Stable Staff, Veterinary Surgeons, Medical and Security Personnel, Turf Club officials, etc).
3. Improving conditions for horses (Racing Surfaces, Fences, Walk Ways, Stables/Saddling Stalls/Wash Bays, Parade Rings, etc).

In area 1 HRI is conscious of the need to have facilities provided for people with disabilities and development plans of racecourses are examined closely to establish if such facilities are being provided.

Obviously HRI directly controls the quality of facilities being provided at its own racecourses, while all other racecourses seeking grant support are obliged to agree their development plans with HRI executives. Thus, HRI can leverage the improvement in overall racecourse facilities for people with disabilities. HRI provides significant funding to racecourses under its Health & Safety grant programme and the improvement of facilities for people with disabilities qualifies for support under that programme. Racecourses receive 60% grant aid for qualifying projects.

HRI recognises that provision of facilities for the disabled at racecourses is a work in progress, particularly as many older facilities are being replaced under the current Capital Development Programme. It is HRI policy to advocate continuing improvement in that regard. HRI has recently appointed the Automobile Association to design and implement a quality programme for racecourses and within that exercise they will have a full audit of the key areas of provision for people with disabilities. The Racegoers Consultative Forum which was established under the Horse and Greyhound Racing Act 2001 has recently published its report and it places the improvement of facilities for disabled racegoers among its key recommendations. HRI has assured me that it is committed to working with racecourses to implement this recommendation, among others, of the Forum.

Sports Capital Programme.

919. **Mr. Crowe** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to the case of a club (details supplied) in County Donegal, that is in danger of losing its ground due to coastal erosion and that submitted a detailed application for the 2006 sports capital programme, but was refused with no formal explanation given; and if he will make a statement on the matter. [28837/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The sports capital programme, which is administered by my Department, allocates funding to sporting and community organis-

ations at local, regional and national level throughout the country. The programme is advertised on an annual basis. Applications for funding under the 2006 programme were invited through advertisements in the Press in November last. All applications received, including one from the organisation in question, were evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I announced provisional grant allocations for local projects on 6th June last and I regret to say that the application in question was unsuccessful by letter of 12th June. The club was informed that its application was unsuccessful and a copy of the assessment of their application was also provided.

I will be inviting applications for support under the 2007 sports capital programme in the coming weeks and it will be open to the club in question to submit an application under that programme.

Question No. 920 answered with Question No. 913.

Census of Population.

921. **Ms C. Murphy** asked the Minister for Arts, Sport and Tourism if figures released by the Central Statistics Office in July 2006 via the Census 2006 Preliminary Report will be used by his Department for any reason; if so, what the figures will be used for; and if he will make a statement on the matter. [29298/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The figures released by the Central Statistics Office in July 2006 in the Census 2006 Preliminary Report will be used, where relevant, in reviewing and developing policies operated by my Department and the Agencies under its aegis in the arts, sport and tourism sectors.

Work Permits.

922. **Ms C. Murphy** asked the Minister for Arts, Sport and Tourism if his Department communicates with the Department of Justice Equality and Law Reform in relation to obtaining or supporting the issuance of visitors visas for foreign sporting coaches visiting here; and if she will make a statement on the matter. [29312/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The Irish Sports Council (ISC) 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 ISC has occasionally received requests from National Governing Bodies of Sport to support applications for working visas for foreign sports coaches. In such cases, the Sports Council contacts the Economic Migration Policy Unit in the Department of Enterprise, Trade & Employ-

[Mr. O'Donoghue.]

ment which administers the Working Visas and Working Authorisation scheme.

Sports Capital Programme.

923. **Mr. Wall** asked the Minister for Arts, Sport and Tourism the number of grants and the funding that has not been drawn down by clubs in each of the past three years; the reasons for same; and if he will make a statement on the matter. [29373/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): A total of €200.09 million has been allocated to 2,183 projects in sports capital grants in the past three years, i.e. 2004-2006 inclusive. I announced provisional grant allocations under the 2006 sports capital programme for local projects on 6th June last and national, regional and municipal/multipurpose projects on 12th July. A total of €75 million has been allocated under the programme in 2006 to 797 projects. At present, 789 of those grants totalling €74.91 million are not fully drawn down. Given the short time frame since the grants were announced the low level of draw down at this point would not be unusual and it will be well into 2007 before many of the organisations grant-aided will be in a position to complete their works or draw down their allocations.

In 2005 a total of €63.24 million was allocated to 645 projects. At present, €43.34 million of that funding has to be drawn down and no payment has been issued in respect of 416 of the projects grant-aided. In 2004 a total of €61.75 million was allocated to 740 projects. At present, €27.81 million of that funding has to be drawn down and no payment has been issued in respect of 223 of the projects grant-aided. As a major part of the ongoing work of the sports unit in my Department, many of the outstanding grants referred to above are being progressed to the point where the final quarter of the year will see their partial or full payment.

I can confirm also that almost the entire annual provision for sports capital grants in my Department's subhead has been spent in each of the last three years, 2003-2005 with grant payments totalling €198.31 million in that period.

On the finalisation of the list of projects to be funded under the Programme grantees are informed in writing by my Department of the full range of requirements which must be met in order to draw down the grant. These requirements are outlined in the published Guidelines, terms and conditions of the Sport Capital Programme. Ultimately, it is a matter for the grantee to comply with these requirements before the grant can be paid.

924. **Mr. Wall** asked the Minister for Arts, Sport and Tourism the number of applications received by his Department for skateboard facilities; the number of successful applications; if he

has received an application from Athy Town Council in regard to such funding; and if he will make a statement on the matter. [29374/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The sports capital programme, which is administered by my Department, is the primary means of providing Government funding for sports facilities. Two applications requesting support for the provision of skateboard facilities were received under the 2006 Sports Capital Programme. One was given provisional approval while the other which was for a multipurpose sports project which included a skateboard park was not.

Prior to 2006, one grant of €100,000 was allocated under the sports capital programme in 2004 towards the provision of a skateboard park by Dublin City Council. Four other applications received during that period were unsuccessful.

The Minister for Environment, Heritage and Local Government, Deputy Roche, introduced a scheme in 2005 specifically for the provision of skateboard parks by local authorities, through which local authorities may submit proposals for funding same.

Swimming Pool Projects.

925. **Mr. Wall** asked the Minister for Arts, Sport and Tourism the position regarding tender documents of the proposed new swimming pool in Athy, County Kildare; when construction will commence; and if he will make a statement on the matter. [29375/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Under the Local Authority Swimming Pool Programme, there are four stages in the development of a swimming pool project. These are, in order of progress, Feasibility Study/Preliminary Report; Contract Documents; Tender and Construction. My Department's technical advisors, the Office of Public Works (OPW), evaluate each stage and prior approval is required before local authorities can proceed from one stage to the next. Grant aid is formally allocated when the tender for the project is approved.

On 20 July 2006, I approved the tender submitted by Kildare County Council for the proposed replacement swimming pool in Athy town. At the same time, I approved the maximum grant of €3.8 million for the project. These approvals permitted Kildare County Council to move to the construction phase and it is now a matter for the local authority to proceed with the project.

Road Signage.

926. **Mr. Lowry** asked the Minister for Arts, Sport and Tourism the level of consultation his Department had in the drafting of the tourist signs policy development by the National Roads Authority; if he supports the policy despite the fact that it will remove signs for major tourist

amenities such as Killarney National Park; and if he will make a statement on the matter. [29609/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The provision of signage on national roads is an operational matter for the National Roads Authority, which operates under the aegis of the Department of Transport. I understand that the National Roads Authority has not actually finalised a policy on the provision of tourist signage on national roads but has invited comments from interested parties on a draft policy document. In that context, Fáilte Ireland and my own Department have provided observations to the National Roads Authority, including observations in respect of the issue specifically raised in the Deputy's question.

Punchestown Racecourse.

927. **Mr. Durkan** asked the Minister for Arts, Sport and Tourism the extent to which issues affecting the future of the Punchestown Race Course and events have been satisfactorily resolved; if the issues involving a club's (details supplied) interests have been addressed; and if he will make a statement on the matter. [30037/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The Chairman of the Kildare Hunt Club wrote to me on 27th July 2006 concerning the present situation at Punchestown Racecourse. In my response of 1st August 2006, I outlined my disappointment at the ongoing differences within the Kildare Hunt Club and I urged the Club to immediately implement the joint venture with Horse Racing Ireland approved by its members in 2002 and recommended by the Dáil Committee on Public Accounts in January 2004.

Since then I understand that a proposal made by Horse Racing Ireland regarding the future terms of a joint venture with the Kildare Hunt Club has been accepted by the Chairman and Executive Committee of that Club and, once ratified by the membership of the Club, will provide a sound basis for the future management of Punchestown.

Sports Capital Programme.

928. **Mr. Boyle** asked the Minister for Arts, Sport and Tourism if a formal application has been placed with his Department on the potential development of a sports centre in Carrigaline, County Cork, and if so the status of such an application. [30125/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The Sports Capital Programme, which is administered by my Department, is the primary Government means of providing funding for the provision of sporting facilities and allocates funding to sporting and community organisations at local, regional and national level

throughout the country. The programme is advertised on an annual basis and applications for funding can only be accepted during the annual application timeframe.

No application was received under the 2006 programme in respect of the project in question. All allocations under the 2006 sports capital programme have been made and I intend in the coming weeks to invite applications to the 2007 programme and to announce the closing date for receipt of those applications.

Work Permits.

929. **Mr. Gormley** asked the Minister for Enterprise, Trade and Employment the reason work permits are currently freely available to non-EU trained physiotherapists when Irish trained physiotherapists have difficulty in finding appropriate employment here; the number of work permits which were issued to non-EU physiotherapists during 2005 and in the first eight months of 2006; and if he will make a statement on the matter. [29002/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): As part of a response to the shortage of qualified labour in the health sector, a fast-track Work Visa/Work Authorisation scheme was introduced in 2000 to facilitate the immigration of suitably qualified medical professionals including physiotherapists.

The Work Permits section of my Department has informed me that the number of permits issued in respect of physiotherapists for 2005 and from figures available for 2006 is as follows, broken down by permit type:

	2005	2006
Work Permit	8	4 (to end Aug)
Work Authorisation	4	0 (to end Aug)
Work Visa	8	6 (to end Aug)

The recent report of the Expert Group on Future Skills Needs has also indicated that, in the absence of improved training and retention policies a number of occupations, including physiotherapists, are likely to experience skills shortages in the future.

Private Employment Agencies.

930. **Mr. Quinn** asked the Minister for Enterprise, Trade and Employment the reason Ireland has not ratified the International Labour Organisation's Convention 181 on Private Employment Agencies adopted in 1997; when this Convention will be ratified and enacted in Irish law; and if he will make a statement on the matter. [28228/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): ILO Convention No 181 on Private

[Mr. Killeen.]

Employment Agencies was adopted at the International Labour Conference in 1997 and came into force from 10 May 2000. To date, the Convention has been ratified by only 20 Member States of the ILO.

Ireland only ratifies ILO Conventions where we can accept every single provision and where our legislation can be fully in conformity. This also allows fully for proof of compliance. The fact that Ireland has not ratified a particular Convention does not mean that we do not have in place effective and up-to-date legislation and enforcement mechanisms relating to the sector in question, i.e. such legislation tends to reflect an approach developed within a broader EU framework.

Ireland has not ratified ILO Convention No. 181 as some of its provisions, such as Articles 8 and 11, relating to conditions of employment for workers employed by private employment agencies, including migrant workers, were not compatible with the provisions of the existing Employment Agency Act 1971. A Review of the 1971 Act has been well advanced as part of the Government's commitments under the last Social Partnership agreement, Sustaining Progress.

Under the new Social Partnership agreement, Towards 2016, the parties have agreed on the need for the improved regulation of employment agencies and appropriate protection for agency workers. It is intended that new legislation replacing the 1971 Act will be published before the end of 2006 reinforcing the existing system of regulation by requiring all employment agencies established and/or operating in the State to hold a licence and will set out the conditions for the granting of a licence.

The new legislation will also put in place a statutory Code of Practice covering the standards of behaviour for employment agencies. Compliance with the Code of Practice will be a condition of licensing. The terms of the new legislation and Code are being developed in dialogue with the parties to the new Agreement and other relevant interests. In preparing the new legislation and the Code of Practice, regard will be had to the provisions of ILO Convention No 181.

The proposed legislation will be considered by the Oireachtas and, if enacted, will allow the Government to decide if ratification of ILO Convention 181 is feasible and desirable.

Work Permits.

931. **Mr. F. McGrath** asked the Minister for Enterprise, Trade and Employment if support will be given to a person (details supplied) in County Dublin in relation to their request for a work permit. [28254/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Work Permits section of my Department has informed me that this application was refused and that the employer has appealed but the original decision in this case was upheld. I should add that, in the aftermath of EU Enlargement, it is Government policy that employers should be able to source nearly all of their workforce needs from within the EU. Accordingly, only in cases where exceptional levels of skill and qualifications are needed for the job, and the employer has made meaningful attempts to find EEA nationals first, will my Department now consider work permit applications.

Health and Safety Regulations.

932. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment the average age of workers killed in workplace accidents in 2005 and each of the previous five years and if he will provide this data in relation to the construction sector specifically. [28271/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): Statistics on workplace accidents are collected and published by the Health and Safety Authority.

The following table shows the number of workplace fatalities over the past 6 years both across all sectors and in the construction sector. However, statistics in regard to the age of people involved in workplace accidents were not recorded prior to 2003 and are therefore not available.

Year	Total number of fatalities	Average age of fatalities — all Sectors	Fatalities — Construction Sector	Average age of fatalities — Construction Sector
2000	70	N/A	17	N/A
2001	67	N/A	22	N/A
2002	61	N/A	21	N/A
2003	68	46	20	45
2004	50	45	16	40
2005	73	47	23	42
2006 (to 25 September)	41	50	9	42

Economic Competitiveness.

933. **Mr. F. McGrath** asked the Minister for

Enterprise, Trade and Employment if he will address the crisis in the small retail business here; and if he will meet the National Federation of

Retail Newsagents soon on this matter. [28272/06]

934. **Mr. F. McGrath** asked the Minister for Enterprise, Trade and Employment if he will support the National Federation of Retail Newsagents particularly in relation to rising costs, decreased margins, theft, insurance, waste disposal charges, rent and the need for a regulator. [28273/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 933 and 934 together.

The Small Business Forum, which I set up last year, and whose report I published in May, were asked by me to examine the overall current environment for conducting small business in Ireland and to advise on the adequacy and appropriateness of public policy responses in the context of that environment.

In carrying out their review the Forum sought public submissions on the problems facing small businesses generally and also organised a series of consultation meetings around the country with small business owners and managers. In drawing up their final report they had regard to issues such as rising costs, tighter margins and the need for balanced local authority charges, and made recommendations accordingly. In launching the report I indicated that I was accepting, generally, the Forum's recommendations in relation to the areas of responsibility of my own Department and that I would be pursuing implementation of the other recommendations with my colleagues in Government.

I have not, to date, received any request for a meeting from the National Federation of Retail Newsagents. Neither am I aware of demands for a regulator in this sector nor am I clear about what such a proposal might entail. However my view is that a regulator for newsagents is unlikely to be consistent with the principle of better regulation and would also be unlikely to have a positive impact on competition in the sector concerned.

Trade Union Recognition.

935. **Mr. F. McGrath** asked the Minister for Enterprise, Trade and Employment if he will investigate an organisation (details supplied) in Dublin 3 regarding their attitude to trade union membership. [28297/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): Responsibility for the resolution of trade disputes is a matter for the parties involved. The State provides the industrial relations dispute settlement machinery to assist the dispute resolution process, which, in line with the general principles of industrial relations in Ireland, is voluntary in nature. There are also statutory provisions

designed to back up the voluntary process in areas where collective bargaining does not operate effectively.

In Article 40.6.1 of the Constitution, the State guarantees liberty for the exercise, subject to public order and morality, of the right of citizens to form associations and unions. Accordingly, an employee has the constitutional right to join a trade union, but the constitutional freedom to associate guarantees employers the right to decide for themselves whether or not to recognise trade unions for collective bargaining purposes. Primary responsibility for initiating the process of ensuring that an individual's constitutional rights are upheld and vindicated rests with the individual.

The courts have ruled that it is legitimate for a trade union to engage in industrial action in pursuit of union recognition, provided the normal requirements for industrial action (secret ballot, one week's notice etc.) are complied with. Consequently, disputes about trade union recognition may be referred to the Labour Relations Commission or the Labour Court under the Industrial Relations Acts 1946 to 1990.

For situations where it is not the practice of an employer to engage in collective bargaining negotiations and where the internal procedures normally used by the parties have failed to resolve a dispute, the parties may avail of procedures set out in the Industrial Relations (Amendment) Act 2001, as amended by the Industrial Relations (Miscellaneous Provisions) Act 2004, and supported by the Enhanced Code of Practice on Voluntary Dispute Resolution. Determinations by the Labour Court under this legislation may be enforced through the Circuit Court, but such determinations may not provide for collective bargaining.

The Industrial Relations (Miscellaneous Provisions) Act 2004 contains a specific protection for employees as regards trade union membership or activity in certain situations. Section 8 of the Act prohibits victimisation, i.e. the doing of any act (whether of commission or omission) that, on objective grounds, adversely affects the interests of the employee or his or her well-being. Sections 9 and 10 of the Act provide for redress where victimisation is alleged. A Code of Practice on Victimisation (S.I. No. 139 of 2004) sets out the procedure an individual may utilise to enforce one's right not to be victimised.

In cases of unfair dismissal, the Unfair Dismissals Acts 1977 to 2001 offer protection to employees from being unfairly dismissed from their jobs by laying down criteria by which dismissals are judged to be unfair and by providing an adjudication system and redress for employees who have been found to have been unfairly dismissed. The Acts do not normally apply to a person who has been in the continuous service of the employer for less than one year. However, if the unfair dismissal results from trade union activity,

[Mr. Killeen.]

then the requirement of one year's service does not apply. A complainant may refer a case regarding unfair dismissal to a rights commissioner or the Employment Appeals Tribunal.

Unemployment Levels.

936. **Mr. Callanan** asked the Minister for Enterprise, Trade and Employment the number of people in the science and technology sector made redundant in 2005; and if he will make a statement on the matter. [28332/06]

Industrial Group	No. of Employees		
	Male	Female	Total
Agriculture/Forestry and Fisheries	436	202	638
Energy and Water	252	136	388
Extraction Industry (Chemical Products)	555	135	690
Metal Manufacturing and Engineering	1243	462	1705
Other Manufacturing	3441	2017	5458
Building and Civil Engineering	1766	159	1925
Distributive Trades	1653	1588	3241
Transport and Communications	821	508	1329
Banking, Finance and Insurance	697	803	1500
Other Services	2695	3587	6282
TOTAL	13559	9597	23156

Hazardous Substances.

937. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment his plans to introduce a compensation scheme for workers damaged by asbestos; and if he will make a statement on the matter. [28401/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The focus of occupational safety and health legislation concerning asbestos in the workplace is on the prevention of exposure. The Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006 (S.I. No. 386 of 2006), which is enforced by the Health and Safety Authority, places obligations on employers and employees to ensure that the risk of exposure to asbestos is eliminated or reduced to a minimum and that any remaining residual risk is adequately controlled in accordance with the legislation.

I understand that under the Occupational Injuries Scheme operated by the Department of Social and Family Affairs benefits may be payable in respect of insured workers affected by contact with asbestos.

Departmental Staff.

938. **Mr. F. McGrath** asked the Minister for Enterprise, Trade and Employment the reasons a person (details supplied) in Dublin 9 was sacked;

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): This Department does not keep separate redundancy statistics in respect of the science and technology sector. However, it does keep statistics for actual redundancies in respect of the following economic sectors, a number of which would have science and technology sub-sectors, given the importance to the economy of scientific research and development.

The sectors for which actual redundancy figures are available for 2005 are contained in the following table.

and if he will give them the maximum support and rescind the decision on their employment. [28454/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The person concerned was employed on a short-term contract as a Temporary Service Attendant. His contract was due to expire on 12 May 2006. His contract was extended until 28 July 2006 to allow for a number of appeals he made in writing and orally. The Secretary General of the Department, having fully considered the matter, and following legal advice from the Office of the Attorney General, confirmed to the person concerned in writing that his contract would expire on 28th July 2006.

In these circumstances it would not be appropriate to make any further comment beyond what is set out above.

Employment Rights.

939. **Mr. Quinn** asked the Minister for Enterprise, Trade and Employment if he proposes to introduce a licensing system for employers to help curb abuses of existing labour laws as well as the exploitation of migrant workers; the steps he proposes to take to further ensure the proper treatment of employees; and if he will make a statement on the matter. [28464/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): There are no proposals to introduce an employer licensing system in the context of enhancements of the employment rights compliance framework. However, new legislation will be published before the end of this year reinforcing the existing system of regulation of employment agencies by requiring all such agencies established and/or operating in Ireland to hold a licence. In this regard, the legislation will set out the conditions for the granting of a licence and will also put in place a statutory Code of Practice covering standards of behaviour for employment agencies. Compliance with the Code of Practice will be a condition of licensing.

As the Deputy may be aware, we have a comprehensive body of employment rights legislation. The objectives of this legislation are to, among other matters, protect employees against arbitrary behaviour by employers, provide for the safety and health of workers and foster labour market harmony by promoting policies that minimise conflict and maximise fairness. These provisions, which are administered by various State organisations and services including the Employment Appeals Tribunal, the Labour Court, the Rights Commissioner Service and the Labour Inspectorate, apply to all persons employed on an employer-employee basis in Ireland.

The Labour Inspectorate of the Department of Enterprise, Trade and Employment is responsible for monitoring certain employment conditions for all workers in Ireland, including immigrant workers. The Inspectorate operates without any differentiation with regard to worker nationality as statutory employment rights and protections apply to immigrant workers in exactly the same manner as they do to other Irish workers. Should evidence of non-compliance with the relevant employment rights legislation be found, the Inspectorate seeks redress for the individual/s concerned and, if appropriate, a prosecution is initiated.

It should be noted also, that in many cases, Employment Rights Legislation has provisions whereby workers who believe that they have been denied their entitlements, or otherwise unfairly treated, can, as an alternative to dealing with the Labour Inspectorate, take the matter before a Commissioner in the Rights Commissioner Service of the Labour Relations Commission.

The Social Partnership Agreement, Towards 2016, sets out a number of commitments with regard to employment standards and compliance including a commitment to establish an Office of the Director of Employment Rights Compliance. The Office will be established through the enactment of primary legislation and will be led by a Director at senior management level. While the Office will retain a presence in Dublin it is antici-

pated that there will be a regionalised structure with the headquarters located in Carlow.

The legislation establishing the new Office will also address a variety of issues in the area of Employment Rights Compliance including a move towards greater accessibility for employees to redress via the Rights Commissioner Services. In that context it will be a matter for the new Director to develop a range of policies and procedures reflecting the changed landscape for employment rights enforcement.

Towards 2016 also provides for a trebling in the number of Labour Inspectors, greater coordination among organisations concerned with compliance, new requirements in respect of record keeping by employers, enhanced employment rights awareness activity, the introduction of a new and more user-friendly system of employment rights compliance, increased resourcing of the system and higher penalties for non-compliance with employment law.

Health and Safety Regulations.

940. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment his Department's position in respect of voluntary protection programmes in the field of health and safety at work; and if he or his Department have made a commitment to recognise such programmes in workplaces here. [28510/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Health and Safety Authority, which is the body responsible for enforcement of occupational safety and health legislation in Ireland, has conducted a pilot programme in relation to the Voluntary Protection Programme. This pilot programme, which commenced in 2004, arose out of a joint EU/US meeting that considered areas for practical co-operation between the EU and US.

The programme is designed to encourage and recognise excellence in management of safety and health. Organisations that agree to take part in the programme are required to undergo a rigorous external audit, overseen by the Health and Safety Authority, to assess the occupational safety, health and welfare management systems of the organisation. While organisations may volunteer to participate in the scheme, they remain subject to the full requirements of occupational safety, health and welfare legislation in this country and its associated enforcement requirements.

I understand that the Authority has undertaken a review of the pilot programme and is considering the future role for it. I have made no commitment to recognise such programmes in workplaces here.

Work Permits.

941. **Mr. F. McGrath** asked the Minister for Enterprise, Trade and Employment if assistance

[Mr. F. McGrath.]

will be given in relation to a work permit application (details supplied); and if the persons will be supported on this matter. [28513/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Work Permits section of my Department has informed me that they have no record of a valid application in this case.

FÁS Training Programmes.

942. **Mr. G. Mitchell** asked the Minister for Enterprise, Trade and Employment if he will ensure that policy operated by FÁS, which is set by the Government, in relation to the job initiative scheme and the requirement to retire at 66 years of age will be changed in order that persons can continue to work in free schemes beyond age 66 in line with stated Government policy (details supplied). [28530/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): Present policy is that participation on FÁS employment schemes has an upper age limit of 65 years of age. Under this arrangement FÁS may provide funds to community based employers to cover participant costs until the day before his/her 66th birthday. As the Deputy is aware, as FÁS is not the employer of scheme participants, any employer may choose to continue to employ individuals beyond their 66th birthday through non FÁS funded sources.

National Minimum Wage.

943. **Mr. F. McGrath** asked the Minister for Enterprise, Trade and Employment if a person (details supplied) is receiving the minimum wage; and if they will be assisted on this matter. [28564/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The minimum rates of pay and employment conditions of workers employed in the hotel and restaurant business are governed by either Employment Regulation Orders made pursuant to the provisions of the Industrial Relations Acts 1946 to 2004 or the National Minimum Wage Act, 2000. From the details supplied by the Deputy it would appear that the statutory minimum rates of pay for the person concerned are those set out in the Hotels Employment Regulation Order. This Order is enforced by the Labour Inspectorate of my Department. Labour Inspectors are empowered to seek compliance with payment of the statutory minimum rates of pay specified in the Order.

Following receipt of recent representations from the Deputy on behalf of the person referred to, the Labour Inspectorate has commenced an investigation in order to determine if the relevant employer is compliant with the minimum wage

and other provisions of the Hotels Employment Regulation Order.

Employment Rights.

944. **Mr. Quinn** asked the Minister for Enterprise, Trade and Employment if the findings of the European Court of Justice in a case (details supplied) have been incorporated into Irish legislation; if his Department has responded to the European Commission's repeated requests in relation to this case; when he intends to incorporate the findings of the case into Irish law; the reason there has been a significant delay in this change; and if he will make a statement on the matter. [28565/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): My Department is currently drafting legislation to amend the Protection of Employment Act, 1977 to cover a number of matters, including the outcome of the Junk v Kuhnel case. Full implementation of the mandatory European Court of Justice Decision of 27th January, 2005 in this case will therefore be provided for in the Heads of Bill for the proposed Protection of Employment Bill 2006, which will also deal with the proposed Redundancy Panel and Dismissals in Industrial Disputes, both matters stemming from the Social Partnership Agreement, Towards 2016.

Under the forthcoming legislation, to which my Department is giving priority, it is proposed that notice of dismissal for redundancy cannot be given to any employees in a collective redundancy situation under Section 6 of the Protection of Employment Act, 1977 as amended by Section 5 of the Protection of Employment Order, 1996 during the 30 day period of consultation with employees representatives provided for in Section 9(3) of the Principal Act. On 31st August, 2006, my Department formally notified the Employment, Social Affairs and Equal Opportunities DG of the European Commission of its intention to implement the ECJ Decision in the Junk v Kuhnel case by amending the Protection of Employment Act, 1977.

It might also be noted that the existing Section 16 of the Protection of Employment Act, 1977 already appears to cover the ECJ Decision to a certain extent by simply stating that "Nothing in this Act shall affect the right of any employee to a period of notice of dismissal or to any other entitlement under any other Act or under his contract of employment". However, a measure of clarity in this matter would be desirable, given the fact that decisions of the European Court of Justice are mandatory in respect of Member States. My Department, in the legislation currently being prepared, is endeavouring to ensure that clarity and to avoid any doubt in the matter.

Industrial Development.

945. **Mr. Ring** asked the Minister for Enterprise, Trade and Employment the number of site visits by Industrial Development Agency representatives, with interested parties, to towns (details supplied) in 2005; and if he will make a statement on the matter. [28596/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): IDA Ireland is the Agency with statutory responsibility for the attraction of foreign direct investment (FDI) to Ireland. During 2005 the Agency hosted one first-time site visit to both Westport and Castlebar. The Agency is maintaining contact with the companies involved with a view to securing investment, if possible. Unfortunately, IDA was unable to secure visits to any of the other locations mentioned in Co Mayo.

While decisions regarding where to locate, including what areas to visit are taken by investors, a central goal for IDA Ireland is the achievement of balanced regional development. The National Spatial Strategy provides a framework for achievement of this goal through the prioritization of development and investment in the gateway and hub locations. On this basis, IDA Ireland seeks to attract FDI into the gateways and hubs, as well as a small number of additional locations throughout the West, and particularly Mayo through the linked hubs of Ballina, Castlebar, and Westport.

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 and I am confident that the strategies and policies being pursued by IDA Ireland, together with the ongoing commitment of Government to regional development will bear fruit in terms of additional sustainable investment and jobs for the area.

FÁS Training Programmes.

946. **Mr. Ring** asked the Minister for Enterprise, Trade and Employment if an embargo has been placed on the recruitment of people to FÁS schemes in the western region; if he will explain the reason for the embargo; and when it will be lifted; and if he will make a statement on the matter. [28597/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I am informed by FÁS and the Community Services Unit, West region, that a significant proportion of its complement of CE places has been allocated. FÁS West region, is however still in a position to accommodate some new entrants and up to 30 vacancies are now in the process of being filled.

Job Losses.

947. **Mr. Quinn** asked the Minister for Enterprise, Trade and Employment the steps which have been taken to replace the 350 full and part-time jobs lost at the NEC factory in Ballivor, County Meath, in March 2006; the number of new jobs that have been created in that area suited to the skillset of the workers made redundant since March 2006; the steps he will take between now and the end of the Government's term in office to give aid to this area; and if he will make a statement on the matter. [28598/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): Finding alternative employment for the workers in question is a priority for the State Development agencies. The Industrial Training agency FÁS has briefed all staff on the range of services available to them and many of them continue to participate in the various programmes run by the agency. Since the announcement of the job losses, Enterprise Ireland has participated at a number of meetings with the company concerned, outlining the various types of assistance that are available. In conjunction with Meath County Enterprise Board, Enterprise Ireland is participating in a series of workshops, which started in July 2006. These workshops concern Ideas Generation and how to Start Your Own Business. These courses are on going.

The Industrial Development agencies were recently involved in the approval of a major financial services project, which will provide 700 jobs over 5 years in Navan and this will be of significant benefit to County Meath. Notwithstanding this, IDA Ireland continues to promote Ballivor as a priority location within the County and is actively promoting the facility in question for new investment. To date, three potential investors have been introduced to the management of the existing facility. I am aware that the State Development agencies have strengthened their marketing efforts in County Meath, in partnership with local interests, in order to increase job opportunities for Ballivor and the surrounding area. They will continue to work together to secure a new project for the existing facility.

Employment Rights.

948. **Mr. Kehoe** asked the Minister for Enterprise, Trade and Employment the rights an organisation (details supplied) has to monitor and ensure compliance with the Registered Employment Agreement for the Electrical Industry; the number of these organisations in the country; the relationship the Department has with this organisation; and if he will make a statement on the matter. [28728/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The organisation to which the Deputy refers was established under the aegis of the

[Mr. Killeen.]

National Joint Industrial Council for the Electrical Contracting Industry. While its main objective is to advise Electrical Contractors of their responsibilities under the Registered Employment Agreement (REA) for the Electrical Industry it also carries out inspections of Electrical Contractors in order to ensure compliance with the agreement. While the organisation does not have statutory authority under employment rights legislation to undertake such inspections I understand that Electrical Contractors are in general willing to facilitate, and cooperate with, these arrangements.

The Labour Inspectorate of the Department of Enterprise, Trade and Employment has statutory responsibility for monitoring certain employment conditions under a wide-ranging body of employment legislation. While the Inspectorate does not have a formal relationship with the organisation to which the Deputy refers it does investigate complaints referred to it, and examine such information, which may be furnished, by that organisation in relation to alleged breaches of the Registered Employment Agreement.

The enforcement of the provisions of a Registered Employment Agreement may also be effected through the Labour Court under the Industrial Relations Acts. A trade union, an association of employers or an individual employer may complain to the Labour Court that a particular employer is not complying with a Registered Employment Agreement. If, after investigating a complaint, the Court is satisfied that the employer is in breach of a Registered Employment Agreement it may by order direct compliance with the agreement. Failure to comply with such an order is an offence punishable by a fine.

Towards 2016, the partnership agreement for 2006-2015, provides for greater co-ordination between organisations concerned with employment rights compliance, with a view to realising the considerable potential for synergy that exists in this area. In this regard the Office of the Director of Employment Rights Compliance (ODERC), which will be established on a statutory basis under legislation to be published in 2007, will develop an ongoing structured dialogue with all the parties to this Agreement, so that, building on close co-operation, a comprehensive and responsive system of compliance and enforcement can be developed.

In addition, and in order to complement the work of the ODERC, the existing monitoring and inspection activity in relation to compliance with the Registered Employment Agreement in the electrical contracting sector will be strengthened by amending legislation, also to be published during 2007, to support new organisational arrangements.

Industrial Development.

949. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment further to Parliamentary Question No. 670 of 28 September 2005, the grant aid which has been returned to his Department; the discussions his Department has had with the company concerned regarding alternative employment on the site; and if he will make a statement on the matter. [28738/06]

959. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment further to Parliamentary Question No. 293 of 20 June 2006, the progress of the negotiations in relation to the recovery of grant aid paid to a company; and if he will make a statement on the matter. [29452/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 949 and 959 together.

The company has not returned any grant aid to Enterprise Ireland. Discussions between Enterprise Ireland and the company concerning grant aid to the plant at Rooskey, Co. Roscommon are still continuing. Progress is being made on the negotiations and it is expected that a conclusion will be reached which will take account of a very significant investment which is being undertaken by the company in its Pork Division in Ireland.

With regard to alternative employment on the Rooskey site itself, Enterprise Ireland is trying to stimulate further investment there. However, discussions are at an early stage in terms of future investment and have yet to be fully developed.

950. **Mr. Quinn** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the decision of the European Court of Justice on 12 September 2006 (details supplied) with regard to a taxation case involving a European multinational corporation; if he has requested the IDA and other agencies to indicate to him the implications for Ireland in relation to its continued programme of attracting foreign direct investment; if the consequences of the decision have a negative impact on Government policy; if so, the steps he proposes to take to redress the balance following the decision of the European Court; and if he will make a statement on the matter. [28989/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I am aware of the ECJ ruling that the Deputy has referred to. The September 12 decision from the ECJ confirms the earlier Opinion issued by the Court that the UK Controlled Foreign Companies (CFC) rules restrict the freedom of establishment principle and are only justified to the extent that they are applied to counter “wholly artificial arrangements”. Taxation is of course the responsibility of my colleague Mr. Brian Cowen TD, Minister for Fin-

ance, and I understand that officials in his Department are examining the longer-term implications of the judgement.

The business structures that multinational companies use to serve their markets from Ireland are legitimate and legal under European law. Therefore in order to avail of our 12.5% Corporate Tax rate the taxpaying company must be trading and have real economic substance in Ireland. The rate cannot be availed of by “brass plate” type operations, which are targeted by CFC legislation. From an IDA perspective the decision has two positives: it clearly finds that the establishment of a subsidiary, in part, for tax reasons does not constitute an abuse of freedom of establishment; and it will discourage wholly artificial arrangements while encouraging locating economic value in Ireland. IDA is only interested in attracting genuine economic activity to Ireland and therefore the ECJ decision is fully consistent with our existing policy.

Decentralisation Programme.

951. **Mr. Nolan** asked the Minister for Enterprise, Trade and Employment the position in relation to decentralising part of his Department to Carlow; and if he will make a statement on the matter. [29103/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): My Department has been making good progress in the relocation of 250 posts to Carlow under the Government’s Decentralisation Programme. The number of posts in Business Units decentralising to Carlow, as at 15th September, is 280. Having regard to the agreed staffing protocols governing decentralisation, my Department has approached all General Service staff who expressed a first preference before 7th September 2004 i.e. “Priority Applications” for relocation to Carlow through the Central Application Facility, with good interest across all grades.

Officials in my Department have analysed the “Two to Ten” priority applicants — those who before the 7th September 2004 deadline identified Carlow as their 2nd or subsequent choice. In addition, given that there still remains a deficit in some grades my Department has assessed the post September 2004 CAF applicants, in line with Department of Finance policy.

My Department currently has 102 Carlow-bound applicants assigned within the Department, with a further 76 Carlow-bound applicants yet to be assigned to the Department. It is hoped to have all decentralising posts filled in sufficient time to ensure that staff are adequately trained in advance of the move to Carlow.

With regard to the property side of the Department’s move, the Office of Public Works completed the purchase of a site in Carlow town centre late last year. On 31st May 2006, the OPW commenced the tendering process by seeking

expressions of interest from developers in relation to the design, build, finance and maintenance of new office accommodation and car parking for the Department in Carlow.

On completion of this stage, a short-list of developers will be drawn up from whom tenders will be invited. Following the tender evaluation process the preferred tenderer will be requested to seek suitable planning permission. On obtaining this, the OPW will formally award the contract and construction will commence. The OPW expect construction to begin late in 2007 and the construction phase may take up to 24 months.

In order to accommodate staff who wish to move earlier than the projected building completion date, officials of my Department, in consultation with the Department of Finance and the OPW, as well as decentralising staff and Business Units, are actively exploring the option of an earlier move to Carlow, subject to securing high quality temporary accommodation. This latter option could allow for the movement of approximately 80 decentralising staff to Carlow during 2007, on a voluntary basis.

Community Employment Schemes.

952. **Mr. Crowe** asked the Minister for Enterprise, Trade and Employment the plans he has to make changes to community employment schemes to enhance the role of community activists particularly in RAPID and CLÁR areas. [29239/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): Responsibility for the implementation of the RAPID and CLÁR Programmes resides with the Minister for Community, Rural and Gaeltacht Affairs. My Department’s contribution to the RAPID Programme is being delivered by FÁS through FÁS Community Services, the Local Employment Service and FÁS Training Services. The Community Employment Programme, constitutes a major element of FÁS Community Services, and continues to be prioritised in the RAPID and CLAR areas.

FÁS liaises locally with community activists on an ongoing basis in the course of their day-to-day activity and more formally through the RAPID and CLÁR implementation structure (Area Implementation Teams etc.) to enable community groups and voluntary organisations to benefit from the delivery of employment schemes in local communities.

Consumer Protection.

953. **Mr. Bruton** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the fact that many traders, particularly in the repair and maintenance business go door to door touting for business often only providing a mobile phone number; if his

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further attention has been drawn to the fact that there appears to be a growing number of cases where householders have been defrauded without redress as a result; his views on whether some form of registration for persons who trade for persons door to door, should be introduced which would set minimum standards to include requirements (details supplied); and if he will make a statement on the matter. [29272/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): Consumers enjoy certain statutory protections from the activities of unscrupulous traders. The Sale of Goods and Supply of Services Act 1980 requires that in every contract for the supply of a service where the supplier is acting in the course of a business, the following terms are implied:

- that the supplier has the necessary skill to render the service,
- that he will supply the service with due skill, care and diligence,
- that, where materials are used, they be sound and reasonably fit for the purpose for which they are required, and
- that, where goods are supplied under the contract, they will be of merchantable quality.

Accordingly where a trader or contractor does not have the necessary skill or does not carry out work with due care and diligence or does not carry out work in accordance with terms of the contract, a consumer may initiate proceedings against the trader on the basis of the above provisions.

I agree with the Deputy that door to door traders should provide the fullest possible information in relation to their businesses to enable consumers to enforce their rights and where necessary pursue such traders for redress. Under the European Communities (Cancellation of Contracts Negotiated Away from Business Premises) Regulations 1989 (known as the Doorstep Selling Regulations), contracts to supply goods or services which are negotiated away from a trader's business premises, including doorstep contracts, oblige traders to deliver to the consumer a notice in writing detailing certain information necessary to allow the consumer to exercise his statutory entitlement under the Regulations to cancel the contract within 7 days.

When launching the General Scheme of the Bill to establish the new National Consumer Agency last month, I announced my Department's intention to review all secondary consumer protection legislation. I intend that in reviewing the Doorstep Selling Regulations to examine the possibility of expanding the information door to door traders are required to give to consumers under the Regulations.

The recently adopted European Directive concerning Unfair Business to Consumer Commercial Practices in the Internal Market contains a general prohibition on commercial practices that might be considered unfair, aggressive or misleading. In particular Article 7(4) of the Directive provides that, where a trader invites a consumer to purchase a good or service, a failure on his part to provide a range of specified information to the consumer, including the trader's geographical address, is a misleading commercial practice which is prohibited under the Directive.

The Bill establishing the National Consumer Agency will also include provisions to transpose the Directive, including this important protection for consumers, into national law. When enacted, the law will allow individual consumers or the new National Consumer Agency to seek a court injunction to prevent specific traders from engaging in such activities. I am also aware of reported instances of some door to door traders engaging in acts of coercion and fraud against consumers, particularly vulnerable consumers. It is important that all such instances are reported to the Garda who have successfully prosecuted such traders in the past. It is my intention that the legislation establishing the new National Consumer Agency will include specific provisions enabling the Agency to share information in relation to suspected offences of the type referred to above with bodies such as the Garda.

I do not feel that introducing a form of registration for door to door traders would necessarily resolve the difficulties experienced by consumers at the hands of some of these traders. Rather I consider that these difficulties can best be addressed by a combination of consumers themselves exercising due caution when considering engaging the services of a door to door trader together with the introduction and aggressive enforcement of the provisions of the Unfair Commercial Practices Directive outlawing unfair and misleading trade practices.

Finally I would urge all consumers to exercise caution when entering into doorstep contracts and to fully acquaint themselves with their rights in such circumstances. Any consumer who feels that he/she may have suffered at the hands of an unscrupulous trader should bring the matter to the attention of the Director of Consumer Affairs with a view to establishing their rights in the specific situation.

Census of Population.

954. **Ms C. Murphy** asked the Minister for Enterprise, Trade and Employment if figures released by the Central Statistics Office in July 2006 via the Census 2006 Preliminary Report will be used by his Department for any reason; if so, what the figures will be used for; and if he will make a statement on the matter. [29303/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Census 2006 Preliminary Report results are likely to be used by my Department for general economic commentary, for comparing our demographic indicators with other economies and, indeed, in informing our labour market policy considerations on issues such as employment, training and migration. Equally, the enterprise development and advisory agencies such as Enterprise Ireland, IDA Ireland and Forfas, as well as FAS, the Employment and Training agency — all operating under the aegis of my Department — would also make relevant use of the data in the Preliminary Report, although we would all be conscious that the data contained therein is, as its title suggests, “preliminary”.

The population of each CEB area also informs the needs of the 35 County and City Enterprise Boards (CEBs).

Job Losses.

955. **Mr. Connolly** asked the Minister for Enterprise, Trade and Employment if he proposes to enter into discussions with Enterprise Ireland with a view to the creation of alternative jobs to replace the 146 jobs lost in the restructuring plans of a company (details supplied), and in particular the 64 redundancies announced in the small community of Lough Egish and Carrickmacross, County Monaghan; and if he will make a statement on the matter. [29333/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I am very concerned about the job losses announced in the company and their impact on the workers, their families and the local communities. Finding alternative employment for the workers is a priority for the State Development agencies and IDA Ireland, Enterprise Ireland and FÁS will play their part in developing a way forward for the workers. The role of FÁS, the State Training agency, will be particularly important in assisting those who are to lose their jobs and the agency will make its full range of services available to the workers if they wish to avail of those services. I understand an initial meeting between the company and FÁS is scheduled to take place next week.

In recent years, Enterprise Ireland approved funding in support of Community Enterprise Centres in Lough Egish, Ballybay, Castleblaney, Emyvale and Monaghan. In addition, Enterprise Ireland has also worked with the local community in Lough Egish to develop the Lough Egish Food Park. In total, there are eight food companies located in the Food Park employing approximately 180 people. Furthermore, under the most recent round of Community Enterprise Centre funding that I announced in April 2006, Enterprise Ireland has approved €350,000 for a new Community Enterprise Centre in Carrickmacross.

The State Development agencies, including IDA Ireland and the County Enterprise Boards, will continue to strengthen their marketing efforts, in partnership with local interests, in order to increase employment opportunities for the areas where the job losses are to take place.

Industrial Development.

956. **Mr. Wall** asked the Minister for Enterprise, Trade and Employment the dates for the next trade mission planned by his Department, the IDA or State agencies that he intends leading; the slots available to interested parties in regard to such delegations; and if he will make a statement on the matter. [29394/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The next Trade Mission that I will lead is to Canada, from 16th to 20th October next. This event has been organised by Enterprise Ireland (EI) and at this late stage the details of the various events have been decided and the list of companies participating has been finalised, as logistical arrangements need to be settled some weeks in advance.

The procedure in Enterprise Ireland for inviting participants for this and similar missions, is that potential companies are canvassed in advance to ascertain their interest in becoming involved. In this case, the canvass is based on both existing EI client companies who are already exporters to Canada and also potential exporters, who are identified by Enterprise Ireland among their client companies, as possibly being in a position of commencing exports to that country.

If the Deputy is aware of any company interested in participating in future missions, such companies should contact the International Sales and Partnering Division of that Agency to discuss the issue.

957. **Mr. Wall** asked the Minister for Enterprise, Trade and Employment the number of industrial or commercial itineraries that have visited Kildare in the past year; the results of such visits; and if he will make a statement on the matter. [29395/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): IDA Ireland is the Agency with statutory responsibility for the attraction of foreign direct investment (FDI) to Ireland, including its regions and areas. The agency hosted 2 visits to County Kildare in the past twelve months, one to Naas and one to Athy. The Agency has maintained contact with the companies involved with a view to securing investment, if possible.

IDA Ireland's strategy for County Kildare is:

- To progress the development of a knowledge economy; in order that the County can compete both nationally and internationally for foreign direct investment;

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- To encourage increased cooperation between foreign direct investment companies and the third level institutions in the County e.g. National University of Ireland, Maynooth;
- To work with the existing client base in the County and to expand their presence in the County;
- To provide modern property solutions with supporting infrastructure;
- To work with Local Authorities and relevant infrastructure providers to influence the delivery of appropriate infrastructure to the County.

In recent months, IFS, a financial services company has established a facility in Millennium Park Naas and in recent years the county has attracted some world class manufacturing companies such as Intel, Wyeth Medica, Braun Oral B and Hewlett Packard.

I am confident that the strategies and policies being pursued by IDA Ireland, together with the ongoing commitment of Government to regional development will bear fruit in terms of additional sustainable investment and jobs for the area.

Job Losses.

958. **Mr. Wall** asked the Minister for Enterprise, Trade and Employment the steps his Department will take to off-set the major loss of industry in the South Kildare and Carlow region; the meetings he or his officials have had with the various companies involved in regard to seeking a solution to resolving the redundancies of those effected; the results of such meetings; and if he will make a statement on the matter. [29396/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I am very concerned about the job losses in the companies concerned and the impact on the workers, their families and the local communities. Finding alternative employment for the workers is a priority for the State Development agencies and accordingly IDA Ireland, Enterprise Ireland and FAS will play their part in developing a way forward. The role of the training agency FAS is particularly important and, depending on the company concerned, FAS either has been or will be actively engaged in providing a career guidance service and training for the employees effected.

To date, IDA Ireland has invested almost €11.5 million in developing the Carlow Business and Technology Park. This includes a 17,000 sq. ft advance office building which was completed last November. Discussions are on-going with a number of potential investors. In June of this year, I announced that €300,000 had been approved for an expansion of Carlow Community Enterprise Centres Ltd. Funding has also been

provided for an Economic Promotion and Development Officer in Carlow.

As regards Kildare, a number of world class manufacturing companies have located there in recent years. I am aware that there are 25 IDA supported companies in the county employing nearly 11,000 people. Last October, I opened the first phase of a major new €40 million commercial business park in Athy which is having widespread positive implications for the development of Athy and the wider Kildare region. This Athy Business Campus will extend to about 16 acres and is due for completion in 2009.

I am satisfied that the ongoing efforts of the Industrial Development agencies, including the County Enterprise Boards will continue to bring investment and job creation opportunities to the areas in question.

Question No. 959 answered with Question No. 949.

Employment Rights.

960. **Mr. Wall** asked the Minister for Enterprise, Trade and Employment if a person can submit a claim to the Rights Commissioner and the Equality Tribunal at the same time and have both cases processed simultaneously or if there is a procedure that must be adhered to in regard to such cases; and if he will make a statement on the matter. [29472/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): There are no specific provisions in industrial relations or employment rights legislation, under which a complaint can be referred to a Rights Commissioner, which prohibit the complaint also being heard by the Equality Tribunal.

However, there are a number of provisions in equality legislation that are relevant in this regard. While Ministerial responsibility for equality legislation lies with the Minister for Justice, Equality and Law Reform, I understand that Section 101(2)(b) of the Employment Equality Act 1998 (as amended by the Equality Act 2004) provides that where an individual has referred a dismissal case to the Director of the Equality Tribunal under section 77(1) of that Act and either a settlement has been reached by mediation or the Director has begun an investigation under section 79, an individual shall not be entitled to seek redress under the Unfair Dismissals Acts 1977 to 2005 in respect of the dismissal, unless the Director of the Equality Tribunal, having completed the investigation, and in an appropriate case, directs otherwise.

Section 101(4) of the Employment Equality Act 1998 (as amended by the Equality Act 2004) provides that an employee who has been dismissed shall not be entitled to seek redress under the Employment Equality Acts if a Rights Com-

missioner has issued a recommendation in respect of the dismissal under the Unfair Dismissals Acts.

Section 101A of the Employment Equality Act 1998 (which was inserted by the Equality Act 2004) provides that where the conduct of an employer constitutes both a contravention of Part III or IV of the Employment Equality Acts and a contravention of either the Protection of Employees (Part-Time Work) Act 2001 or the Protection of Employees (Fixed-Term Work) Act 2003, relief may not be granted to the employee concerned in respect of the conduct under both the Employment Equality Act 1998 and either of these two employment protection Acts.

Information regarding procedures for the submission of complaints to the Rights Commissioner Service is available from the Labour Relations Commission website, *www.lrc.ie*. Information regarding procedures for the submission of complaints to the Equality Tribunal is available at *www.equalitytribunal.ie*.

Corporate Enforcement.

961. **Ms Burton** asked the Minister for Enterprise, Trade and Employment the provisions which exist in Irish law to ensure that persons disqualified from acting as a director in another EU country are disqualified from acting as a director of an Irish company; if he is experiencing difficulties in this regard; if his attention has been drawn to the status of a director of an Irish company (details supplied) who has been disqualified as a director in another EU country for a period of 20 years; if this matter has come to his attention; and if he will make a statement on the matter. [29473/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. M. Ahern):

Section 3A of the Companies (Amendment) Act 1982 (as inserted by section 101 of the Company Law Enforcement Act 2001) provides that a person who is disqualified in another jurisdiction must notify the Registrar of Companies of the disqualification, if that person wishes to be appointed as a director of an Irish registered company. Where a disqualified person makes this disclosure, it is available on the Register of Companies for public inspection. Section 160 (1A) of the Companies Act 1990 (as inserted by section 42 of the Company Law Enforcement Act, 2001) provides that where a person who is disqualified in another jurisdiction fails to disclose that disqualification, as required by Section 3A of the Companies (Amendment) Act 1982, that person shall be deemed to be disqualified in this jurisdiction. If that person then acts as a director while disqualified they are guilty of an offence.

Section 160 of the Companies Act 1990 (as amended) also provides that the Director of Corporate Enforcement may apply to the High Court for a disqualification order against a person who

is disqualified abroad, under the specific circumstances set out in section 160 (2)(i) of the Companies Act 1990 (as inserted by Section 42 of the Company Law Enforcement Act 2001). The High Court has not to date heard any such proceedings.

I understand that the Director of Corporate Enforcement has been involved in Court proceedings relating to persons acting as directors of Irish companies following their failure to ensure that their disqualification in another jurisdiction was notified to the Registrar on their appointment. Under section 12 of the Company Law Enforcement Act 2001, the Director of Corporate Enforcement is independent in the performance of his functions. It is a matter for the Director to determine which cases he pursues. The limited details of the individual case referred to by the Deputy have been referred by my Department to the Office of the Director of Corporate Enforcement (ODCE). However, if the Deputy has any further information, I would be grateful if she would make it available to the ODCE.

Industrial Development.

962. **Mr. Lowry** asked the Minister for Enterprise, Trade and Employment the number of visits to North Tipperary, Limerick and Clare arranged by Shannon Development and the IDA for potential foreign direct investors, industrial developers or potential locating multi-nationals to date in 2006; the number anticipated for the remainder of 2006; the measures being taken to address the low level of priority for investment purposes given to North Tipperary by comparison with other counties in the mid-west region over the past six years; and if he will make a statement on the matter. [29638/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): IDA Ireland is the Agency with statutory responsibility for the attraction of foreign direct investment (FDI) to Ireland, including its regions and areas. The agency hosted 19 visits to Limerick and 6 visits to Clare since the beginning of 2006. So far this year no visits have been hosted to North Tipperary. Ultimately, decisions regarding where to locate, including what areas to visit as potential locations, are taken by investors. As such it is not possible to predict with any degree of accuracy what further visits might take place to these counties during the year.

There are currently six IDA supported companies in North Tipperary, employing a total of 717 people. The attractiveness of North Tipperary for inward investment has to be seen within a regional context, with the National Spatial Strategy (NSS) providing a framework for the achievement of this goal. IDA Ireland's regional strategy reflects the NSS, with an emphasis on the gateway and hub locations. IDA is committed to the development of North Tipperary and is

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actively promoting the County for FDI, as part of an integrated Mid West region.

IDA's strategy for the Mid West region and North Tipperary involves:

- Winning new FDI in innovation driven, high value, high skills sectors
- Working with existing companies to help them expand their presence in Ireland by the addition of increased functions of scale, including, in particular, increased strategic functions
- Pursuing balanced regional development
- Facilitating the provision of tailored property solutions and the supporting infrastructure to meet the needs of inward investors.
- Working with local authorities and other partners to develop and strengthen the attractiveness of the region in an effort to help win new FDI.

In moving North Tipperary to a more knowledge based economy, IDA Ireland is partnering with educational institutions in the region, in particular UL, LIT and TI, in developing the skill sets necessary to attract high value added employment in areas such as R&D, corporate services, shared services, supply chain management, treasury management, etc.

Responsibility for the provision of industrial property solutions within the Mid West region also lies with Shannon Development and IDA Ireland works closely with Shannon Development in the promotion and marketing of these tailored property solutions. Initiatives undertaken by Shannon Development include the Development of the Tipperary Technology Park, which is an integral part of IDA's international marketing programme and will be pivotal to attracting new investors. Shannon Development, in association with Local Authorities, is also spearheading the drive to bring high-internet access to the region. Templemore, Nenagh and Roscrea have been scheduled as Priority Towns for Phase 2 of the Broadband roll-out programme.

I am confident that the strategies and policies being pursued by IDA Ireland, together with the ongoing commitment of Government to regional development will bear fruit in terms of additional sustainable investment and jobs for North Tipperary and the Mid West generally.

Job Creation.

963. **Mr. O'Connor** asked the Minister for Enterprise, Trade and Employment the actions being taken to ensure that the future job creation needs of Tallaght receive special attention, in view of the fact that Tallaght has such a young population; and if he will make a statement on the matter. [29775/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The issue is a day-to-day operational matter for the industrial development agencies and relevant County Enterprise Boards, and not one in which I have a direct role. IDA Ireland continues to market South County Dublin, including Tallaght and its environs, as a potential location for new foreign direct investment (FDI), in order to secure new investment and additional jobs for the region.

IDA Ireland's strategy for the Dublin area is to attract and expand major FDI projects, moving up the value chain. South County Dublin is well equipped to compete with other areas for potential foreign direct investment, with superb infrastructural facilities at Citywest and Grange castle, and a supply of well educated labour from the third level Institute of Technology at Tallaght. Both business parks, and the Institute of Technology are easily accessible to the population of Tallaght.

Companies present in the area such as Wyeth Biopharma and Takeda Pharma Ireland Ltd in the pharmaceuticals sector provide high value employment and act as excellent reference sellers for the area. Planning Permission has recently been approved for an Advance Integrated Circuit Manufacturing and Research facility at Grange castle. This is the largest planning application to date in the State, and will be an invaluable tool for the future marketing of Grange castle as a potential source of high quality and large-scale employment for the population of the environs, including Tallaght.

Enterprise Ireland works with companies in its portfolio to assist them to grow their sales and exports and improve innovation in order that they can compete on world markets. The Agency is encouraging companies to adopt new technologies to add value to their products and services. Since the beginning of 2003, Enterprise Ireland has approved over €8.5m and made payments of €7.2m in support of development projects for indigenous companies in South County Dublin.

Enterprise Ireland has provided funding for the development of Community Enterprise Centres in South Dublin such as Brookfield, Bolbrook and Killinarden. These centres provide incubation space for start-ups and also provide ancillary services such as training, mentoring etc., to address the needs of local clients. Enterprise Ireland also supports the development of business incubation workspace as part of its on-going commitment to fostering links between colleges and industry, and has approved funding for the development of incubation space at the Tallaght Institute of Technology. It is anticipated that graduates from the college, or members of research teams based in the college, will be to the forefront in using the centre, and in creating new jobs, particularly in the high tech sectors. The

centre is almost finalised and is expected to be in operation in 2007.

In addition, the South Dublin County Enterprise Board (CEB) is pro-actively involved in the development of indigenous enterprise, and provides a source of support for small businesses in the region. Since its inception, the Board has approved financial assistance of just over €3.4m to businesses based in Tallaght. These grants and other financial supports have resulted in the creation and maintenance of 320 jobs.

South Dublin CEB's 2006 budget allocation stands at over €1.1m, 16.5% higher than the allocation provided to the Board in 2005. This increase enables the South Dublin Board to maximize entrepreneurial development in the micro-enterprise sector throughout the region, including the Tallaght area. South Dublin CEB continues to assist micro-enterprises not just by direct grant aid to businesses and project promoters but also through the provision of a range of other important business supports such as mentoring, business training and business advice all of which help to stimulate indigenous enterprise creation and job creation.

Work Permits.

964. **Mr. Timmins** asked the Minister for Enterprise, Trade and Employment the position regarding the case of a person (details supplied) in County Wicklow; and if he will make a statement on the matter. [29870/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Work Permits section of my Department has informed me that the new Spousal and Dependent Work Permit Scheme will be available on an exceptional basis to dependants resident in the State who have reached the age of 18. These applications will be dealt with strictly on a case-by-case basis and can only be considered for dependents whose immigration status in the State is in order.

The administrative arrangements of the new Scheme are currently being finalised and it should be operational in the next few weeks. Information and detailed guidelines on how to apply will be posted on our website at www.entemp.ie. I will arrange for officials from my Department to contact the employer in relation to this case.

EU Directives.

965. **Mr. Boyle** asked the Minister for Enterprise, Trade and Employment if he has progressed plans to strengthen legislation in relation to implementing the Seveso Two directive into Irish law. [30127/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The European Communities (Control of Major Accident Hazards Involving Dangerous

Substances) Regulations 2006 (S.I. No. 74 of 2006) were signed on 15 February 2006 and came into operation from that date.

The Regulations transpose Council Directive 96/82/EC on the control of major accident hazards involving dangerous substances as amended by Directive 2003/105/EC (Seveso II) of the European Parliament and of the Council. The Regulations also revoke and replace the earlier provisions for major accident control, namely:

(i) the European Communities (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2000 (S.I. No. 476 of 2000), and

(ii) the European Communities (Control of Major Accident Hazards Involving Dangerous Substances)(Amendment) Regulations 2003 (S.I. No. 402 of 2003).

The Health & Safety Authority is the Central Competent Authority under the Regulations.

Industrial Site Development.

966. **Mr. Boyle** asked the Minister for Enterprise, Trade and Employment if he will elaborate on the envisaged time-scale regarding his recent announcement that a site (details supplied) is to be made available for a residential and marina development. [30138/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I have asked that the Working Group, to be chaired by my Department, report to me with outline proposals by the end of April, 2007.

Industrial Development.

967. **Mr. Gogarty** asked the Minister for Enterprise, Trade and Employment the plans for the IDA Business Centre, Gloucester Place, Dublin 1; if this is being sold to a third party; if it is being developed by the IDA; and if he will make a statement on the matter. [30149/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): IDA Ireland is the Agency with statutory responsibility for the attraction of foreign direct investment (FDI) to Ireland. The management of its property portfolio is a day-to-day operational matter for the Agency as part of its statutory responsibilities and not a matter in which my Department or I have a direct role.

The site where the Business Centre is located has been identified by Dublin City Council as a key 'gateway site' to the North Inner City, as part of the North East Inner City Integrated Area Plan. IDA Ireland is currently considering a number of options in relation to the property in question, including the sale of the property on the open market. However, there are a number of issues to be resolved prior to making a final decision and I understand IDA Ireland is working

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in close co-operation with Dublin City Council regarding their options.

Health Services.

968. **Mr. F. McGrath** asked the Minister for Social and Family Affairs if assistance will be given to a person (details supplied) in Dublin 5 in relation to the rent allowance; and if they will be given the best advice on entitlements and benefits. [28220/06]

Minister for Social and Family Affairs (Mr. Brennan): The supplementary welfare allowance scheme, which includes rent supplement, is administered on behalf of the Department by the community welfare division of the Health Service Executive. Neither I nor my Department has any function in relation to decisions on individual claims.

The person concerned applied for Rent Supplement earlier this year but she was refused on the grounds that she had previously vacated Local Authority housing. She subsequently demonstrated at an appeal hearing that she had reasonable grounds for leaving the Local Authority house.

The person concerned is currently residing at her mother's home and there is no current claim for Rent Supplement from her. If she requires assistance towards any future rental agreement she should contact the local Community Welfare Officer for the area in which the property is located, prior to entering into any agreement, so that her entitlement to a rent supplement payment can be assessed. The Executive will also advise the person concerned in relation to any other entitlements she may have.

969. **Mr. N. O'Keeffe** asked the Minister for Social and Family Affairs if he will investigate the withdrawal of a heating subsidy from a person (details supplied) in County Limerick who has additional and special heating needs. [28708/06]

Minister for Social and Family Affairs (Mr. Brennan): The supplementary welfare allowance scheme is administered on behalf of the Department by the community welfare division of the Health Service Executive. Neither I nor my Department has any function in relation to decisions on individual claims.

If a recipient of a social welfare or Health Services Executive payment has exceptional heating costs due to ill health, infirmity or a medical condition which he/she is unable to meet out of household income, it is open to him/her to apply to the local community welfare officer for a special heating supplement under the supplementary welfare allowance scheme.

In my reply to a previous question from the Deputy on 4 April 2006, I stated that the Mid Western Area of the Health Service Executive

had advised that payment of a heating subsidy to the person concerned had been suspended from the end of February 2006 due to an increase in household means and that the application was under further review.

The Executive has advised that it was not in a position to reinstate payment of the heating supplement in this case as the changes to household composition resulted in an increase in overall household income and the person concerned had not provided sufficient documentation to indicate that exceptional heating costs had been incurred. As an interim measure, pending the documentation being provided, the Executive issued the person with an exceptional needs payment of €200 in August 2006 as a contribution towards heating costs.

The Executive has further advised that it is open to the person concerned to contact the community welfare officer at any time to provide any additional information that would support his claim for a special heating supplement.

Social Welfare Benefits.

970. **Ms Burton** asked the Minister for Social and Family Affairs the estimated cost of the recent announcement of the extension of the free schemes on energy, electricity and so on to old age pensioners; the number of qualifying recipients; the cost of the schemes per annum from 2002 to date in 2006; and if he will make a statement on the matter. [28856/06]

Minister for Social and Family Affairs (Mr. Brennan): Following the recent energy price increases, my Department is increasing the current annual entitlement of 1,800 free units of electricity to 2,400 units from January 2007. A pro rata increase will also apply on the gas allowance from October 2006. The estimated annual cost of the increases is EUR 46 million for the electricity allowance and EUR 2.9 million for the gas allowance. My Department will spend some EUR119 million on electricity and gas allowances under the household benefits scheme for some 340,000 qualifying customers in 2006.

The cost of the electricity and gas allowances from 2002 to 2005 is as follows:

Cost of scheme € millions

	Electricity	Gas
2002	62.6m	3.4m
2003	75.4m	5.0m
2004	88.0m	5.6m
2005	104.0m	6.3m
2006	110.0 est.	8.3 est.

971. **Ms Burton** asked the Minister for Social and Family Affairs the estimated cost of the recent announcement of the extension of the old

age pensioners public transport pass to cover peak hours; the number of qualifying recipients; the estimated cost of the OAP public transport pass per annum from 2002 to date in 2006; and if he will make a statement on the matter. [28857/06]

Minister for Social and Family Affairs (Mr. Brennan): It has been agreed between my Department and CIE that all peak travel time restrictions for free travel customers will be removed with effect from 25 September 2006 at an annual cost of some €1.15 million. The free travel scheme permits circa 600,000 recipients to travel free on a range of transport services.

The value of a free travel pass to an individual customer depends on usage and may vary from customer to customer. For accounting purposes within my Department, the average value of a free travel pass is calculated using the total number of recipients and the overall cost of the scheme in the individual year. Based on this method of calculation the average values of a free travel pass since 2002 are as follows:

Year	Average Value of Free Travel Pass
	€
2002	76.00
2003	76.00
2004	89.10
2005	87.50
2006	92.33

Health Services.

972. **Mr. Quinn** asked the Minister for Social and Family Affairs the reasons a person (details supplied) had their homeless benefit withdrawn by the then Northern Area Health Board in January 2003; the steps which were taken in relation to this case to ensure that the benefits were not being incorrectly suspended; the appeals or reviews of this case which were undertaken; the process this person should follow in order to have their benefits reinstated for the period until June 2005 when they became housed; and if he will make a statement on the matter. [28862/06]

Minister for Social and Family Affairs (Mr. Brennan): The supplementary welfare allowance scheme is administered on behalf of my Department by the Community Welfare division of the Health Service Executive. Neither I nor my Department has any function in relation to decisions on individual claims.

The Health Service Executive has advised that following a review of the claim of the person concerned, payment of supplementary welfare allowance was suspended in January 2003. The person concerned was requested to contact the community welfare services so that the review of his

claim could be completed, but has not done so to date. The Executive has further advised that the decision was appealed to the Executive's Appeals Officer but the appeal was subsequently withdrawn by the person concerned. If the person concerned wishes to discuss his entitlements to supplementary welfare allowance with the Executive, he should contact his local community welfare officer in this regard.

973. **Mr. Durkan** asked the Minister for Social and Family Affairs when mortgage support will be offered in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29188/06]

Minister for Social and Family Affairs (Mr. Brennan): The supplementary welfare allowance scheme which includes rent and mortgage interest supplements is administered on behalf of my Department by the Community Welfare division of the Health Service Executive. Neither I nor my Department has any function in relation to decisions on individual claims.

The Health Service Executive has advised that it has received an application for a mortgage interest supplement from the person concerned. The Executive further advises that it has yet to make a determination on the matter and the person concerned will be advised of the position as soon as possible.

Social Welfare Benefits.

974. **Mr. F. McGrath** asked the Minister for Social and Family Affairs if the free travel scheme is available for Irish pensioners who worked in Ireland for years, emigrated to England, but are now regular visitors here; and the position regarding this issue. [28259/06]

979. **Mr. O'Shea** asked the Minister for Social and Family Affairs the progress which has been made to extend free travel to elderly or disabled Irish emigrants returning to Ireland for holidays; and if he will make a statement on the matter. [28499/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 974 and 979 together.

The free travel scheme is available to all people living in the State aged 66 years or over. All carers in receipt of carer's allowance and carers of people in receipt of constant attendance or prescribed relative's allowance, regardless of their age, receive a free travel pass. It is also available to people under age 66 who are in receipt of certain disability type welfare payments, such as disability allowance, invalidity pension and blind person's pension. People resident in the State who are in receipt of a social security invalidity or disability payment from a country covered by EU Regulations, or from a

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country with which Ireland has a bilateral social security agreement, and who have been in receipt of this payment for at least 12 months, are also eligible for free travel.

There have been a number of requests and enquiries in relation to the extension of entitlement to free travel in Ireland to Irish born people living outside Ireland, or to those in receipt of pensions from my Department, particularly in the UK, when they return to Ireland for a visit. I have been advised that it would not be possible to extend entitlement to free travel simply to Irish born people living abroad as to do so would be contrary to European legislation which prohibits discrimination on the grounds of nationality. I have raised the issue with the Commissioner for Employment and Social Affairs and officials from my Department met with European Commission officials on two occasions in an effort to clarify the legal issues involved. I am keeping this issue under review and contacts with the European Commission are ongoing.

975. **Mr. Gilmore** asked the Minister for Social and Family Affairs his plans to amend the free fuel schemes in view of recent increased electricity and gas prices; and if he will make a statement on the matter. [28331/06]

1020. **Mr. Lowry** asked the Minister for Social and Family Affairs if the means test for persons aged over 70 no longer applies to applicants of the household benefits package and in particular the free fuel allowance, as outlined in his press statement of 11 September 2006 (details supplied); and if he will make a statement on the matter. [29244/06]

1028. **Mr. Wall** asked the Minister for Social and Family Affairs his proposals in regard to increasing the free electricity and free gas subsidies as operated under the free scheme programme by his department; and if he will make a statement on the matter. [29368/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 975, 1020 and 1028 together.

The household benefits package, which comprises the electricity/gas allowance, telephone allowance and television licence schemes, is generally available to people living permanently in the State, aged 66 years or over, who are in receipt of a social welfare type payment or who satisfy a means test.

The package is also available to carers and people with disabilities under the age of 66 who are in receipt of certain welfare type payments. Widows and widowers aged from 60 to 65 whose late spouses had been in receipt of the household benefits package retain that entitlement to ensure that households do not suffer a loss of entitle-

ments following the death of a spouse. People aged over 70 years of age can qualify for the household benefits package regardless of their income or household composition.

Earlier this month the Government announced improvements in the household benefits package to protect recipients from the increased costs of gas and electricity. As a result of these improvements, the present entitlement of 1,800 free units of electricity per annum will be increased to 2,400 free units per annum from 1 January 2007. There will also be pro rata increases for customers who avail of the gas allowance and these will come into effect on 1 October 2006. The allowances will continue to include payment of the standing charges. I am confident that these increases will be of major benefit to these recipients.

Pension Provisions.

976. **Mr. O'Shea** asked the Minister for Social and Family Affairs his proposals to disregard minimal student work in relation to entry into insurable employment for the purposes of eligibility for retirement or old age pension where same prevents a person from qualifying for pension; and if he will make a statement on the matter. [28343/06]

Minister for Social and Family Affairs (Mr. Brennan): The qualifying conditions for contributory old age pensions require a person to have paid at least 260 contributions at the appropriate rate, enter insurance 10 years before pension age and achieve a yearly average of at least 10 contributions paid or credited on their social insurance record from 1953 (when the unified system of social insurance came into effect) or the date of entry into insurance, if later. A person's contribution record may also be averaged from 1979, but only to qualify for a full rate pension, which requires a yearly average of 48 contributions.

Over the years a number of measures have been introduced to enable more people to qualify for contributory pensions. These include a reduction in the average number of contributions required for a minimum payment from 20 to 10 and the introduction of a number of pro-rata and special pensions to deal with perceived anomalies in the system.

The qualifying conditions for old age pension purposes were designed to ensure that those qualifying for payment have an adequate and sustained history of contributions to the social insurance fund over their working lives. However, the system of averaging contributions can give rise to varying results, with people with the same total number of contributions receiving different rates of payment, or indeed failing to qualify for any payment, depending on when they commenced paying insurance. People can have significant gaps in their social insurance records for a variety of reasons including years spent in education or caring, emigration, or periods where

they were ineligible to contribute because of their income level or they were self-employed.

The Government is committed to producing a Green Paper on pensions as part of the new social partnership agreement Towards 2016 with a view to developing a framework for future pensions policy. The Green Paper will involve a comprehensive examination of the issues associated with our pensions system including those pertaining to social welfare pensions. The operation of the average contributions test and other issues in relation to social welfare pensions will be considered in the context of the Green Paper and the associated consultation process.

Social Welfare Benefits.

977. **Mr. G. Mitchell** asked the Minister for Social and Family Affairs If a person (details supplied) in Dublin 10 is entitled to any form of assistance; and if he will make a statement on the matter. [28419/06]

Minister for Social and Family Affairs (Mr. Brennan): The person to whom the Deputy refers is currently in receipt of a Survivor's Contributory Pension at the maximum rate payable to a person under 66 years and has been advised of a possible entitlement to the National Fuel scheme.

There is a general rule in the social welfare code that a person who is entitled to more than one income maintenance payment at any one time may only receive one of these payments. However, there are some exceptions to this rule which includes the treatment of persons in receipt of Survivor's Pension who, if they have sufficient PRSI contributions, may concurrently receive half-rate Disability Benefit up to a maximum period of 390 days. The person in question did concurrently receive Survivor's Pension with half-rate Disability Benefit for the maximum period.

The person is not qualified for Invalidity Pension, a payment for people who are deemed to be permanently incapable of work, based on the required number of paid or credited PRSI contributions. However, as there is a gap in medical certification for particular periods, the person may be entitled to receive credited PRSI contributions. In order to progress this aspect, the person has been notified accordingly and asked to submit necessary medical evidence for the relevant periods.

Qualification for Invalidity Pension may, depending on the person's circumstances, be more advantageous as it would also allow qualification for receipt of the household benefits package (Electricity/Gas Allowance, the Telephone Allowance and the Free Television License) which is not generally available to recipients of Survivor's Pension until after age 66. In cases of exceptional need, assistance is also available under the Supplementary Welfare scheme, administered by the Health Service Executive.

Any changes to existing entitlements would have to be examined in the context of the wider budgetary package.

Social Welfare Code.

978. **Mr. Hayes** asked the Minister for Social and Family Affairs if the rule in relation to efforts to find work and availability for work must apply to part-time firemen in view of the fact that they need to be available when called to emergencies. [28472/06]

Minister for Social and Family Affairs (Mr. Brennan): In the case of both unemployment benefit and assistance, the legislation provides that all unemployed persons must satisfy the conditions of being available for and genuinely seeking employment in order to be entitled to a payment. Any person who fails to satisfy these conditions on an on-going basis is not entitled to an unemployment payment.

In applying the legislation Deciding Officers do not treat part-time firefighters differently to any other unemployment benefit or assistance claimant. However, days on which part-time firefighters are involved in training or firefighting are disregarded when determining their entitlement to an unemployment payment.

Question No. 979 answered with Question No. 974.

980. **Mr. O'Shea** asked the Minister for Social and Family Affairs his proposals to abolish the three month waiting period for applicants for unemployment assistance who have finished school and reached their eighteenth birthday; and if he will make a statement on the matter. [28540/06]

Minister for Social and Family Affairs (Mr. Brennan): A person is disqualified from receipt of unemployment assistance for any day in which they are attending a full-time day course of study. This disqualification extends over vacation periods during the academic year and summer vacation periods between 2 consecutive years of a course of study.

Second level students are also disqualified from receipt of unemployment assistance for three months after completion of the Leaving Certificate examination or for three months after finishing full-time second level education (whichever is the later). This measure does not apply to unemployment benefit.

Where a child is disqualified for three months and the parent is in receipt of a social welfare payment which includes an increase for him or her, this increase continues to be paid for the duration of the disqualification. There are no plans at present to change existing arrangements in this regard.

Social Welfare Benefits.

981. **Mr. Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Westmeath will be approved and granted the bereavement grant. [28649/06]

Minister for Social and Family Affairs (Mr. Brennan): A bereavement grant of €635 issued to the person concerned on 27 July 2006.

982. **Mr. Ring** asked the Minister for Social and Family Affairs if he will increase the qualifying guidelines for the back to school clothing and footwear allowance scheme in view of the high costs being incurred by families with children returning to school, particularly the high costs of school books; and if he will make a statement on the matter. [28652/06]

983. **Mr. Ring** asked the Minister for Social and Family Affairs if he will amend the back to school clothing and footwear allowance scheme and link it with family income supplement in order that the people in receipt of FIS will automatically receive a back to school clothing and footwear allowance payment; and if he will make a statement on the matter. [28653/06]

984. **Mr. Ring** asked the Minister for Social and Family Affairs if Exceptional Needs Payments will issue to people who are in employment, for example in cases where household income is slightly over the guidelines for the back to school clothing and footwear scheme and there are a number of children in the household; the discretion within the Community Welfare Service in this regard; and if he will make a statement on the matter. [28655/06]

988. **Mr. Ring** asked the Minister for Social and Family Affairs if family income supplement is taken into consideration when assessing people for the back to school clothing and footwear allowance scheme; and if he will make a statement on the matter. [28661/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 982 to 984, inclusive, and 988 together.

The back to school clothing and footwear allowance scheme, BSCFA, operates from the beginning of June to the end of September each year and is administered on behalf of my Department by the Community Welfare division of the Health Service Executive. The BSCFA scheme provides a one-off payment to eligible families to assist with the extra clothing and footwear costs when their children start school each autumn. The allowance is intended as a contribution towards meeting the cost of school clothing and footwear. It is not intended to meet the full cost and it is not intended to meet school book costs. The Department of Education and Science

operate a book grant scheme for primary and secondary schools.

A person may qualify for payment of back to school clothing and footwear allowance if they are in receipt of a social welfare or Health Service Executive payment, are participating in an approved employment scheme or attending a recognised education and training course and have household income at or below certain set levels. Family Income Supplement is a qualifying payment for back to school clothing and footwear purposes. People in receipt of FIS qualify subject to the standard means test and any income received by an applicant in the form of family income supplement is not assessable.

Budget 2006 provided for a number of improvements to the scheme. These include:

- an increase of €40 in the rate payable which now means that from June 2006, an allowance of €120 is payable in respect of qualified children aged from 2 to 11 years, or €190 in respect of qualified children aged from 12 to 22 years. This represents an increase of 50% and 26% respectively over the amount paid last year.
- Extension of entitlement to the back to school clothing and footwear allowance to recipients of guardian's (formerly orphan's) payments for the first time.
- an increase in the additional income disregard for entitlement to the scheme from €50 to €100. The new income limits for the BSCFA scheme for 2006 are based on the maximum rate of state pension (contributory) (under 80) plus €100 in the case of married and cohabiting couples; and the maximum rate of widow's/widower's contributory pension (under 80) plus €100 for lone parents, plus child dependant allowance in each case. This means that the income limits for a couple with one child is €441.40 per week while for a lone parent with one child it is €314.90.

It is estimated that some 78,000 families will benefit under the scheme this year at a cost of €25m.

The Community Welfare Service of the Health Service Executive who administer the supplementary welfare allowance scheme on behalf of my Department may make exceptional needs payments to help meet an essential once-off cost which an applicant is unable to meet out of his/her own resources. This exceptional needs payment is made solely at the discretion of the community welfare officer and is only made where exceptional circumstances exist.

I consider the back to school clothing and footwear allowance scheme to be an important support for parents at a time of particular financial strain. I am satisfied that the improvements to the scheme for this year provide a major boost to meeting the financial costs of clothing and foot-

wear associated with return to school for those who most need assistance. While further improvements to the scheme, including automatic entitlement for those getting family income supplement, would need to be considered in the context of the Budget and in the light of resources available to me for improvements in social welfare payments generally, I intend to keep the scheme under review and to explore how it can be best targeted in the end to support those who most need it.

Questions Nos. 983 and 984 answered with Question No. 982.

985. **Mr. Ring** asked the Minister for Social and Family Affairs the number of applicants in County Mayo who were approved a payment in 2006 and for each of the past five years under the back to school clothing and footwear allowance scheme; and the cost of the scheme to date in 2006 for Mayo and for each of the past five years. [28657/06]

986. **Mr. Ring** asked the Minister for Social and Family Affairs the number of applications received for the back to school clothing and footwear allowance scheme in 2006 to date and for each of the past five years; the number of these applicants who were approved for the scheme; the cost to date in 2006 and for each of the past five years of this scheme; the average payment made to applicants in each period; and if he will make a statement on the matter. [28658/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 985 and 986 together.

The back to school clothing and footwear allowance scheme is administered on my behalf by the Community Welfare division of the Health Service Executive. The scheme is open to applications from June to end-September each year.

In Budget 2006, the rate of the allowance was increased by €40 to €120 for children aged 2 — 11 and to €190 for children aged 12 — 22. The additional income disregard was increased from €50 to €100 per week. Entitlement to the allowance was also extended to recipients of guardian's (formerly orphan's) payment.

Statistics on the numbers and cost of applications approved in County Mayo are not available. However, details on the number of applications and annual cost of back to school clothing and footwear allowance for the former Western Health Board area (comprised of Counties Mayo, Galway and Roscommon) for the years 2001-2005 are set out in Table 1 in the following appendix. Costs for 2006 to date for this area are not yet available.

The total number of applications received for back to school clothing and footwear allowance, the number awarded, the annual cost and the average payment per applicant for the years 2001-

2006 are set out in Table 2 in the following appendix.

In 2006 as in previous years, the availability of the scheme was the subject of an extensive awareness/advertising campaign in the national and regional media.

Table 1: Number of application approved and annual cost of BSCFA for the former Western Health Board area (Mayo, Galway & Roscommon)

Year	Number of applications	Annual Cost
		€ million
2001	6,648	1.561
2002	7,591	1.861
2003	7,427	2.078
2004	7,042	1.868
2005	6,944	1.771

Table 2: BSCFA Applications, awards, annual cost 2001-2005

Year	Applications	Awards	Annual Cost	Average payment per family
			€ Million	€
2001	71,660	63,969	12.8	200
2002	78,181	71,759	15.2	212
2003	81,851	75,202	17.7	235
2004	76,906	70,577	17.0	241
2005	83,199	76,166	16.7	219
2006 (latest figures)	Data not available	78,041	23.5	301

Social Welfare Benefits.

987. **Mr. Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will receive their respite care grant for the care they provide to their spouse. [28659/06]

1032. **Mr. Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be approved and paid the respite care grant. [29679/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 987 and 1032 together.

The person concerned submitted an application for the Respite Care Grant in respect of full-time care provided by her in respect of her husband.

A decision not to award the Respite Care Grant in this case was made by a Deciding Officer on 19th September 2006. Amongst the documentary information relied upon by the Deciding Officer was the opinion of a medical assessor who, on examination of the medical evidence submitted with the application, was of the

[Mr. Brennan.]

view that the person being cared for was not so incapacitated as to require full time care and attention.

A Deciding Officer may revise any decision on receipt of new facts or evidence. Should further medical evidence supporting the contention that the person in question requires full-time care and attention be submitted to my Department, the situation will be reviewed.

The carer is entitled to formally appeal the decision to disallow the respite care grant by submitting an appeal to the Social Welfare Appeals Office.

Question No. 988 answered with Question No. 982.

989. **Mr. Ring** asked the Minister for Social and Family Affairs when an oral hearing will be arranged for a person (details supplied) in County Mayo to finalise their invalidity pension appeal. [28663/06]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned applied for Invalidity Pension on 24 June 2005. The application was disallowed by the Deciding Officer on 9 March 2006, following an examination by a Medical Assessor of the Department.

The person appealed against this decision to the Social Welfare Appeals Office on 4 April 2006 and further medical evidence was considered by a second Medical Advisor on 15 May 2006 who expressed the opinion that the person concerned did not meet the requirements for Invalidity Pension. In accordance with the statutory requirements in relation to appeals the relevant departmental papers and comments of my Department were sought. These are now to hand and the case has been referred to an Appeals Officer who proposes to hold an oral hearing. The person will be informed as soon as the arrangements for the hearing are in place.

Under Social Welfare Legislation decisions in relation to claims must be made by Deciding Officers and Appeals Officers. These officers are statutorily appointed and I have no role in regard to making such decisions.

Social Welfare Appeals.

990. **Mr. Ring** asked the Minister for Social and Family Affairs the position regarding a disability appeal for a person (details supplied) in County Mayo; when will this payment be restored to them as they are not fit for work. [28664/06]

Minister for Social and Family Affairs (Mr. Brennan): Payment of disability benefit to the person concerned was discontinued from 28 August 2006 following an examination by a Medical Assessor of the Department who expressed the opinion that he was capable of work. The person's appeal against this decision was received in

the Social Welfare Appeals Office on 29 August 2006.

In the context of the appeal he will be examined by another Medical Assessor on 5 October 2006. He will be notified of the time and venue for the examination when arrangements are completed.

The person is currently in receipt of unemployment assistance pending the resolution of his appeal. Under Social Welfare Legislation decisions in relation to claims must be made by Deciding Officers and Appeals Officers. These officers are statutorily appointed and I have no role in regard to making such decisions.

Community Welfare Service.

991. **Mr. Ring** asked the Minister for Social and Family Affairs if he will meet staff representatives from those unions representing CWS staff; and if he will make a statement on the matter. [28668/06]

992. **Mr. Ring** asked the Minister for Social and Family Affairs if he will give a commitment that the special nature and ethos of the community welfare service and its efforts to alleviate social distress will not in any way be curtailed by his Department; his views on strengthening SWA legislation in order to further enshrine its unique flexibility and prompt ability to respond to need as this feature is not characteristic of schemes administered and controlled by his Department; and if he will make a statement on the matter. [28669/06]

993. **Mr. Ring** asked the Minister for Social and Family Affairs if his attention has been drawn to the instances where claims authorised for payment by community welfare staff have been withheld, delayed or stopped by officials from within his Department and that such interference will increase if the buffer afforded to the CWS by the Health Boards is removed; and if he will make a statement on the matter. [28670/06]

994. **Mr. Ring** asked the Minister for Social and Family Affairs his views on whether there is a clash of cultures between the ethos of the community welfare service and that of his Department such that the decision to transfer the CWS into DSFA has to be regarded as a hostile takeover; and if he will make a statement on the matter. [28671/06]

995. **Mr. Ring** asked the Minister for Social and Family Affairs if he will assure this Deputy as a public representative that the future development and administration of the Community Welfare Service will continue to be delivered locally, from multiple and diverse locations; and if he will make a statement on the matter. [28672/06]

996. **Mr. Ring** asked the Minister for Social and Family Affairs the plans in place for the future

development and administration of the community welfare service; the process by which the decision to subsume the community welfare service into his Department was made; if he will commit to meaningful engagement with those who deliver the service and also with service users; and if he will make a statement on the matter. [28673/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Question Nos. 991 to 996, inclusive, together.

The decision to transfer certain functions from the Health Service Executive (HSE) to my Department follows on from recommendations made by the *Commission on Financial Management and Control Systems in the Health Service* in its report. The Commission noted that, over the years, the health system had been assigned responsibility for a number of activities that might be regarded as non-core in the context of a health service. In view of the range of challenges facing the health sector, it recommended that the Government consider assigning such non-core activities currently undertaken by agencies within the health service to other bodies. The objective is to locate these functions more appropriately and allow the HSE to concentrate on its core health functions.

The decision does not present a clash of cultures between this Department and the Community Welfare Service. The supplementary welfare allowance scheme is administered by the Community Welfare Service of the Health Service Executive on my behalf. The scheme is provided for in the Social Welfare Consolidation Act. That legislation currently provides that the scheme is administered by the Health Service Executive, under my general direction and control. Indeed, the positive attributes of the service, to which the Deputy refers, reflect the values and objectives that I and my predecessors have established over the years as part of the general direction afforded to the Community Welfare Service. This has enabled the Community Welfare Service to play a vital role within the overall social welfare system. The existing mechanisms of delivery allow the service to be responsive, flexible and outcome focused. These are attributes for which there will be a continuing need into the future. I can assure the Deputy that the new arrangements will maintain and where possible, enhance the service in those respects. The initiative also involves major organisational and human resource challenges for my Department and for the Community Welfare Service. A working group comprising officials from my Department, the Department of Finance, the Department of Health and Children and the Health Service Executive, has been established to progress its implementation. The approach includes a consultative process which will involve all relevant

stakeholders including the various unions representing staff interests both in my own Department and in the Community Welfare Service.

The implementation process will also include consideration of the legislative changes and, in that regard, I will consider any recommendations that may be made for strengthening the legislation with a view to improving the service.

As stated, the administration of the scheme by the Health Service Executive currently is subject to my general direction and control and is delivered in accordance with guidelines and circulars issued by my Department. The Executive avails of advice and guidance from my Department but neither I nor my Department has any function in relation to decisions on individual claims.

My Department operates certain control measures across all its schemes where payments exceed specified amounts. Where supplementary welfare allowance payments exceed the specified amount a superintendent community welfare officer is required to counter-sanction the payment. If this sanction is not received within a specified period, normally 3 weeks, the payment is cancelled and a cheque will not issue. I understand that the incidence of this arising is minimal.

If the Deputy is aware of other instances where payments are delayed or stopped and if he provides the details to me I will have the matter examined.

The arrangements I have outlined are purely an administrative control function. Decisions regarding entitlement to supplementary welfare allowance rest solely with the Health Service Executive and neither I nor my officials have any role in this matter.

I am confident that the transfer of services from the Community Welfare Service to my Department will be embraced successfully and will ultimately further enhance the delivery of services to our customers, in particular the most disadvantaged in the community. During the implementation programme, my officials will be available to meet the relevant unions and other shareholders. I will continue to give a high priority to supporting the continued delivery of the high standard of service currently provided by staff in the Community Welfare Service.

Social Welfare Benefits.

997. **Mr. Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be approved and granted carer's benefit and the respite care grant. [28674/06]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned was awarded carer's benefit on 29 August 2006 for the period 23 March 2006 to 19 March 2008. The first weekly payment was lodged to her bank on 7 September

[Mr. Brennan.]

2006 and arrears due including Respite Care Grant were paid on 21 September 2006.

Social Welfare Appeals.

998. **Mr. Ring** asked the Minister for Social and Family Affairs the way in which the estate of a person (details supplied) in County Mayo was assessed, providing a detailed breakdown of the assessment; if this should be treated in the same way as the appeal case in Cork which was tested in the courts; and if he will make a statement on the matter. [28675/06]

Minister for Social and Family Affairs (Mr. Brennan): The pensioner in this case, who is now deceased, was in receipt of old age non contributory pension from my Department since 1982. Following her death in September 2003, her schedule of assets indicated that she had a substantial amount of savings which she did not declare to the Department as she was legally obliged to do.

Her circumstances were investigated by a social welfare inspector, SWI, of my Department who has reported that an overpayment of pension totalling €28,325.00 would appear to be due by her estate for the period from February 1993 to August 2003. A detailed breakdown of this overpayment was sent to the Deputy when he raised this question originally in July 2006 along with a letter outlining the facts of the case. Discussions between officials of my Department and the solicitors who represent the estate concerning the amount of the overpayment and its recovery were held and the file will now be referred to a Deciding Officer of my Department for decision.

The Deciding Officer wrote to the personal representatives and sent a copy to the solicitors on 21 September 2006 outlining the evidence available to them and offering them an opportunity to make any new facts or evidence available to my Department within 21 days. A decision will then be made based on the facts of the case.

National Fuel Scheme.

999. **Mr. Ring** asked the Minister for Social and Family Affairs the number of people qualified for the national fuel scheme in the 2005/2006 fuel period; the cost of this scheme annually for each of the past five years; and if he will make a statement on the matter. [28676/06]

1000. **Mr. Ring** asked the Minister for Social and Family Affairs if he will amend the means assessment and guidelines for the national fuel scheme; and if he will make a statement on the matter. [28677/06]

1001. **Mr. Ring** asked the Minister for Social and Family Affairs if he will introduce an automatic entitlement to the national fuel scheme to all persons over 80 years of age; the estimated cost of such a proposal; and if he will make a statement on the matter. [28678/06]

1018. **Mr. Callanan** asked the Minister for Social and Family Affairs the number of people who receive the fuel allowance; the cost to the Exchequer per annum; and if he will make a statement on the matter. [29007/06]

1029. **Mr. Ring** asked the Minister for Social and Family Affairs if he will abolish the means test for the fuel allowance scheme; and if he will make a statement on the matter. [29427/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Question Nos. 999 to 1001, inclusive, 1018 and 1029 together.

The aim of the national fuel scheme is to assist householders on long-term social welfare or health service executive payments with meeting the cost of their heating needs during the winter season.

Some 264,400 people (145,800 with basic fuel allowance and 118,600 with smokeless fuel supplement) benefited from the scheme in 2005 at an annual cost of €85.4m. It is estimated that some 274,000 people (151,000 with basic fuel allowance and 123,000 with smokeless fuel supplement) will benefit in 2006 at an estimated annual cost €125.1m.

In addition to the fuel allowance, over 320,000 pensioner and other households qualify for electricity or gas allowances through the household benefits package, payable towards their heating, light and cooking costs throughout the year, at an overall cost of €109 million in 2005. As currently structured, these allowances are linked to unit energy consumption, so that the people concerned are protected against unit price increases in electricity or gas. As recently announced, free electricity units will be increased from 1,800 to 2,400 per annum with effect from 1 January 2007 with pro rata increases for those customers getting gas allowance from 1 October 2006.

People who have exceptional heating costs, by virtue of a particular infirmity or medical condition which they are unable to meet out of household income, may apply to their local community welfare officer for a special heating supplement under the supplementary welfare allowance scheme.

The cost of the fuel allowance scheme annually for the past 5 years has increased from €61m in 2001 to €85m in 2005. Details are set out in the table below.

Eligibility to the fuel allowance scheme is subject to means and other conditions. The main conditions that apply to the fuel allowance

scheme are that a person must be in receipt of a qualifying payment, must satisfy a means test and must either be living alone or with a qualifying dependant.

People who already qualify for means-tested pensions or allowances such as old age (non-contributory) pension, long-term unemployment assistance or one-parent family payment do not have to undergo a further means test to qualify for fuel allowance. The majority of people who receive fuel allowances qualify because they satisfy the relevant means test for their primary weekly payment.

In the case of contributory pensions such as old age (contributory) pension, retirement pension and invalidity pensions, which are not means tested, a person may have a combined household income of up to €51 per week, or savings/investments of up to €46,000, over and above the maximum old age (contributory) pension rate and still qualify for fuel allowance.

The fuel allowance income limits increase each season in line with the increases in the old age (contributory) pension rate.

Any changes to the Fuel Allowance Scheme would have cost implications. Changes would have to be considered in the context of the Budget and in the light of the resources available for improvements in social welfare generally. It is estimated that abolishing the means test could more than double the cost of the scheme, while abolishing the means test for people aged 80 or more would cost an additional €23m per annum.

Expenditure on Fuel Allowance 2001-2005

Year	Cost
	€m
2001	61.1
2002	80.5
2003	83.2
2004	84.7
2005	85.4

Questions Nos. 1000 and 1001 taken with Question No. 999.

Waste Management.

1002. **Mr. Ring** asked the Minister for Social and Family Affairs if he would introduce a national waiver scheme for refuse services, in conjunction with the Department of the Environment, Heritage and Local Government specifically targeted to help social welfare recipients and people on low incomes; and if he will make a statement on the matter. [28681/06]

Minister for Social and Family Affairs (Mr. Brennan): The setting of waste management charges and the introduction of waivers 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 would be complex given the wide range of charging regimes and cost structures that exist in respect of waste management throughout the State. Charges vary across local authorities and some local authorities already operate waiver schemes. 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. I have asked my Department to keep this issue under review.

Social Welfare Benefits.

1003. **Mr. Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be approved and granted the respite care grant in respect of the two people that they provide care to and do not receive carer's allowance for. [28682/06]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned is in receipt of Carer's Allowance in respect of two care recipients. She applied for the Respite Care Grant on 21 July 2006 in respect of an additional two care recipients.

The medical evidence in support of her application has been forwarded to the Chief Medical Advisor of my Department for consideration of medical eligibility.

On completion of the necessary investigations a decision will be made and the person concerned will be notified directly of the outcome.

Under Social Welfare legislation, decisions in relation to claims must be made by Deciding Officers and Appeals Officers. These Officers are statutorily appointed and I have no role in regard to making such decisions.

Social Welfare Appeals.

1004. **Mr. Ring** asked the Minister for Social and Family Affairs the average cost of holding oral hearings, giving details on a county-to-county basis; and if he will make a statement on the matter. [28685/06]

1005. **Mr. Ring** asked the Minister for Social and Family Affairs the number of people from County Mayo who are currently waiting for an oral hearing to be scheduled to finalise their appeals; and if he will make a statement on the matter. [28686/06]

1006. **Mr. Ring** asked the Minister for Social and Family Affairs the number of oral hearings held in 2005 and to date in 2006 on a monthly basis in each county; the costs of same; and if he will make a statement on the matter. [28687/06]

1007. **Mr. Ring** asked the Minister for Social and Family Affairs the current average waiting time for oral hearings to be scheduled for appellants on a county to county basis; and if he will make a statement on the matter. [28688/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 1004 to 1007, inclusive, together.

There are currently 28 persons from Co. Mayo and adjoining counties awaiting an oral hearing of their appeal in hearing centres located in Co. Mayo. The number of oral hearings held nationally each month in 2005 and in 2006 (to the end of August) is set out on the following table. There are no specific figures available as to the costs of appeals determined by way of oral hearings. Statistics are not maintained on the number of oral hearings held for each county, or the average waiting times for oral hearings scheduled for appellants on a county basis.

The average length of time to deal with all appeals (i.e. those decided summarily and by way of an oral hearing) in 2005 was 20 weeks. If allowance is made for the 25% most protracted cases, the average time falls to 13 weeks. Oral hearings are granted at the discretion of the Appeals Officer usually in circumstances where there is a conflict in the evidence presented by both parties or where an oral hearing is requested by the appellant in order to present his or her case. Given the logistics involved in organising oral hearings, the average length of time is increased by about 8 weeks where an oral hearing is involved.

The processing time for appeals covers all phases of the appeal process including the submission by my Department of its comments on the grounds for the appeal, further examinations by the Department's Medical Assessors in certain sickness related cases and the holding of oral hearings which are currently afforded in two out of every three cases determined by Appeals Officers. Circumstances can arise, normally outside of the control of the Social Welfare Appeals Office, which can have the effect of unduly prolonging the time taken to process appeals. For example, delays can occur where the appellant furnishes new evidence which requires investigation at a late stage in the proceedings or where an adjournment of an oral hearing may be sought by the appellant or his or her representatives.

The social welfare appeals system is a quasi-judicial one and the procedures involved are designed to ensure that every appellant's case gets full and satisfactory consideration. While improving processing times remains a major objective of the Social Welfare Appeals Office, it is necessary at all times to ensure that progress in this regard is achieved in a manner which is not in conflict with the demands of justice and the requirement that every appeal be fully investigated and examined on all its merits.

NUMBER OF ORAL HEARING CASES DECIDED, BY MONTH, IN 2005 & 2006

	2005	2006
JANUARY	407	462
FEBRUARY	374	565
MARCH	607	618
APRIL	432	313
MAY	455	554
JUNE	478	414
JULY	450	442
AUGUST	576	611
SUB-TOTAL	3779	3979
SEPTEMBER	533	
OCTOBER	427	
NOVEMBER	507	
DECEMBER	399	
TOTAL	5645	

Social Welfare Benefits.

1008. **Mr. O'Shea** asked the Minister for Social and Family Affairs the progress which has been made in the case of a spouse in receipt of carer's allowance who is also the adult dependant of the other spouse who is in receipt of old age contributory pension to allow for both carer's allowance and old age pension adult dependant payment to be made; and if he will make a statement on the matter. [28692/06]

Minister for Social and Family Affairs (Mr. Brennan): The carer's allowance is a social assistance payment which provides income support to people who are providing certain elderly or incapacitated persons with full time care and attention and whose incomes fall below a certain limit.

The primary objective of the social welfare system is to provide income support and, as a general rule, only one weekly social welfare payment is payable to an individual. This ensures that resources are not used to make two income support payments to any one person. Persons qualifying for two social welfare payments always receive the higher payment to which they are entitled.

In Budget 2006, I provided for a significant increase in the rate of carer's allowance. From January this year, the rate of carer's allowance increased to €200 per week for carers aged 66 years and over. This rate of payment may be higher in many instances than the rate of old age pension or qualified adult allowance payable to a person. Such a person who is providing full time care and attention to a person who requires such care may be entitled to receive this higher rate of carer's allowance. I would strongly urge any person in this position to make enquiries with my Department.

In addition, from June 2005, the annual respite care grant was extended to all carers who are providing full time care to a person who needs such care regardless of their income. Those persons in receipt of other social welfare payments, excluding unemployment assistance and benefit, are entitled to this payment subject to meeting the full time care condition. This arrangement was introduced to acknowledge the needs of carers especially in relation to respite. Provision was made in Budget 2006 to increase the amount of the respite care grant from €1,000 to €1,200 from June 2006.

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 expenditure can only be considered in a budgetary context.

Social Welfare Schemes.

1009. **Ms Shortall** asked the Minister for Social and Family Affairs if his attention has been drawn to the growing disincentive for applicants of the financial contribution scheme for senior citizens to avail of the scheme due to the failure to update and raise the disregard threshold for means accruing from this scheme in line with house price inflation; will he immediately address the information deficit that currently exists for applicants in respect of the potential impact of the scheme on their social welfare entitlements; and will he immediately sign new regulations allowing for the disregard threshold to be updated. [28724/06]

Minister for Social and Family Affairs (Mr. Brennan): Financial contribution schemes are operated by local authorities in order to facilitate older people who wish to move from private accommodation, which may be too large for them, into local authority housing as tenants. The issue for my Department is how the proceeds of such a sale are treated in the means test for social assistance payments.

Social assistance payments are designed to provide financial support for people who do not qualify for one of the contributory pension or benefit schemes. Entitlement to these payments is based on a means test which is intended to ensure that available resources are targeted at those who are most in need. Accordingly, any resources that a claimant and his or her spouse or partner may have are assessed. These resources may include cash income, property, or an asset which could bring in money or provide the claimant with an income. The value of a person's primary residence is not taken into account in the means test.

The sale of residence provisions are designed to facilitate certain persons who are in receipt of a means tested payment from this Department in

selling their principal residence for the purpose of:

- buying or renting alternative accommodation which s/he occupies as his/her only or main residence; or
- moving into a private nursing home which has been registered under Section 4, Health (Nursing Home) Acts, 1990;
- moving in with their carer who is in receipt of carer's allowance or carer's benefit in respect of them; or
- moving to sheltered or special housing in the voluntary, co-operative, statutory or private sectors that is funded under the Capital Assistance Scheme operated by the Department of the Environment, Heritage and Local Government.

Where alternative accommodation is being purchased the difference between the agreed sale price of the former residence and the agreed purchase price of the replacement residence, subject to a maximum of €190,461, is exempt from the means test. Where no alternative accommodation is being purchased the gross proceeds of the sale are defined as the agreed sale price of the residence and are disregarded in the means test also to a maximum of €190,461.

These provisions apply to recipients of disability allowance, blind person's pension and those over age 66 years who receive a means tested payment from this Department and they are intended to facilitate choice for certain people who might previously have been living alone or in unsuitable accommodation.

Information on the means tests for non-contributory pensions is available from the Social Welfare Services Office, College Rd, Sligo. Information booklets which include information on the means tests are available at local Social Welfare Offices and information is also available on my Department's website at www.welfare.ie or by telephoning the Department's LoCall leaflet Request Line at 1890 20 23 25. Information on entitlement to all social services is also provided by the Citizens Information Centres.

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 expenditure can only be considered in a budgetary context.

Social Welfare Appeals.

1010. **Mr. Ring** asked the Minister for Social and Family Affairs when an oral hearing will be scheduled for a person (details supplied) in County Mayo to finalise their invalidity pension appeal. [28732/06]

Minister for Social and Family Affairs (Mr. Brennan): Payment of invalidity pension to the person concerned was discontinued by a Deciding Officer in July 2006 following an examination by a Medical Assessor of the Department who expressed the opinion that she was capable of work.

The person appealed against this decision to the Social Welfare Appeals Office on 19 July 2006. In the context of the appeal she will be examined by another Medical Assessor on 5 October 2006. She will be notified of the precise time and venue for the examination when arrangements are completed.

Under Social Welfare Legislation decisions in relation to claims must be made by Deciding Officers and Appeals Officers. These officers are statutorily appointed and I have no role in regard to making such decisions.

Social Welfare Benefits.

1011. **Mr. McGuinness** asked the Minister for Social and Family Affairs if an application for rent allowance will be approved and back dated for a person (details supplied) in County Carlow; and if he will expedite a positive response. [28793/06]

Minister for Social and Family Affairs (Mr. Brennan): The supplementary welfare allowance scheme, which includes rent supplement, is administered on behalf of the Department by the community welfare division of the Health Service Executive. Neither I nor my Department has any function in relation to decisions on individual claims.

One of the qualifying conditions for entitlement to rent supplement is that in certain circumstances, an applicant must be assessed by the local housing authority as having a housing need. The Health Service Executive has advised that it disallowed an application for rent supplement in this case on the grounds that the local housing authority did not deem the person concerned to have a housing need. It is open to the person concerned to appeal this decision to the designated Appeals Officer in the Health Service Executive.

1012. **Mr. Rabbitte** asked the Minister for Social and Family Affairs when a person (details supplied) in Dublin 24 will be awarded the respite care grant; and if he will make a statement on the matter. [28884/06]

Minister for Social and Family Affairs (Mr. Brennan): The person's application for a Grant under the 2005 Respite Care Grant scheme was received on 18 April 2006 and she received payment on 26 April 2006.

She has now been written to enclosing a short questionnaire to establish whether she also satisfies the Grant conditions in 2006. When the ques-

tionnaire is returned, it will be processed and a decision issued, as soon as possible.

1013. **Mr. Ring** asked the Minister for Social and Family Affairs when child benefit will be awarded to a person (details supplied) in County Mayo. [28965/06]

Minister for Social and Family Affairs (Mr. Brennan): Child Benefit has been awarded to the person concerned with effect from July 2006, i.e. the month following that in which the children became members of the family.

1014. **Mr. Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be approved and paid unemployment assistance. [28969/06]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned applied for unemployment assistance on 26 April 2006. He had previously been in receipt of disability benefit but was considered to be capable of work by the Department's Medical Referee on 5 April 2006. The person concerned did not appeal this decision.

A Deciding Officer disallowed his unemployment assistance claim from 26 April 2006 on the grounds that he is not available for or genuinely seeking work.

It is open to the person concerned to appeal this decision to the independent social welfare appeals office. Under Social Welfare legislation decisions in relation to claims must be made by Deciding Officers and Appeals Officers. These officers are statutorily appointed and I have no role in regard to making such decisions.

1015. **Mr. Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be approved and paid carer's allowance. [28970/06]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned applied for Carer's Allowance on 26 July 2006.

My Department's Chief Medical Advisor has confirmed that the person meets the medical criteria for the scheme. The case was referred to an Investigative Officer for means assessment and confirmation that all conditions necessary for receipt of Carer's Allowance are satisfied. I understand that this investigation is expected to be concluded this week, following which a decision will be made and the person concerned will be notified directly of the outcome.

Under Social Welfare legislation, decisions in relation to claims must be made by Deciding Officers and Appeals Officers. These Officers are statutorily appointed and I have no role in regard to making such decisions.

1016. **Mr. Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be approved and granted the respite care grant. [28971/06]

Minister for Social and Family Affairs (Mr. Brennan): The application for a Respite Care Grant from the person to whom the Deputy refers was received in my Department on 16 August 2006. It is currently being processed and my Department hopes to be in a position to make a decision on it and inform the applicant of the outcome shortly.

Social Welfare Code.

1017. **Mr. Ring** asked the Minister for Social and Family Affairs if he will extend the eligibility criteria for computer training courses to allow people who are the qualified adult dependents on their spouse's pension or social welfare payment to earn a training allowance similar to lone parents and widows; the reason married women are being discriminated against and treated differently to others. [28973/06]

Minister for Social and Family Affairs (Mr. Brennan): Across the majority of social welfare payments, entitlement to an increase for a qualified adult is based, inter alia, on the spouse/partner's income. An increase at the maximum rate is payable where the spouse/partner's income is €100 per week or less, with a reduced or tapered rate payable where this income is between €100 and €250.

Since this Government came into office, a number of changes to these tapering arrangements have been introduced with a view to ensuring that the impact of increases in earnings are not negated for families where the spouse is the sole earner and is in low-paid employment. Firstly, the range of income over which the increase for a qualified adult is withdrawn has been progressively extended. Secondly, provision was made for the deferral of the loss of half the child dependant allowance until the earnings of the spouse/partner exceeds the upper bound of the income range, which has been increased in each successive Budget from €171.41 in 2000 to €250 during the course of 2006. Thirdly, the qualified adult weekly rates have been increased annually in each Budget package. It should be noted, therefore, that the increase for a qualified adult is now not fully withdrawn until the spouse/partner's weekly income exceeds €250.

Where the spouse/partner of a claimant is in receipt of an allowance in respect of a full-time FÁS or VTOS course, s/he is not considered to be a qualified adult dependant. The Training Authority/VEC is responsible for paying the spouse/partner a personal rate plus half rate child dependant increase (if applicable) for the duration of the course.

Where a spouse/partner is on a part-time FÁS/VEC course, the full increase for a qualified adult is payable where the spouse/partner's total gross weekly income (including training allowance) does not exceed €100.00. Otherwise entitlement (if any) to a reduced increase is calculated in the usual way in line with weekly earnings between €100.00 and €250.00. These rules also apply where a spouse/partner is participating in a full-time or part-time course which is not administered by FÁS or the VEC.

It should be noted that, for the purpose of calculation of means for one parent family payment and widows' pension, training allowances are assessed in the same way as earnings from employment.

One of the key objectives of the 2006 social welfare budget package was to protect and enhance the real value of all rates of payment. In this context, it provided for increases in the main personal rates of weekly payments ranging from 9.4% to 14%. The main qualified adult rates were also increased by the same percentages thereby ensuring that they did not fall as a proportion of the associated personal rate. The lower threshold was increased from €88.88 to €100 and the earnings bands which dictated the rate of withdrawal of the increase for a qualified adult were extended from €6.35 to €10.

Any change in the current arrangements relating to the qualified adult increase would have to be considered in a budgetary context and in light of available resources.

Question No. 1018 was answered with Question No. 999.

Social Welfare Benefits.

1019. **Mr. Durkan** asked the Minister for Social and Family Affairs if he will review the refusal of back to school allowance in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29191/06]

Minister for Social and Family Affairs (Mr. Brennan): The Back to School Clothing and Footwear Allowance (BSCFA) Scheme is administered on behalf of my Department by the Community Welfare division of the Health Service Executive. Neither I nor my Department has any function in relation to decisions on individual claims.

A person may qualify for payment of a back to school clothing and footwear allowance if he or she is in receipt of a social welfare or health service executive payment, is participating in an approved employment scheme or attending a recognised education or training course, and has household income at or below certain specified levels. The weekly income limit appropriate to a lone parent family with five children is €401.30, excluding any family income supplement that may be in payment.

[Mr. Brennan.]

The Health Service Executive has advised that it has disallowed an application by the person concerned as her total household income was above the prescribed €401.30 limit for entitlement to the allowance.

It is open to her to appeal this decision to the area appeals officer of the Executive.

Question No. 1020 was answered with Question No. 975.

1021. **Mr. Kehoe** asked the Minister for Social and Family Affairs the reason for the delay in processing family income supplement claims; the efforts which are being made to reduce the waiting times; and if he will make a statement on the matter. [29264/06]

Minister for Social and Family Affairs (Mr. Brennan): 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.

To ensure that families are made aware of these improvements, my Department undertook a nationwide awareness campaign last March to promote and encourage a greatly increased take up of the family income supplement scheme for working families on low incomes. This extensive 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.

In addition, the scheme was promoted through my Department's network of Local Offices, Citizen Information Centres and Citizens Information Phone service and by Comhairle, the national information support agency. Information was also made available through my Department's website.

I am very pleased with the response so far to the campaign. For example, from March to August this year my Department received 7,329 new FIS claims; this compares with 3,612 received in the same period in 2005. My Department has received 9,734 new claims so far this year compared with 5,116 for the corresponding period in 2005. The general trend for both new claims and renewals is for growth in the numbers applying for the scheme. The advertising campaign has resulted in a higher than normal number of claims on hand (6,964) and I would expect a high percentage of these to translate into awards.

The increase in the numbers of persons receiving FIS is a positive development, reflecting the success of a range of Government measures which have improved net incomes for the low paid. However, the significant increase in applications has resulted in a backlog in claim processing.

Entitlement to FIS is based on an applicant satisfying a means test and on certification of employment by the employer. In some cases there is an unavoidable timelag involved in making the necessary investigations and enquiries to enable decisions to be made. For example, there is an onus on applicants to furnish all necessary documentation. Delays can occur through applicants not supplying all the necessary information in support of their claim.

My Department is committed to providing a quality service to all its customers. This includes ensuring that applications are processed and that decisions on entitlement are issued as expeditiously as possible having regard to the eligibility conditions which apply. Some improvements have recently been introduced to directly address the efficiency of claim processing for FIS: A review of all existing processes and procedures has been undertaken with the explicit objective of reducing delays in claim processing. Priority is being given to claims where a claim is being renewed to ensure continuity of payment. Additional staff resources have been assigned specifically to improve the delivery of service.

The impact of these measures will, over time, lead to more efficient processing and reduce the number of claims on hand. The position will be closely monitored and kept under review by my Department.

1022. **Mr. Ring** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Mayo lost their disability payment; and when this person's appeal will be heard in relation to same. [29286/06]

Minister for Social and Family Affairs (Mr. Brennan): Payment of disability benefit to the person concerned was discontinued by a Deciding Officer on 5 September 2006 following an examination by a Medical Assessor of the Department who expressed the opinion that she was capable of work.

The person's appeal against this decision was received in the Social Welfare Appeals Office on 7 September 2006. In the context of the appeal an examination by another Medical Assessor will be carried out. She will be notified of the date time and venue for the examination when arrangements are completed.

The person is currently in receipt of unemployment benefit pending the resolution of her appeal. Under Social Welfare Legislation decisions in relation to claims must be made by Deciding Officers and Appeals Officers. These officers are statutorily appointed and I have no role in regard to making such decisions.

Census of Population.

1023. **Ms C. Murphy** asked the Minister for Social and Family Affairs if figures released by the Central Statistics Office in July 2006 via the

Census 2006 Preliminary Report will be used by his Department for any reason; if so, what the figures will be used for; and if he will make a statement on the matter. [29309/06]

Minister for Social and Family Affairs (Mr. Brennan): The results of the Census of Population are used by many of the policy and operational areas of the Department.

The Census 2006 Preliminary Report, published in July 2006, gives a useful analysis of population change across the country since 2002. However, it is of limited use of the Department since it does not cover the range of topics that will be available in the final Census results. It is understood that the definitive population results will be released between April and December 2007. The full range of census results will be released in a series of subject-matter volumes, which will be widely used across the Department.

Social Welfare Benefits.

1024. **Ms C. Murphy** asked the Minister for Social and Family Affairs if he will bring unresolved complaints relating to State pensions under the auspices of the Pensions Ombudsman; and if he will make a statement on the matter. [29321/06]

Minister for Social and Family Affairs (Mr. Brennan): Decisions on statutory social welfare schemes, including state contributory, state non-contributory and state transition pensions are made by statutorily appointed Deciding Officers of my Department. 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.

Guidelines are issued by my Department in relation to the legislation concerned to ensure consistency of decision making by Deciding Officers and these are also available to members of the public on the Department's website, www.welfare.ie, or on request from any social welfare local office. In addition, training is provided to Deciding Officers on their statutory obligations and the application of principles of natural justice and fair procedures.

Social Welfare legislation provides that decisions on social welfare claims must be set out in writing and, where the decision is unfavourable, the reasons for the decision must also be recorded and included in the notification to the person concerned. Therefore, when a Deciding Officer has reached a decision, which is unfavourable to the claimant, s/he must give the grounds for the decision, that is, the statutory condition which is not fulfilled; and the reason why the grounds are not met.

Apart from the right of appeal to the Social Welfare Appeals Office, a claimant may seek a review by a Deciding Officer in the first instance if there are any new facts or evidence that have

not been taken into consideration when the initial decision was made. This provides a means of having any adverse decisions reviewed as quickly as possible where new evidence becomes available. The Deciding Officer re-examines the case quickly, and, if appropriate, the decision can be revised without having to go through the formal appeals process. To this end, persons are advised of their right to seek a review of the initial decision. Where conflict remains, however, the person has the right to have his or her claim dealt with by way of appeal.

If the claim has not been dealt with to the complainant's satisfaction, it can be brought to the attention of the Office of the Ombudsman.

The Pensions Ombudsman investigates complaints that an individual has suffered a financial loss because of some failure in the administration of an occupational pension scheme or a personal retirement savings account. He also investigates disputes of fact or law concerning pension schemes, between members and others entitled to benefit from the schemes, and trustees or managers or employers. He has no role in relation to social welfare pensions and, in the light of the other provisions which apply, it is not necessary or appropriate for him to have.

1025. **Ms C. Murphy** asked the Minister for Social and Family Affairs the amount awarded in rent supplement in 2005 in each county; and if he will make a statement on the matter. [29323/06]

Minister for Social and Family Affairs (Mr. Brennan): The supplementary welfare allowance scheme, which includes rent supplement, is administered on my behalf by the Community Welfare division of the Health Service Executive. The purpose of the scheme is to provide short-term income support, in the form of a weekly or monthly payment, to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source.

Details of the expenditure on rent supplement by county are not available. However, the following tables provide details of the expenditure on rent supplement by former Health Board Area for 2005 and the number of recipients of rent supplement by county for 2005.

Table 1

Expenditure on Rent Supplement by Former Health Board Area 2005

Former HSE Area	€000
Eastern	207,199
Midland	10,805
Mid-Western	20,543
North Eastern	13,868
North Western	11,379

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Former HSE Area	€000
South Eastern	31,515
Southern	43,557
Western	29,840
Total	368,705

Table 2

Number of Recipients of Rent Supplement by County, 2005

County	Recipients
Carlow	918
Cavan	450
Clare	1,233
Cork	6,883
Donegal	2,216
Dublin	22,473
Galway	3,504
Kerry	1,833
Kildare	2,426
Kilkenny	829
Laois	344
Leitrim	220
Limerick	2,409
Longford	386
Louth	1,473
Mayo	1,865
Meath	633
Monaghan	336
Offaly	584
Roscommon	617
Sligo	496
Tipperary	1,765
Waterford	1,804
Westmeath	916
Wexford	1,889
Wicklow	1,674
Total	60,176

1026. **Mr. Connolly** asked the Minister for Social and Family Affairs if he will arrange for the winter free fuel allowance to be made available to recipients who require it in a lump sum rather than weekly, to enable them to pay upfront for oil or gas central heating payments which have increased substantially; and if he will make a statement on the matter. [29338/06]

Minister for Social and Family Affairs (Mr. Brennan): The aim of the national fuel scheme is to assist householders on long-term social welfare or health service executive payments with meeting the cost of their additional heating needs dur-

ing the winter season. Fuel allowances are paid for 29 weeks from end-September to mid-April. The allowance represents a contribution towards a person's normal heating expenses.

A number of improvements have been made to the scheme in recent years including the easing of the means test and extending the duration of payment from 26 weeks to 29 weeks. Most recently, Budget 2006 provided for an increase in the rate of fuel allowance of €5.00 from €9.00 to €14.00, or €17.90 in designated smokeless areas.

A detailed review of the fuel allowance was carried out in 1998. This review looked at alternatives to the weekly payment method including a single lump sum payment. A survey of recipients with the allowance on a customer panel showed that the majority (58%) preferred weekly payment, 22% wanted a once-off lump sum payment, 12% favoured direct debit to a supplier while 8% would rather have two lump sum payments during the fuel season. The review recommended continuing with the weekly payment method.

I will keep all aspects of the fuel allowance scheme, including the issue of a lump sum payment, under review. Any significant changes to the scheme that would require additional expenditure could only be considered within a budgetary context.

1027. **Mr. Wall** asked the Minister for Social and Family Affairs the way in which his Department determines the value of the rent subsidy allocated by the community welfare office of the Health Service Executive on his behalf; the consultations that take place in such a determination; and if he will make a statement on the matter. [29367/06]

Minister for Social and Family Affairs (Mr. Brennan): The supplementary welfare allowance scheme, which is administered on my behalf by the community welfare division of the Health Service Executive, provides for the payment of a rent supplement to assist eligible people who are unable to provide for their immediate accommodation needs from their own resources and who do not have accommodation available to them from any other source.

Rent supplements are subject to a limit on the amount of rent that an applicant may incur. Setting maximum rent limits higher than are justified by the open market would have a distorting effect on the rental market, leading to a more general rise in rent levels.

In November 2002, when the Central Statistics Office Privately Owned Rent Index first showed signs of continued reductions in rent levels, regulations were introduced which set the maximum amount of rent in respect of which a rent supplement is payable. These limits remained in place to the end of December 2003. Further Regulations introduced in December 2003 prescribed the limits to be used between January

2004 and June 2005. The current rent limits cover the period July 2005 to 31st December 2006.

Under existing arrangements the Health Service Executive may, in certain circumstances, exceed the rent levels as an exceptional measure, for example: where there are special housing needs related to exceptional circumstances for example, disabled persons in specially-adapted accommodation or homeless persons; where the tenant will be in a position to re-assume responsibility for his/her rent within a short period; where the person concerned is entitled to an income disregard and has sufficient income to meet his or her basic needs after paying rent, taking into account the appropriate rate of Rent Supplement that is otherwise payable in the case. This discretionary power ensures that individuals with particular needs can be accommodated within the scheme.

Despite recent increases in rent levels, the Central Statistics Office Privately Owned Rent Index shows that rent levels are currently at a similar level to that which applied in November 2002 when rent levels were first set by the Department. In this context it is fair to say that the introduction of rent limits by regulation has had a positive impact on the rental market in general.

Officials from my Department are currently reviewing the existing rent limits in order to make recommendations regarding what limits should apply from January 2007 onwards. This review will take account of prevailing rent levels in the private rental sector generally, together with detailed input from the Health Service Executive on the market situation within each of its administrative areas.

The review will also include consultation with the Department of Environment, Heritage and Local Government and the Private Residential Tenancies Board. In addition, it is expected that a number of the voluntary agencies working in this area will make detailed submissions to my Department. This process will ensure that the new rent limits reflect realistic market conditions throughout the country, and that they will continue to enable the different categories of eligible tenant households to secure and retain suitable rented accommodation to meet their respective needs.

Question No. 1028 was answered with Question No. 975.

Question No. 1029 was answered with Question No. 999.

Pension Provisions.

1030. **Mr. Naughten** asked the Minister for Social and Family Affairs further to Parliamentary Question No. 142 of 8 June 2006, if the Pensions Review Board has examined the issue of allowing persons to continue to work and pay PRSI pension contributions beyond pension age

to gain eligibility for an old age contributory pension; the outcome of this examination; and if he will make a statement on the matter. [29447/06]

Minister for Social and Family Affairs (Mr. Brennan): The Pensions Board in its report on the national pensions review, published last January, suggested a number of measures in relation to social welfare pensions designed to encourage people to continue working after normal retirement age. These included making such employment fully insurable for pensions purposes and allowing for enhanced payments when a person decides to defer claiming pension.

As indicated in reply to Question No 142, the Department is not in a position to operate such measures at present but that the matter would be further examined in the context of an overall review of the recommendations made by the Pensions Board.

Pensions was a major issue in the context of the negotiations on the social partnership agreement, Towards 2016. Arising from these negotiations the Government is committed to publishing a Green Paper on pensions outlining the major policy choices, the challenges in this area and the views of the social partners Publication next year will be followed by a consultation process. The Government are committed to responding to the consultations by developing a framework for comprehensively addressing the pensions agenda over the long-term. The report of the Pensions Board on the national pensions review, and its recommendations, will be major inputs to this process.

Social Welfare Benefits.

1031. **Mr. F. McGrath** asked the Minister for Social and Family Affairs if he will work with the Health Service Executive in supporting carers and their families and to investigate other options in relation to taxation and employment of carers. [29673/06]

Minister for Social and Family Affairs (Mr. Brennan): Supporting and recognising carers in our society has been a priority of the Government since 1997. Over that period, weekly payment rates to carers have been greatly increased, qualifying conditions for carer's allowance have been significantly eased, coverage of the scheme has been extended and new schemes such as carer's benefit and the respite care grant have been introduced and extended.

Issues of taxation are a matter for my colleague, the Minister for Finance. However, I have introduced several improvements to payments from my Department in order to facilitate carers who wish to engage in employment. From 1 June this year, I increased the number of hours a person can engage in employment, self-employment, training or education outside the home and still

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satisfy the qualifying conditions for payment, from 10 to 15 hours per week.

In addition, in Budget 2006 I increased the length of time for which a person can claim carer's benefit from 65 to 104 weeks. The duration of the associated carer's leave scheme has also been extended to two years.

Following significant progress in Budget 2006, the earnings disregard for a couple is currently set at €580 per week which is just at the level of gross average industrial earnings. In accordance with the new social partnership agreement, Towards 2016, I am committed to expanding, subject to available resources, the income limits for carer's allowance aiming to keep the level of the disregard in line with average industrial earnings.

I am fully aware that co-operation between relevant Government Departments and Agencies is essential if the provision of services, supports and entitlements for carers is to be fully addressed. In January 2005 the Minister for Health and Children and I established a Working Group on Long Term Care which comprises senior officials from both our Departments as well as the Departments of An Taoiseach and Finance and the Health Services Executive. The report of this group is currently being considered by Government.

The Government's commitment to cross-departmental co-operation is further reinforced in the new social partnership agreement 'Towards 2016' which commits my Department to leading the development of a structured consultation process to inform future policy in relation to carers. This will involve an annual meeting of carer's representative groups as well as relevant Department and Agencies.

Another key Government commitment in Towards 2016 is the development of a National Carer's Strategy by the end of 2007. This strategy will focus on supporting informal and family carers in the community and will involve all relevant Departments and Agencies as well as the social partners.

I am committed to working for, and with, carers to deliver increased benefits, supports, and services for them and their families. In that regard, I will continue to review the scope for further developments of the carer's allowance, carer's benefit and respite care grant.

Question No. 1032 was answered with Question No. 987.

1033. **Mr. Stanton** asked the Minister for Social and Family Affairs if the review of the administration of the habitual residence condition has been completed; if so, the main findings of this review; the decisions that he has taken or plans to take as a result; and if he will make a statement on the matter. [29805/06]

Minister for Social and Family Affairs (Mr. Brennan): The requirement to be habitually resi-

dent in Ireland was introduced as a qualifying condition for certain social assistance schemes and child benefit with effect from 1 May 2004. The basis of the restriction contained in the rules is the applicant's habitual residence. The effect is that a person whose habitual residence is elsewhere is not paid social welfare payments on arrival in Ireland.

The operation of the habitual residence condition has been monitored closely by my Department since its introduction. A comprehensive review of the operation of the condition which was undertaken in late 2005 by my Department was recently completed. I intend to bring the Review to the attention of the Government with a view to publishing it in the near future.

It should be noted that between 1 May 2004 and end April 2006, over 34,000 claims, other than Supplementary Welfare Allowance, involving HRC issues from persons from over 150 countries have been examined by my Department. This number includes claims to Child Benefit and social assistance, representing less than 10% of the overall number of claims for these schemes.

The main schemes affected are Unemployment Assistance and Child Benefit, which account for nearly 85% of the total number decided. One Parent Family Payment and Disability Allowance claims account for nearly 10% of the total. Of these claims: 34% referred to persons from some 130 countries outside the EU 25; 27% related to Irish nationals; 16% related to nationals from the EU 10; 13% related to claims from UK nationals; and 10% referred to people from the EU13, that is, EU 15 Member States other than Ireland and the UK.

Over 26,000 (77%) of these claims were found to satisfy the condition and 8,000 (23%) were unsuccessful. There were some 800 appeals against HRC decisions determined by the independent Appeals Office of which over 300 cases were determined in favour of the claimant.

1034. **Mr. Rabbitte** asked the Minister for Social and Family Affairs if there are any circumstances where a person who does not have the required number of days on a relevant social welfare payment will qualify for the back to education allowance; and if he will make a statement on the matter. [29818/06]

Minister for Social and Family Affairs (Mr. Brennan): The back to education allowance is a second chance education opportunities scheme designed to encourage and facilitate people on certain social welfare payments to improve their skills and qualifications and, therefore, their prospects of returning to the active work force.

To qualify for participation in the BTEA scheme an applicant must, inter alia, be in receipt of a relevant social welfare payment for 6 months for a second level course or 12 months for a third level course. This is reduced to 9 months if the

applicant is participating in the National Employment Action Plan (NEAP) process and where the third level course is approved by a FÁS Services Officer as part of that process.

This requirement to be in receipt of a relevant social welfare payment for a minimum period of time has always been a feature of the BTEA scheme and is considered necessary in order to ensure that limited resources are targeted at those who are most in need. The BTEA is an administrative stand-alone scheme and is not subject to legislation. The primary reason for this is that it allows for a greater degree of flexibility in its administration. Such flexibility is generally used to the benefit of the applicant. With regard to the minimum qualifying period, officers may exercise a degree of discretion in circumstances where an applicant is short by a few days or a week at the most.

1035. **Mr. Allen** asked the Minister for Social and Family Affairs when a decision will be made on the application for a respite care grant submitted by a person (details supplied) in County Cork. [29848/06]

Minister for Social and Family Affairs (Mr. Brennan): The application for a Respite Care Grant from the person to whom the Deputy refers was received in my Department on 31 July 2006. It is currently being processed and my Department hopes to be in a position to make a decision on it and inform the applicant of the outcome shortly.

Fiscal Policy.

1036. **Mr. Morgan** asked the Minister for Social and Family Affairs the amount of revenue which would be raised on an annual basis if the two per cent health contribution within PRSI was raised to five per cent. [29851/06]

Minister for Social and Family Affairs (Mr. Brennan): The Pay Related Social Insurance (PRSI) contribution is made up of a number of different components including:

- social insurance at the appropriate percentage rate for employees and employers, which varies according to the pay of the employee and the benefits for which he or she is insured;
- the 2% health contribution, and
- the 0.70% national training fund levy which is included in the employer's PRSI contribution at Classes A and H.

It is estimated that an increase in the health contribution from 2% to 5% would yield some €968 million in additional revenue in a full year. Changes to the health contribution are considered annually in a budgetary context in terms of a general review of PRSI contribution rates.

1037. **Mr. Morgan** asked the Minister for Social and Family Affairs the amount of additional revenue which would be raised on an annual basis if employers PRSI was returned to its pre-budget 2002 rate of 12 per cent. [29853/06]

Minister for Social and Family Affairs (Mr. Brennan): The higher PRSI rate for employers currently stands at 10.05 per cent. An increase in the employer's share of the PRSI contribution to the pre-Budget 2002 rate of 12 per cent would yield an estimated €817.8 million in additional income to the social insurance fund in a full year. This estimate does not take into account the national training fund levy of 0.7% which is collected as part of the employer's PRSI contribution.

This estimate is based on data put together from a sample of employers' returns for 2003 that has been updated to take account of changes in earnings and the labour force up to 2006.

Changes to PRSI exemptions, thresholds and the ceiling are considered in a budgetary context, which are reviewed annually. Any revisions are made in accordance with the legislative stipulations of the Social Welfare (Consolidation) Act, 2005.

Fiscal Policy.

1038. **Mr. Morgan** asked the Minister for Social and Family Affairs the amount of additional revenue which would be raised on annual basis if the employee PRSI cut-off ceiling was removed. [29854/06]

Minister for Social and Family Affairs (Mr. Brennan): The employee PRSI ceiling is reviewed annually in accordance with the legislative stipulations of the Social Welfare (Consolidation) Act, 2005. The legislation requires the Minister to take into account any changes in the average earnings of workers in the transportable good industries as recorded by the Central Statistics Office since the ceiling was previously reviewed.

The current employee PRSI ceiling stands at €46,600 per annum. It is estimated that the abolition of this ceiling would yield some €238.2 million in additional revenue to the social insurance fund in a full year.

This estimate is based on the most recent available data — a sample of cases of employee records from 2003 that has been updated to take into account changes in earnings and in the number of contributors since.

Revisions to PRSI exemptions, thresholds and the ceiling are considered annually in a budgetary context.

Social Welfare Appeals.

1039. **Mr. Ring** asked the Minister for Social and Family Affairs when an oral appeal will be

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heard for a person (details supplied) in County Galway. [29856/06]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned was in receipt of Disability Allowance from 28 August 2002.

The claim was reviewed and as a result payment was suspended from 12 April 2006 on the grounds that she failed to show that her means did not exceed the statutory limit. A deciding officer subsequently decided on 3/7/06 that the person was not entitled to receive Disability Allowance from 12/4/06.

The person appealed this decision to the Social Welfare Appeals Office on 25 July 2006 and in accordance with the statutory requirements the relevant departmental papers and comments of my Department were sought. These are now to hand and the case has been referred to an Appeals Officer who proposes to hold an oral hearing. The person will be informed as soon as the arrangements for the hearing are in place.

Under Social Welfare Legislation decisions in relation to claims must be made by Deciding Officers and Appeals Officers. These officers are statutorily appointed and I have no role in regard to making such decisions.

1040. **Mr. Ring** asked the Minister for Social and Family Affairs the reason a certain sum is being taken from the estate of a pensioner (details supplied) in County Mayo, in view of the fact that this person was already means tested during their lifetime; is this demand not a double assessment of this person's savings; and if he will make a statement on the matter. [29858/06]

Minister for Social and Family Affairs (Mr. Brennan): The pensioner in this case who is now deceased was in receipt of old age non-contributory pension from my Department since 1985. Following his death in August 2004, his schedule of assets indicated that he had a substantial amount of savings which he did not declare to the Department as he was legally obliged to do.

His circumstances were investigated by my Department and an overpayment of pension totalling €31,533.00 would appear to be due by his estate for the period from August 1990 to July 2004. Discussions between officials of my Department and the solicitors who represent the estate concerning the amount of the overpayment and its recovery were held during July 2006 and, in the light of those discussions, the file will now be referred to a Deciding Officer of my Department for formal decision.

The deciding officer will outline the evidence available and offer the personal representatives of the estate an opportunity to make any additional facts or evidence available within 21 days. A formal decision will be made based on the facts of the case.

The overpayment arising in this case represents an assessment of means not previously declared to my Department.

Social Welfare Benefits.

1041. **Mr. Bruton** asked the Minister for Social and Family Affairs if he has assessed the cost of revising disability benefit cover for self employed persons affected by a serious illness which would render them unable to continue their work for a substantial period of time; his views on introducing such a scheme; and if he will make a statement on the matter. [29860/06]

Minister for Social and Family Affairs (Mr. Brennan): Workers are insured under social welfare legislation as either employed or self-employed contributors. Employees and their employers generally pay contributions at PRSI Class A whereas self-employed workers generally pay contributions at PRSI Class S. The class and number of contributions paid determine the range of benefits towards which contributors can build entitlement. While employees who, together with their employers, are potentially liable for a total contribution of 14.05% under PRSI Class A, self-employed individuals pay Class S contributions at a rate of 3% and are potentially eligible for a narrower range of benefits than employees.

PRSI Class S contributors can be entitled to the following payments only: Widow's/Widower's (Contributory) Pension; Orphan's (Contributory) Allowance; Old Age (Contributory) Pension; Maternity Benefit; Adoptive Benefit, and Bereavement Grant.

When Class S was introduced for self-employed workers in 1988, coverage for short-term insurance-based schemes such as disability benefit, as well as illness or invalidity-related payments, was excluded on the grounds of cost and legal and administrative complexity.

The cost of introducing an insurance-based payment for self-employed workers with long-term illnesses would be contingent on the parameters to apply to the scheme. Questions as to whether it would be aligned to existing disability benefit or invalidity pension schemes, whether an income cap would apply, or whether the worker would have to have a permanent or temporary incapacity would have to be examined. In relation to the personal scope, the questions for consideration would include whether it would apply to all self-employed workers or only to specific groups and whether it should be on a compulsory or voluntary basis. Issues relating only to specific groups to the incidence of long-term disability among self-employed workers by comparison to employed workers would also need to be considered as would matters relating to the administration and monitoring of the scheme. A previous estimate of the full year cost in 2003 terms, ranged from €67 million, if cover was extended to

invalidity pension only, to €128 million per annum if the self-employed were covered for both disability benefit and invalidity pension. Additional costs would arise on foot of improvements made to social welfare payments since.

There are no plans at present to extend cover for disability-related benefits to this group of insured workers. Any such measure would have to be considered in the wider budgetary context. Consideration would also have to be given to an appropriate increase in the rate of PRSI Class S contribution.

Self-employed workers who do not qualify for an insurance-based benefit may claim supplementary welfare allowance, which is subject to a means test.

Departmental Investigations.

1042. **Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs when the second actuarial review of the social insurance fund, provided for under Section 17 of the Social Welfare Act 1998, will be published. [29861/06]

Minister for Social and Family Affairs (Mr. Brennan): The Social Welfare (Consolidation) Act, 2005, requires that the Minister undertake an actuarial review of the financial condition of the social insurance fund at five-year intervals. The first actuarial review, as required under this legislation, was published in October, 2002, and reflected the position of the Social Insurance Fund at the end of 2000.

A request for tender inviting interested parties to undertake a further review was issued in June 2006. The focus of the Review is the income of the Fund (including the accumulated surplus), the contributory pensions and benefits paid from the Fund, including non-cash benefits (household benefits package) and other payments (redundancy and insolvency payments). The period covered by the Review will be 55 years (from 2006 to 2061).

Following an evaluation process, a preferred bidder was selected from among the tenders received by the closing date 2 August 2006 and contractual arrangements are now being finalized. The review will take approximately six months to complete and it is expected that the report will be published during the summer of 2007.

Social Welfare Benefits.

1043. **Mr. Timmins** asked the Minister for Social and Family Affairs the position in relation to a person in receipt of the carer's allowance; if the qualifying rules to allow people to work on FÁS will be re-examined; and if he will make a statement on the matter. [29871/06]

Minister for Social and Family Affairs (Mr. Brennan): Supporting and recognising carers in

our society has been a priority of the Government since 1997. Over that period, weekly payment rates to carers have been greatly increased, qualifying conditions for carer's allowance have been significantly eased, coverage of the scheme has been extended and new schemes such as carer's benefit and the respite care grant have been introduced and extended.

One of the fundamental qualification conditions for carer's allowance is that the applicant must be providing full-time care and attention to a person who needs such care. Since the introduction of the carer's allowance scheme this full-time care and attention requirement has been eased in order to facilitate carers in engaging in employment, education or training.

Until June this year people could engage in employment outside the home for up to 10 hours per week and still qualify for payment. Since then, I have increased the number of hours a person can engage in employment, self-employment, training or education outside the home and still satisfy the qualifying conditions for payment, from 10 to 15 hours per week. This improvement applies to carer's allowance, carer's benefit and the respite care grant.

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 and that recognise and support the valued and valuable contribution of all carers in a tangible way.

1044. **Mr. Gregory** asked the Minister for Social and Family Affairs the reason free travel is not available to persons on local authority pensions similar to persons on invalidity pension; if this matter will be reviewed; and if he will make a statement on the matter. [29926/06]

Minister for Social and Family Affairs (Mr. Brennan): The free travel scheme is available to all people living in the State aged 66 years, or over, to all carers in receipt of carer's allowance and to carers of people in receipt of constant attendance or prescribed relative's allowance. It is also available to people under age 66 who are in receipt of certain disability type welfare payments, such as disability allowance, invalidity pension and blind person's pension.

The proposal to extend the scheme to people aged under 66 years who may not be in receipt of a qualifying payment is one of a number of proposals that have been made to extend the free travel scheme.

Further extensions to the free travel scheme could only be considered in a Budgetary context and taking account of the financial and other needs of those not covered by the existing arrangements.

Pension Provisions.

1045. **Mr. Stanton** asked the Minister for Social

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and Family Affairs if all phases of the review of qualifying contributions for old age contributory pensions have been fully completed; the conclusions of same with particular respect to the homemakers scheme and retrospection issues; the changes that have been made or will be made as a result of these conclusions; and if he will make a statement on the matter. [29954/06]

Minister for Social and Family Affairs (Mr. Brennan): The social welfare pension rights of those who take time out of the workforce for caring duties are protected by the homemakers scheme which was introduced from 1994. The scheme allows up to 20 years spent caring for children or incapacitated adults to be disregarded when a person's social insurance record is being averaged for pension purposes.

However, the scheme will not of itself qualify a person for a pension. The standard qualifying conditions, which require a person to enter insurance 10 years before pension age, pay a minimum of 260 contributions at the correct rate and achieve a yearly average of at least 10 contributions on their record from the time they enter insurance until they reach pension age must also be satisfied.

There is a proposal to replace the disregard system with one based on actual credited contributions and this is under consideration by my Department. With regard to backdating the homemakers scheme, it is important to point out that in general, changes to insurability of employment arrangements are not back-dated and this principle was applied to the homemakers scheme in 1994.

The review referred to has not been finalised. Instead, it has been decided that it will be encompassed in the Green Paper on overall pensions policy to which the Government is committed as part of the social partnership agreement, Towards 2016. Publication of the Green Paper will be followed by a consultation process and a framework for future pension policy later in the year.

Departmental Programmes.

1046. **Mr. Stanton** asked the Minister for Social and Family Affairs with reference to his Department's sectoral plan and the development of a Sign Language Interpretation Service, when he received the consultants report on the subject; if he has completed his consideration of the report and recommendations; if not, when he expects to have same completed; the conclusions he has come to as a result; and if he will make a statement on the matter. [29957/06]

1047. **Mr. Stanton** asked the Minister for Social and Family Affairs with reference to his Department's sectoral plan and the development of a Sign Language Interpretation Service, if the proposed briefing sessions with key stakeholders

have been completed; if not, when he expects the briefing sessions to conclude; the key stakeholders taking part in the briefing sessions; and if he will make a statement on the matter. [29958/06]

1048. **Mr. Stanton** asked the Minister for Social and Family Affairs with reference to his Department's sectoral plan and the development of a Sign Language Interpretation Service, if a service model has been proposed and developed; if not, when he expects the development of a service model to be completed; and if he will make a statement on the matter. [29959/06]

1049. **Mr. Stanton** asked the Minister for Social and Family Affairs with reference to his Department's sectoral plan and the development of a Sign Language Interpretation Service, when he expects to be in a position to provide this service for deaf people and people who are hard of hearing; and if he will make a statement on the matter. [29960/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to answer Questions Nos. 1046 to 1049, inclusive, together.

The Outline Sectoral Plan, produced by my Department under the Disability Act 2005 and as part of the National Disability Strategy, proposed that Comhairle prepare a scheme relating to sign language interpretation (SLI) services in Ireland. In preparation for this task, Comhairle commissioned consultants to review existing SLI services and requirements and to research international best practice. This review was carried out and a report was completed in December 2005, and was presented to me in May 2006.

The review aimed to establish the overall demand for SLI services and the extent to which this demand is currently being met. The review also set out to establish the needs of the key stakeholders, to examine the models of good practice, including the use of technology, and to recommend models and structures for the future development of SLI services, including financial, governance and organisational structures.

The process included consultation with a wide range of stakeholders including the deaf community, representative bodies, service providers and Government Departments. Following the publication of the Report, briefing sessions were arranged by Comhairle with a number of the key stakeholders at which the outcome of the study was presented, the proposed service model was set out and implementation of the report was discussed.

The report makes recommendations in relation to how SLI services might best be established and proposes a model for the development of the service, including the establishment of structures that would facilitate access to interpretative services for deaf people throughout the country.

The two phased approach outlined in the report allows for the transitional and incremental changes necessary to facilitate the planning, managing and monitoring of the services during its implementation. My Department will continue to examine the implications of the recommendations of the report throughout the development of the service.

The briefing sessions have now been completed. The key stakeholders who took part in the briefings included Irish Sign Link, the National Association for the Deaf, the Irish Deaf Society and the Irish Association of Sign Language Interpreters. In addition, meetings were held with the TCD School of Linguistics, Speech and Communications and Bridge Interpreting.

A Steering Group has been established by Comhairle to implement the report recommendations. My Department is represented on the Steering Group.

The first stage of the implementation of the report will commence in early 2007. A new entity will be established which will have clear responsibility for setting the strategic direction and for providing leadership in relation to the development of the services.

I am satisfied that the proposed future model will improve public services accessibility to the deaf community.

EU Directives.

1050. **Mr. Stanton** asked the Minister for Social and Family Affairs his views on European Court Opinion C-278/05 of 13 July 2006; the implications of same; and if he will make a statement on the matter. [29962/06]

1051. **Mr. Stanton** asked the Minister for Social and Family Affairs the involvement of the Government in the proceedings relating to European Court Opinion Case C-278/05; and if he will make a statement on the matter. [29963/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 1050 and 1051 together.

The case to which the Deputy refers relates to Directive 80/987/EEC which provides for the protection of employees in the event of the insolvency of their employer. The High Court in the U.K. referred a case to the European Court of Justice for a preliminary ruling on whether Article 8 of this Directive requires “Member States to ensure, by whatever means necessary, that employees’ accrued rights under supplementary company or inter-company final salary pension schemes are fully funded by Member States in the event that the employees’ private employer becomes insolvent and the assets are insufficient to fund those benefits”.

Article 8 of the Directive requires that “Member States shall ensure that the necessary measures are taken to protect the interests of

employees and of persons having already left the employer’s undertaking or business at the date of the employer’s insolvency in respect of the rights conferring immediate or prospective entitlement to old-age benefits, including survivors’ benefits, under supplementary company or inter-company pension schemes outside the national statutory social security schemes.” However, the Directive elsewhere enables Member States to limit the liability of the guarantee institutions.

In Ireland, Article 8 of the Directive was implemented by Section 7 of the Protection of Employees (Employers’ Insolvency) Act 1984. This provides that in the event of an employer’s insolvency, any contributions deducted from any employee in the 12 months prior to insolvency and which remain unpaid, and any contributions due to be paid by the employer into the scheme in the 12 months prior to the insolvency, unless a lesser amount would discharge the liabilities, may be made from the Social Insurance Fund into the occupational pension scheme. In addition to the measures taken to implement this Directive, existing provisions are in place under the Pensions Act 1990 to protect members’ benefits under occupational pension schemes.

Part IV of the Pensions Act 1990 sets out a minimum funding standard for defined benefit pension schemes. This is a wind-up standard, based on the benefits a scheme is obliged to provide should the scheme be wound up. In addition, having sufficient assets to meet the liabilities of the scheme is now also a requirement under EU Directive 2003/41/EC, which my Department implemented in September 2005.

The issues arising from this particular case relate to two Government Departments, namely, the Department of Enterprise, Trade and Employment, which has responsibility for the Insolvency Payments Scheme and which, under the Protection of Employees (Employers’ Insolvency) Act 1984, administers the implementation of all of the provisions of the Directive, and my Department, which has responsibility for pension issues and the Social Insurance Fund, from which insolvency payments under the Insolvency Payments Scheme are made.

Given the similarity in pension systems it is no surprise to note that the UK implemented Article 8 of the Directive in much the same manner as Ireland. A report from the Commission on 15 June 1995 analysing national laws transposing the Directive found that in the case of Ireland, there was no cause for objection.

In the context of this case, Member States were invited by the European Court to submit statements of case or written observations to the Court of Justice by the 25th October 2005. Arising from this invitation, I and my colleague, the Minister for Enterprise, Trade and Employment accordingly arranged for the Attorney General to submit observations. The observations were submitted having regard to the potential implications

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for Ireland of this case and in order to ensure that the Irish position was fully presented.

An oral hearing in this case was held on June 1st at which Ireland was represented. Following the hearing, the Advocate General delivered her opinion on the 13th July 2006 in advance of the final ruling of the European Court of Justice. While the Advocate General considers that the Directive in principle requires full protection of employees' interests with regard to prospective rights to pension benefits, she agrees with the UK Government and Ireland in their respective submissions that the Member States cannot directly incur liability under the Directive in respect of shortfalls in pension benefits that have not been adequately secured. However, it would be premature to consider any possible implications of this case until the final ruling by the European Court of Justice, which is not expected until the end of 2006.

Social Welfare Benefits.

1052. **Mr. Stanton** asked the Minister for Social and Family Affairs the number of applications for the respite grant to date in 2006; the number of applications which have not been processed and awarded; the average time it is currently taking his Department to process respite grant applications; and if he will make a statement on the matter. [29965/06]

1053. **Mr. Stanton** asked the Minister for Social and Family Affairs if the backlog in processing respite grant applications still exists; if so, the number of claims outstanding; when a decision will be made on the outstanding applications; the efforts his Department has made or is making to address the delay in processing applications; the additional contact his Department has had with these applicants in relation to the delays; and if he will make a statement on the matter. [29966/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 1052 and 1053 together.

People providing full-time care who are in receipt of carers allowance, carers benefit or prescribed relatives allowance receive the respite care grant automatically, without having to apply for it. The same applies where a constant attendance allowance is in payment. Payment is made on or after the first Thursday in June of the year to which the payment refers.

Budget 2005 extended entitlement to the Grant to all full-time carers irrespective of means or contribution record but subject to certain conditions relating to the need for and the provision of full-time care and attention. A section was set up in my Department to process applications from people in this newly entitled category.

The grant in respect of 2006 is payable to people who meet the qualifying conditions on

Thursday 1 June 2006 and is payable on or as soon as practicable after that date.

To date in 2006, the grant has been paid to 26,000 people who are entitled to receive it automatically without having to apply. Applications for the 2006 grant from those not entitled to receive it automatically by virtue of their primary payment, 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, approximately 6,500 applications have been received to date. By its very nature, the receipt of a large volume of applications over a relatively short period puts pressures on the section processing applications and some delays in making payments ensue. However, the 6,500 applications have been cleared and grants have been paid to 5,444 successful applicants. Completed questionnaires continue to be received and these are being cleared on an ongoing basis.

Applications for the 2005 grant continue to be received and a number of applications for the 2006 grant have also been received from people who did not apply for the 2005 grant. Between the two, there are approximately 950 cases on hands and these are currently being processed. In addition, as the 2005 applications are processed, successful applicants are invited to apply for the 2006 grant.

The second phase of the campaign to identify those people who may be eligible for the Grant is currently underway in the form of a national awareness campaign to promote awareness of supports for carers, including the respite care grant. This campaign, which began last Sunday, 24 September, includes extensive advertising for this week on television, national and regional radio and in the national and regional print media. A LoCall telephone number, 1890 66 22 44, is provided which people can contact for further information.

1054. **Mr. Durkan** asked the Minister for Social and Family Affairs when rent assistance will be paid in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [30032/06]

Minister for Social and Family Affairs (Mr. Brennan): The supplementary welfare allowance scheme, which includes rent supplement, is administered on my behalf by the Community Welfare division of the Health Service Executive. The purpose of the scheme is to provide short-term income support, in the form of a weekly or monthly payment, to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. Neither I nor my

Department has any function in relation to decisions on individual claims.

The Executive has advised that it has received an application for rent supplement from the person concerned. However, the Executive was unable to make a decision on entitlement as the application form was not properly completed. The Executive has further advised that the person concerned should contact the local Community Welfare Officer to complete the application form so that her entitlement to rent supplement can be determined.

Social Welfare Appeals.

1055. **Mr. Durkan** asked the Minister for Social and Family Affairs the position in relation to an application for supplementary welfare allowance in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [30034/06]

Minister for Social and Family Affairs (Mr. Brennan): The supplementary welfare allowance scheme is administered on behalf of my Department by the community welfare division of the Health Service Executive. Neither I nor my Department has any function in relation to decisions on individual claims.

Section 190(1) of the Social Welfare (Consolidation) Act 2005 provides that people in full-time education are not normally eligible to receive assistance, including basic supplementary welfare allowance, under the supplementary welfare allowance scheme.

The Executive has advised that it refused a claim for basic supplementary welfare allowance on the basis that the person concerned is a full-time student. She has appealed this decision to an appeals officer in the Executive, who will make a determination on her eligibility and notify her of the outcome as soon as possible.

Social Welfare Benefits.

1056. **Mr. Crawford** asked the Minister for Social and Family Affairs the number of people who have received the carer's respite grant in 2006; if he has satisfied himself that all those entitled to same are aware of this grant; if he will make further effort to make them aware; and if he will make a statement on the matter. [30090/06]

Minister for Social and Family Affairs (Mr. Brennan): People providing full-time care who are in receipt of carers allowance, carers benefit or prescribed relatives allowance receive the respite care grant automatically, without having to apply for it. The same applies where a constant attendance allowance is in payment. Payment is made on or after the first Thursday in June of the year to which the payment refers. To date in 2006

the grant has been paid to 26,000 people in this category.

Budget 2005 extended entitlement to the 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. A section was set up in my Department to process applications from people in this newly entitled category.

The grant in respect of 2006 is payable to people who meet the qualifying conditions on Thursday 1 June 2006. Applications for the 2006 grant from people in this category are being solicited in two phases. Firstly, those who applied for and received the grant in 2005 were written to enclosing a brief questionnaire to establish whether they continued to satisfy the conditions for receipt of the grant in 2006 and, on foot of this initiative, grants have been paid to 5,444 successful applicants.

The second phase of the campaign to identify those people who may be eligible for the grant entails a national awareness campaign to promote awareness of supports for carers, including the respite care grant.

The underlying objective of my Department's information policy is to ensure that all citizens, including carers, are made aware of their entitlements under a broad range of social insurance, social assistance and other supports and are kept informed of changes and improvements as they occur.

Carers have been the target of a number of awareness campaigns undertaken by my Department in recent years. In 2005, a major publicity campaign was undertaken to publicise the availability of the new respite care grant to carers providing full time care. The campaign included advertisements in provincial and national newspapers and a freephone helpline to explain the eligibility conditions for the grant. A comprehensive information article on the respite care grant was prepared by my Department and distributed to all carers support organisations for inclusion in their publications and literature.

Information officers and other staff in my Department involved in providing information to Carers and Community Welfare Officers were provided with comprehensive briefing to enable them to provide guidance and assistance to carers enquiring about the scheme. Posters were widely distributed throughout the country to all local offices of my Department, to the Citizens Information Centres and to some 800 Health Centres for public health nurses, GPs and other health care staff.

My Department is currently conducting a national awareness campaign to promote awareness of supports for carers, including the respite care grant. This campaign, which began last Sunday, 24 September, includes extensive advertising for this week on television, national and regional radio and in the national and regional print

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media. A LoCall telephone number, 1890 66 22 44, is provided which people can contact for further information.

Comprehensive information on social welfare schemes and supports, including information on the respite care grant, is available from my Department's network of 125 social welfare local offices throughout the country. Information is also available on my Department's website, *www.welfare.ie*, and any social welfare leaflet or application form can be ordered from our LoCall Leaflet Line 1890 20 23 25.

In addition to the information services provided by my Department, Comhairle, the national information agency under the aegis of my Department, has responsibility for supporting the provision of independent information and advice to citizens. Citizens Information Centres based in 247 locations throughout the country provide information to members of the public on the full range of social services.

My Department will continue to work closely with voluntary and national organisations that provide support to Carers and every opportunity will be taken to promote schemes and services for Carers. The provision of quality information to meet the particular needs of carers is a high priority for my Department in the drive to ensure that carers are aware of and claim their entitlements.

1057. **Mr. Crawford** asked the Minister for Social and Family Affairs the number of people who were in receipt of disability benefit, disability allowance and invalidity pension or other such health related scheme payments on 1 January 1997; the number who are receiving similar payments at present; if he has satisfied himself that persons on such schemes are given support to take up part-time work in their own best interest and in an effort to get them back into full time employment; and if he will make a statement on the matter. [30091/06]

Minister for Social and Family Affairs (Mr. Brennan): My Department operates a number of schemes which provide income support to persons with an illness or disability, including the disability benefit and invalidity pension schemes and the means-tested disability allowance and blind pension. The number of people currently in receipt of these schemes and with comparative numbers for 1997 is: Disability Benefit 66,195 (42,460 in 1997); Invalidity Pension 60,537 (43,046 in 1997); Disability Allowance 81,315 (37,054 in 1997) and Blind Pension 1,959 (2,450 in 1997).

The increase in the number of recipients of the main schemes for illness and disability is reflective of an increased entitlement to benefits arising from the growth of the workforce generally as well as improvements made to the Disability

Allowance scheme since its transfer from the then Health Boards in 1996.

Facilitating return to work and participation in the active labour force with a view to assisting people to become more financially independent is one of the main objectives of the social welfare system and a key goal in my Department's Statement of Strategy.

There are a number of specific incentives available within the system to encourage and facilitate people, including people with illness or disabilities, to take-up or return to employment, or to undertake education and training options.

These incentives include exemptions from the general "no work" conditions of the disability benefit and invalidity pension schemes to facilitate people to undertake work of a rehabilitative nature and there are over 6,200 people currently availing of such exemptions. In addition, there are income disregards which fully exempt a portion of earnings (currently €120 per week) from the means-tested disability allowance and blind pension payments and over 6,600 people are currently availing of this disregard.

In order to improve the incentives for people with disabilities to take up and progress within employment, as part of the social welfare budget package 2006, a new 50% withdrawal rate of Disability Allowance and Blind Pension payments has been introduced, effective from June 2006, for earnings above €120 per week and under €350 per week. This measure replaces the previous euro for euro withdrawal above the €120 per week disregard and will mean that a single person can earn up to €390 per week before their Disability Allowance or Blind Pension is fully withdrawn.

Access to the Back to Work Allowance scheme, designed to assist people to return to employment, is also available (subject to certain conditions) to people in receipt of Disability Benefit, Invalidity Pension, Disability Allowance and Blind Pension. This is a weekly payment which allows people to take up approved employment while retaining a percentage of their social welfare payment for three years (four years in the case of self-employment) and to retain any secondary benefits to which they have been entitled for that period. There are in excess of 1,400 people availing of the Back to Work Allowance who have been in receipt of illness or disability payments.

Access to the Back to Education scheme (subject to qualifying conditions) is similarly available for people in receipt of the aforementioned schemes. This is an allowance paid at a standard rate, for the duration of the educational course which the person undertakes, at either second or third level. Any secondary benefits to which the person had entitlement are also retained for the duration of the payment. In addition, an annual cost of education allowance is payable at the commencement of each

academic year to assist with the purchase of books and other relevant materials. There are currently 695 people participating in the Back to Education scheme who had been receiving disability or illness payments.

My Department has recently published its Disability Sectoral Plan, in accordance with the provisions of the Disability Act, 2005 and the National Disability Strategy. While the primary focus of my Department is on providing and developing income support payments, it also has a role in providing opportunities to encourage and assist people to become less dependent on the social welfare system and to move to a position where they can, to a far greater extent, meet their income needs from employment.

I am also conscious of the need to recognise, in addition to economic outcomes, the potential for advancement through a variety of activation measures, such as furthering education or developing life skills. In this context the sectoral plan outlines a significant proposal for a new economic and social model of participation, based on a life cycle approach for people of all working age, including people with disabilities.

I am committed to ensuring that no individual's talent or contribution is overlooked, and to helping our customers to achieve their full potential, both in terms of participation in the labour market and in wider society.

Social Welfare Benefits.

1058. **Mr. Deasy** asked the Minister for Social and Family Affairs when the living alone allowance was last increased; the amount of the payment now if it had been raised in line with inflation since the date of the last increase; if he will undertake to increase same to at least compensate for inflation; and if he will make a statement on the matter. [30092/06]

Minister for Social and Family Affairs (Mr. Brennan): The living alone allowance or living alone increase as it is now known, is an additional payment of €7.70 per week made to people aged 66 years or over who are in receipt of certain social welfare payments and who are living alone. It is also available to people under 66 years of age who are living alone and who receive payments under one of a number of invalidity type schemes. The increase is intended as a contribution towards the additional costs people face when they live alone.

The payment was last increased in 1996. If it had increased each year in line with inflation the rate of payment would now be around €10.13 per week.

The living alone increase is a targeted measure aimed at a particular group of pensioners. However, the policy in relation to support for pensioners has been, for many years, to give priority to increasing the personal rates of pension rather than focusing on payments such as the

living alone increase. This approach ensures that resources are used to improve the position of all pensioners.

The Government is committed to increasing the level of the basic State pension to €200 per week by 2007. Further significant progress towards achieving this target was made in Budget 2006, which provided for increases in pensions of up to €14 and €16 per week. The maximum rate of the old age contributory pension is now €193.30 per week with the maximum non-contributory pension paid at €182 per week.

1059. **Mr. Deasy** asked the Minister for Social and Family Affairs his views on extending the continuation of child benefit payments until the age of 22 in respect of young people who are in full-time education; and if he will make a statement on the matter. [30093/06]

Minister for Social and Family Affairs (Mr. Brennan): Unlike other social welfare payments requiring qualifying contributions or assessment of means, child benefit is a universal payment, paid in respect of children up to the age of 16 years regardless of the level or source of parental income. It continues to be paid in respect of children up to age 19 who are in full-time education, or who have a physical or mental disability.

The policy of the Government over the past number of years has been to substantially increase the amount spent on child benefit for all families. Commitment to this policy is reflected in the significant resources invested in the scheme since 2001, increasing monthly payments to €150.00 for each of the first two children and €185.00 for the third and subsequent children from April 2006, increases of €96.04 (177%) and €113.89 (160%) respectively. According to figures collected by the Central Statistics Office under the Quarterly National Household Survey for the period March 2006 to May 2006, there were an estimated 88,600 students aged from 19 years up to 22 years. Extending child benefit to this category would therefore entail substantial cost, estimated to be in the region of €167 million annually.

In recognition of the need to target limited available resources at persons on low incomes with children in full-time education, a number of provisions have been introduced, including the extension of entitlement to child dependant allowance to age 22 where the parent of a full-time student (including third level) is in receipt of either a long-term social welfare payment, or a short-term social welfare payment for six months or more (short-term schemes include such payments as Unemployment Benefit and Assistance, Disability Benefit and Supplementary Welfare Allowance).

In addition, in-work cash payments are provided to low-paid employees with families through the family income supplement (FIS)

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scheme. Under this scheme, a qualified child is any child under the age of 18 or aged 18 to 22 if in full-time education. This supplement is paid where a family's weekly income is below a specified income limit for the family size, and is calculated at 60% of the difference between the net family income (gross pay less tax, PRSI, health contribution, superannuation) and the relevant income limit. Further information regarding the FIS scheme can be obtained from any local office of the Department.

I will continue to keep further improvements to the child benefit scheme under regular review to the child benefit scheme.

1060. **Mr. Deasy** asked the Minister for Social and Family Affairs his progress in reviewing the free telephone allowance with a view to extending it to include mobile phones; if he will confirm that the fundamental review of the household benefits package has been completed; and if he will make a statement on the matter. [30094/06]

Minister for Social and Family Affairs (Mr. Brennan): The household benefits package, which comprises the electricity/gas allowance, telephone allowance and television licence schemes, is generally available to people living permanently in the State, aged 66 years or over, who are in receipt of a social welfare type payment or who satisfy a means test. The package is also available to carers and people with disabilities under the age of 66 who are in receipt of certain welfare type payments. People aged over 70 years of age can qualify regardless of their income or household composition. Widows and widowers aged from 60 to 65 whose late spouses had been in receipt of the household benefits package retain that entitlement to ensure that households do not suffer a loss of entitlements following the death of a spouse.

The primary objective of the telephone allowance scheme is to ensure access to help in an emergency and to provide an element of security. A secondary objective is to encourage social contact and to assist in the prevention of social isolation for those living alone.

The administrative and technical arrangements for payment of the household benefits were originally designed for a relationship with a single provider per utility market and are not sustainable in a deregulated energy market environment with multiple service providers.

However, I am committed to the development of the telephone allowance scheme to respond to the expanding telecommunications market and to facilitate greater customer choice of telephone services including the use of mobile phones. This is particularly important given the high level of mobile phone ownership in Ireland now and the

fact that some households do not have land lines at all.

My Department has carried out a fundamental review of the operational arrangements with the various service providers which examined the position regarding the opening up of the telecommunications market, including mobile phone services and the impact this will have on the telephone allowance.

When considering the extension of this scheme to cover mobile phones, there are administrative and technical issues to be resolved both internally within the department and externally in the market. My Department is currently in discussion with the various stakeholders with a view to resolving their issues in the near future.

Social Insurance.

1061. **Ms Enright** asked the Minister for Social and Family Affairs the procedure in place where PRSI contributions have been deducted from employees but not submitted to his Department; and if he will make a statement on the matter. [30097/06]

Minister for Social and Family Affairs (Mr. Brennan): Pay Related Social Insurance (PRSI) is an important part of the social welfare system. Social Insurance provides a range of benefits to customers at certain specified times in their lives. The integrity of the PRSI system is dependent on timely, appropriate contributions being made to the Social Insurance Fund by employers, employees and the self employed as laid down in social welfare legislation.

Contributions due to the Social Insurance Fund are collected by the Revenue Commissioners. My Department's Inspectorate, also have responsibilities in relation to ensuring that employers and the self employed comply with their obligations in relation to Pay Related Social Insurance contributions. Employer compliance in this regard, is monitored by Inspectors whose remit includes a detailed examination of employers' records to ensure that correct PRSI payments are being made in respect of all their employees. In addition, any irregularity in a customer's PRSI record either detected at claim processing stage or reported directly by the customer, is referred to the Inspectorate for follow up action.

Where PRSI undercharges are confirmed, the Inspector sets out PRSI arrears/underpayment in respect of each employee for each tax year and issue a demand to the employer for payment. Should the employer fail to respond satisfactorily, a statutory demand issues by registered post and the employer is given 14 days to respond. If the employer fails to respond the case may be referred for prosecution.

If the employer is not able to produce wage records, the employee is asked to complete a statement (Form IN12) detailing evidence of employment and payment of earnings is obtained.

If the employment is confirmed either by way of wage inspection or employee statement, my Department's Central Records Unit is advised to update the employee's PRSI record for the period of employment in question. In cases where a customer makes a claim for a social insurance payment, entitlement to the payment is established using the information gathered during the investigation.

Road Traffic Offences.

1062. **Mr. Quinn** asked the Minister for Transport if he has plans to extend the powers of clampers to permit them to clamp vehicles displaying no tax disk, insurance disk or national car test disk, or displaying invalid disks; and if he will make a statement on the matter. [28268/06]

Minister for Transport (Mr. Cullen): Section 101B of the Road Traffic Act 1961 provides for the immobilisation of unlawfully parked vehicles. I have no proposals under consideration to provide for the use of this method of enforcement in respect of other offences.

Driving Licences.

1063. **Mr. P. Breen** asked the Minister for Transport the number of car provisional licence holders in County Clare for 2006 and for each of the past five years; and if he will make a statement on the matter. [28413/06]

Minister for Transport (Mr. Cullen): Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the Road Safety Authority has responsibility for the oversight of the operation of the driver licensing system. Your enquiry has been referred to the RSA for direct reply to you.

Driving Tests.

1064. **Mr. P. Breen** asked the Minister for Transport when a person (details supplied) in County Clare will be facilitated with a driving test; and if he will make a statement on the matter. [28443/06]

Minister for Transport (Mr. Cullen): Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the Road Safety Authority has responsibility for the delivery of the driving test and the issuing of certificates of competency. Your enquiry has been referred to the RSA for direct reply to you.

1065. **Mr. P. Breen** asked the Minister for Transport when a person (details supplied) in County Clare will be facilitated with a driving test; and if he will make a statement on the matter. [28531/06]

Minister for Transport (Mr. Cullen): Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the Road Safety Authority has responsibility for the delivery of the driving test and the issuing of certificates of competency. Your enquiry has been referred to the RSA for direct reply to you.

Decentralisation Programme.

1066. **Mr. McHugh** asked the Minister for Transport the progress which has been made in relation to the decentralisation of persons (details supplied) in County Galway; the number of persons seeking transfer; the site of the new offices; the progress made on the provision of a building; the completion date for the new building; and the date on which the transfer will be complete. [28537/06]

Minister for Transport (Mr. Cullen): The National Roads Authority has not been identified as an early mover by the Decentralisation Implementation Group. The NRA has completed staff accommodation schedules for the Office of Public Works although dates for completion have not been finalised. There are 90 posts due to decentralise. To date 59 civil servants and 7 public servants, 1 of whom is in the NRA, have indicated a willingness to transfer.

1067. **Mr. McHugh** asked the Minister for Transport the progress which has been made in relation to the decentralisation of an office (details supplied); the number of people seeking transfer to Loughrea; the site of the new offices; the progress made on the provision of a building; the completion date for the new building; and the date on which the transfer will be complete. [28538/06]

Minister for Transport (Mr. Cullen): The decentralisation of transport staff to Loughrea is among the priority moves in the Government's decentralisation programme, 50 posts are due to transfer to Loughrea. The decision to set up a Road Safety Authority effectively means that the figures under the Department of Transport and the National Safety Council can be merged to provide for 50 transport posts in Loughrea. Many of the grades transferring to Loughrea are over-subscribed. The OPW are currently negotiating to agree a lease on a temporary site at Railway Place, Loughrea. There is no permanent site identified at this time. The temporary site will be ready for fit out once the lease is signed. It is envisaged that staff will be operating from this temporary building in January 2007.

Tourism Promotion.

1068. **Mr. Perry** asked the Minister for Transport the action which is being taken to promote

[Mr. Perry.]

cruise liners stopping in Ireland; and if he will make a statement on the matter. [28847/06]

Minister for Transport (Mr. Cullen): Primary responsibility for the promotion of the Irish cruise sector rests with Cruise Ireland. Cruise Ireland is an all Ireland non-profit voluntary marketing initiative that was established in 1994, to promote Ireland as a destination for cruise ships. The Cruise Ireland initiative originally brought together Bord Failte, the Northern Ireland Tourist Board, seven port authorities from the Republic, two port authorities from Northern Ireland and three tour operators. All of these bodies, including Tourism Ireland, which is the all Ireland agency responsible for marketing the island of Ireland overseas as a holiday destination, are still actively engaged in supporting the Cruise Ireland initiative.

Port companies play a key role in the promotion of cruise tourism and local tourism interests are being encouraged to play an increasing role in the promotion of the sector.

The world cruise industry's major convention is held every year in Miami. For the last three years, Irish Ministers of State have attended these Seatrade Cruise Conventions, to support the work of Cruise Ireland and the marketing of Ireland as a cruise destination.

The Irish Maritime Development Office (IMDO), the shipping sector's dedicated development agency, also supports the work of Cruise Ireland. The IMDO estimates that the cruise industry was worth over €100 million to the economy in 2005. Passenger numbers increased by 28% from 146,000 passengers in 2004 to over 187,000 in 2005, with an estimated 55% of those visitors being American nationals. The IMDO forecasts further growth in cruise passenger numbers this year.

Port Development.

1069. **Mr. Perry** asked the Minister for Transport the finance which has been put in place for further expansion of the five main ports; the provisions which were put in place for said finance prior to the ports being moved to the Department of Transport; and if he will make a statement on the matter. [29064/06]

1103. **Mr. Perry** asked the Minister for Transport the finance which has been put in place for further expansion of the five main ports; the proposals and planning which are in place for further expansion of the ports; when said ports will individually reach their full capacity; the person who has undertaken research on this issue; and if he will make a statement on the matter. [29065/06]

Minister of State at the Department of Transport (Mr. Gallagher): I propose to take Questions Nos. 1069 and 1103 together.

The Governments Ports Policy Statement, which I launched early last year, aims to better equip the port sector and its stakeholders to meet national and regional capacity and service needs. One of the key challenges that lie ahead is the provision of adequate in-time port capacity, particularly for unitised trade. The Policy Statement sets out a framework to ensure that capacity needs are identified, planned and progressed in a coordinated manner.

As indicated in the Ports Policy Statement, the Government expects that the port companies, as commercial entities, should be capable of funding their operations and infrastructure requirements without relying on Exchequer support. Such support would only be considered in cases where it was clearly demonstrated that State intervention was essential as the residual financier after opportunities available to the ports themselves (through efficiencies, optimum use of existing resources and port charge adjustments) and to the private sector (through direct investment and/or joint ventures) were exhausted and that the funding would contribute to national capacity requirements.

Further to the Ports Policy Statement, my Department appointed in September 2005 a firm of consultants expert in this field, Fisher Associates, to help determine whether the anticipated capacity requirement to 2014 and beyond can be efficiently and adequately met through the successful advancement and implementation by the port sector of some combination of the various proposals currently under development in the sector.

Detailed submissions outlining proposals for new capacity for unitised trade were received from the following ports and evaluated by Fisher Associates: Cork, Greenore, Dublin, Drogheda, Rosslare, Shannon Foynes and Waterford.

The final report of Fisher Associates was completed in June 2006. It is intended to publish the broad conclusions of the report in an Information Paper shortly, which will be available on my Department's website at www.transport.ie.

Road Safety.

1070. **Mr. Connolly** asked the Minister for Transport if legislation will be introduced to make hazard warning lights mandatory at road work sites to ensure motorists' safety; and if he will make a statement on the matter. [29334/06]

Minister for Transport (Mr. Cullen): Under section 95 of the Road Traffic Act 1961 the provision of any traffic sign, regulatory or non-regulatory, is the responsibility of the individual road authority. The Act provides that a road authority may provide for public roads in their charge such information and warning signs as they consider desirable.

Rural Transport Services.

1071. **Mr. Wall** asked the Minister for Transport the position regarding the rural transport initiative; if there has been or if there are proposed increases in funding for the Kildare initiative; if this will include the hospitals of the county as destination points in any new proposals; and if he will make a statement on the matter. [29382/06]

Minister of State at the Department of Transport (Mr. Gallagher): The Rural Transport Initiative (RTI) is a pilot scheme, under which funding is made available to thirty-four community-based organisations across the country, including two projects which are operational in County Kildare, 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. Neither the Minister for Transport nor his Department have any function in relation to specific allocations to individual project groups. Similarly, Pobal, together with the individual RTI project groups, are solely responsible for all the operational aspects of the initiative, including the specific services to be provided and the methods of provision.

Following the success of the pilot phase of the RTI, my colleague the Minister for Transport announced his intention to conclude this phase at the end of 2006 and to put the Initiative on a permanent footing from 2007 onwards. Proposals in that regard have recently been the focus of a public consultation process and the Department will now proceed to finalise its policy options with due consideration for the comments received.

The Department has been steadily increasing the funding for the RTI in recent years. Euro 4.5 million was provided for the RTI in 2005, which was a 50% increase on the 2004 allocation, while the 2006 allocation is Euro 5.1 million. By the end of 2006 total funding for the initiative will have exceeded Euro 18.5 million. This compares with the original proposed allocation of Euro 4.4 million in the National Development Plan 2000 – 2006.

Based on the 2005 allocation of Euro 4.5 million, and in parallel with the implementation of the Government's ten-year Transport Investment Framework, Transport 21, the Department will double the cash funding available to the RTI from 2007. Thereafter, the funding available for rural transport services will steadily increase; ultimately to a cash level about four times the 2005 allocation.

Motor Insurance.

1072. **Mr. Lowry** asked the Minister for Trans-

port the measure he will take to reduce the cost of motor insurance in view of the fact that motor insurance for persons under 25 remains at an exorbitantly high rate; and if he will make a statement on the matter. [29639/06]

Minister for Transport (Mr. Cullen): In accordance with EU law, I have no direct responsibility in relation to setting motor insurance premiums. Insurance cover is provided by licensed companies based on actuarial or statistical data or other underwriting or commercial factors.

My Department, however, is taking the lead role in implementing the recommendations of the Motor Insurance Advisory Board (MIAB). This forms the bedrock of the Government's Insurance Reform Programme initiated in 2002 and I am pleased to say that the reform programme has been very successful to date. In particular, we have been very successful in reducing the cost and increasing the availability of motor insurance. Between April 2003 and August 2006, overall motor insurance premia have fallen by some 28.5 percent.

Unfortunately, the cost of insurance for young drivers has not fallen in line with the general downward trend in the cost of insurance. This is mainly due to the proportionally higher incidence of collisions involving young drivers and, in particular, young male drivers. Statistical and research data by the insurance industry has shown that young male drivers are high risk category and are priced by the industry accordingly. However, my officials are aware of a number of companies who offer special discounts to young drivers based on those drivers fulfilling certain conditions. In accordance with the best consumer advice, I would advise young drivers to shop around for the best price that suits their particular circumstances.

Road Traffic Offences.

1073. **Ms Enright** asked the Minister for Transport the penalty for prosecution of a drug driving offence, including the length of time a driver's licence is withdrawn; the timeframe to re-apply for the restoration of a driving licence; and if he will make a statement on the matter. [30089/06]

1116. **Mr. O'Shea** asked the Minister for Transport his proposals to introduce a breathalyser system to test drivers for illegal drugs; and if he will make a statement on the matter. [29485/06]

1117. **Mr. O'Shea** asked the Minister for Transport the evidence he has regarding the extent of impairment of drivers arising from the presence of illegal drugs in their systems; and if he will make a statement on the matter. [29486/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 1073, 1116 and 1117 together.

[Mr. Cullen.]

The Road Traffic Acts provides that a member of the Garda Síochána may, where he or she is of the opinion that a person in charge of a mechanically propelled vehicle in a public place is under the influence of a drug or drugs to such an extent as to be incapable of having proper control of that vehicle, require that person to go to a Garda station and further require that person submit to a blood test or to provide a urine sample which will then be subject to analysis by the Medical Bureau of Road Safety.

The Medical Bureau of Road Safety continues to analyse blood and urine specimens received under the Road Traffic Acts for the presence of a drug or drugs. In 2004, 569 specimens were tested for the presence of a drugs or drugs. 354 specimens tested positive and 215 were found to be negative for the presence of a drug or drugs.

There is no feasible basis for the introduction of a scheme of preliminary roadside testing for drugs at present. However, screening devices based on oral fluid specimens are being developed for the purpose of carrying out roadside drug testing. Such testing devices are in prototype stages and the Medical Bureau of Road Safety is keeping abreast of developments in this area.

The Bureau undertook a two-year research programme of drug analysis of blood and urine samples in 2001 and 2002. The complete confirmatory results of the survey identifies trends in the types of drugs being taken, their combination with alcohol, and the incidence of polydrug use. The confirmation analysis of specimens continued in 2003 and the data collection and report was published in June 2004.

The study indicates that 15.7% of all tested drivers were positive for one or more drugs; that of the drivers who were under the limit for alcohol, 33.1% were positive for one or more drugs; and that of the drivers with very low or zero levels of alcohol, 67.9% were positive for drugs.

The offence of driving under the influence of an intoxicant to such an extent that the driver is incapable of having proper control of the vehicle attracts a disqualification of not less than 2 years in the case of a first offence, and, not less than 4 years in the case of a second or any subsequent offence. The courts can also impose a fine of up to €2,500 and/or 6 months in jail.

In the case of a 2 year disqualification a person can only apply for a review of the period after the expiry of 9 months and one year of the disqualification must be served. Where a disqualification order is made for a period of 4 years, the request for a review may not be made until a period of 21 months has expired and the period of disqualification cannot be reduced to less than 2 years.

Light Rail Projects.

1074. **Mr. F. McGrath** asked the Minister for Transport if he will request the Railway Procure-

ment Agency to start the design and consultation for two metro or Luas lines serving North Dublin; and if he will make a statement on the matter. [28234/06]

1106. **Mr. F. McGrath** asked the Minister for Transport if the Metro will serve Beaumont and Beaumont Hospital. [29206/06]

1107. **Mr. F. McGrath** asked the Minister for Transport if he will support the East Metro route as it would be a major benefit to the northside of Dublin. [29243/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 1074, 1106 and 1107 together.

The Railway Procurement Agency (RPA) is currently undertaking extensive work in relation to the Metro and Luas rail projects for North Dublin included in TRANSPORT 21.

In relation to Metro North, which will run from St. Stephen's Green to Swords via Dublin Airport, the RPA has completed the public consultation process for the route alignment. The selection of the route is a matter for the RPA and I understand that the Board of the RPA expect to make a formal announcement regarding the preferred alignment in the near future.

Metro West, which will be built on a phased basis, is intended to link Tallaght with Clondalkin, Lucan and Blanchardstown and connect with Metro North at Ballymun. The RPA have made good progress on identifying possible alignments and I understand that the RPA will commence public consultation on route options before the end of this year.

In line with the timeframes set out in Transport 21, Metro North and Metro West are scheduled for completion in 2012 and 2014, respectively.

I am currently considering the inspector's report from the Public Inquiry into the Railway Order application for a Luas extension from Connolly Station to the Point Depot. In addition, the RPA are continuing consultations on the various route options for linking the two existing Luas lines in the city centre; Transport 21 provides for the further extension of this line to Liffey Junction by 2012. The RPA are also working on identifying feasible alignments for a Luas line from Lucan to the City Centre.

Transport Licences.

1075. **Mr. Quinn** asked the Minister for Transport if airports here are being used to transport military equipment from, to, or on behalf of Israel; if requests for licences for such through-carriage have been requested; if so, the number of same; the number of these licences which have been granted; and if he will make a statement on the matter. [28289/06]

Minister for Transport (Mr. Cullen): Civilian air carriers carrying weapons or munitions, wishing to land or over-fly Irish airspace are obliged to seek exemption from the provisions of Sections 6 & 7 of the Air Navigation (Carriage of Munitions of War, Weapons and Dangerous Goods) Order 1973. This Order applies only to the carriage of munitions of war, weapons and dangerous goods and not to military personnel. All of the application details are sent to the following Departments for observations, before the Minister decides whether to issue an exemption:

- the Department of Foreign Affairs (in relation to foreign policy),
- the Department of Justice (in relation to security) and
- the Irish Aviation Authority (in relation to aviation safety),
- and also informs the Department of Defence.

Since 1 January 2003, there have been two requests granted to civil air carriers to transit through Irish airports carrying military equipment to Israel, one in June 2005 and one in May 2006. Both of these requests related to the personal weapons of US troops transiting Ireland. The only request granted for the transit of military equipment from Israel during this time was in May 2006, when the same troops returned to the US following the completion of exercises in Israel.

All of these requests preceded the recent conflict in Lebanon. The Minister for Foreign Affairs made clear during the recent crisis that permission would not be granted for any application for the transit of munitions of war to Israel.

Driving Licences.

1076. **Mr. Bruton** asked the Minister for Transport his views on changing the existing size and format of the drivers licence, to allow for a more compact and smaller licence, which would be easily accessible to a personal wallet and so on; his views on changing the size of the existing drivers licence in view of the fact that drivers are required to have a licence on them at all times; and if he will make a statement on the matter. [28312/06]

Minister for Transport (Mr. Cullen): The intention is to produce a credit card sized plastic card driving licence in due course. The licence format will be as provided for in the draft third EU Directive on driving licences which provides for the issuing of new licences in plastic card format only and allows for the introduction of an optional microchip on the driving licence.

Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the Road Safety Authority has responsibility for the oversight of the operation of the

driver licensing system and liaising with and supporting licensing authorities in relation to the issuing of licences including the provision and control of the issue of stocks of licences to licensing authorities. It is now a matter for the RSA to arrange for the supply of a plastic card licence when outstanding issues at EU level are determined.

Once the Directive is finalised and issues, including the specification of the microchip, are agreed at EU level, I anticipate that a tender request will be issued by the RSA.

Driving Tests.

1077. **Ms O. Mitchell** asked the Minister for Transport the amount of the contract awarded to allow for the outsourcing of driving tests to a private operator; the locations where such tests will be conducted from; when these tests will commence; the duration of the outsourced contract; and if he will make a statement on the matter. [28313/06]

Minister for Transport (Mr. Cullen): Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the Road Safety Authority has responsibility for the delivery of the driving test and the issuing of certificates of competency and the contract with SGS Ltd., the company contracted by me on the 4 July 2006 to conduct driving tests, is now the responsibility of the RSA.

I understand that SGS commenced issuing driving test appointment letters to test candidates during the week commencing 11 September and will begin conducting driving tests during the week commencing 23 October.

The locations of the initial driving test centres to be used by SGS Ltd. are set out in the following table with the RSA's contiguous test centres also indicated. Testing will happen on a phased basis from each of these centres.

Dept. of Transport	SGS Test Centres
Churchtown/Rathgar	Fonthill/Deansgrange NCT centres
Tallaght	Citywest SGS Office
Raheny	Northpoint NCT Centre
Finglas	Northpoint NCT Centre
Naas	Naas NCT Centre
Dundalk	Drogheda/Dundalk NCT Centres
Navan	Kells NCT Centre
Wicklow	Arklow/Deansgrange NCT Centres
Carlow	Carlow NCT Centre
Gorey	Arklow/Enniscorthy NCT Centre
Wexford	Enniscorthy NCT Centre

[Mr. Cullen.]

SGS Ltd. has been contracted to conduct 40,000 (or 45,000 by agreement) driving tests and the contract period lasts for 18 months or 40,000 completed tests, whichever is the earliest. It would not be appropriate for me to divulge the amount of the contract awarded as such information is of a commercially sensitive nature.

1078. **Mr. F. McGrath** asked the Minister for Transport the reason the driver theory test voice-over is in Irish but the text is in English; and the further reason Irish language speakers are not offered full language rights on this issue. [28362/06]

Minister for Transport (Mr. Cullen): The Driver Theory Test is available in the Irish language in both voice-over and text. Irish language speakers are offered full language rights in relation to this test.

Rescue Service.

1079. **Mr. P. Breen** asked the Minister for Transport the progress which has been made in providing a new building for the Doolin Coastguard and Rescue Service; if negotiations for the acquisition of a site have ended; and if he will make a statement on the matter. [28412/06]

1102. **Mr. J. Breen** asked the Minister for Transport further to Parliamentary Question Nos. 314 of 15 November 2005, 352 of 7 February 2006 and 515 of 21 March 2006, if progress has been made in the acquisition of a site for the proposed new station house for the Doolin Coastal Unit; and if he will make a statement on the matter. [29059/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 1079 and 1102 together.

I am very conscious of the need to for improved accommodation for the Doolin Coastal Unit. However, site acquisition negotiations for a new Station house have proved to be protracted and difficult. Recent negotiations to acquire a site, which have been underway for some considerable time, have not reached a satisfactory conclusion.

I have accordingly asked Coast Guard management to consider, as a matter of urgency, alternative locations to permanently house the Doolin Unit in the locality. In the meantime, additional temporary accommodation has been provided for the Unit members.

National Car Test.

1080. **Mr. P. Breen** asked the Minister for Transport if he will reconsider his decision to instruct authorised vehicle testers to refuse to test two-door jeeps, SUVs and other similar type vehicles with rear seating presenting as goods

vehicles, as these vehicles were originally purchased in good faith as goods vehicles; and if he will make a statement on the matter. [28500/06]

Minister for Transport (Mr. Cullen): Oversight arrangements for the National Car Testing scheme are now vested in the Road Safety Authority since 13th September 2006 as a consequence of the Road Safety Authority (Conferral of Functions) Order 2006.

Driving Licences.

1081. **Ms O. Mitchell** asked the Minister for Transport his plans to ensure that a clearer differentiation between the A and A1 classification for motorcycle driving licences is put in place in view of the fact that the labelling system in use is causing confusion among applicants and existing motorcyclists who want to upgrade from an A1 licence to an A licence; and if he will make a statement on the matter. [28509/06]

Minister for Transport (Mr. Cullen): The Road Traffic (Licensing of Drivers) Regulations, 1999 provide that driving licence category A licences a person to drive all motorcycles while category A1 limits a person to motorcycles with an engine capacity not exceeding 125 cubic centimetres and with a power rating not exceeding 11 kilowatts. I am not aware of any confusion arising from the categorization of motorcycles for driving licences.

Integrated Ticketing.

1082. **Ms O. Mitchell** asked the Minister for Transport the status of the integrated ticketing project; the projected future budget and expenditure to date; and if he will make a statement on the matter. [28553/06]

1135. **Ms C. Murphy** asked the Minister for Transport when integrated ticketing will be introduced among public transport providers; and if he will make a statement on the matter. [30172/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 1082 and 1135 together.

I set out the position in relation to the Integrated Ticketing project in my response to Parliamentary Question No. 456 on 6th July 2006 and announced that I was in the process of establishing an Integrated Ticketing Project Board with responsibility for delivering the project.

The Project Board has now been established and comprises an independent Chairperson, David O'Callaghan, the Chief Executives of the Railway Procurement Agency, Dublin Bus, Irish Rail, Bus Éireann and a representative of licensed private bus operators. An Assistant Secretary from my Department is also on the Board and a senior representative of the Department of Social & Family Affairs also attends as required.

The Board is accountable to me and is required to formally report on progress in September 2006

and every 3 months thereafter, or more frequently if circumstances require. On its establishment, I set the Board a number of immediate tasks:

- review and settle by way of agreement the scope, timelines and budget for the phased completion of the integrated ticketing project;
- review the ticketing plans and associated timelines of the transport agencies to satisfy itself on their compatibility with the integrated ticketing project;
- review and update, if appropriate, the anticipated benefits of the project;
- determine the composition of the Project Implementation Team;
- agree a procurement plan for the project taking on board lessons learned from the experience to date.

I have asked the Project Board to report back to me by the end of September, 2006 with an agreed delivery strategy for the integrated ticketing project. I expect to receive this report in the next few days. Some €10.5 million has been paid out to date by the Exchequer on integrated ticketing since commencement of the project in 2002.

Rail Services.

1083. **Mr. Ring** asked the Minister for Transport the progress which has been made on the future of the Irish rail freight market; if he has sought to bring any competition into the market since it opened in January 2006; his views on promoting the transportation of organic farm produce from the west to restaurants in Dublin; and if he will make a statement on the matter. [28694/06]

Minister for Transport (Mr. Cullen): Since 1999, Iarnród Éireann has invested over 1.5 billion euro in rebuilding the railways, with Government and EU support for the investment programme. This has delivered improvements in new trains, upgraded infrastructure and customer facilities. While such investment has primarily focused on improving passenger services, the investment in improving rail infrastructure also has a direct beneficial impact on freight activities.

Iarnród Éireann has made progress in growing the rail freight business in areas where it holds a competitive advantage over road haulage, including mineral ore and pulpwood. For example Iarnród Éireann has:

- increased the trainload pulpwood business by modifying surplus wagons and providing additional services for Coillte between the West of Ireland and the South East;
- altered rail schedules and is currently providing three additional trains per week for

Tara Mines with a potential to carry an extra 85,000 tonnes of lead and zinc between Navan and Dublin Port per annum,

- modified surplus platform wagons to provide a trainload service for containers between Ballina and Waterford Port.

The position regarding competition in the rail freight market is that the European Communities (Access to Railway Infrastructure) (Amendment) Regulations, 2005 (S.I. 780 of 2005), allow for the opening of the freight market to competition from 1 January 2006, in the case of international freight, and from 1 January 2007 for domestic freight operations. No formal applications have been received by my Department to date, for a Railway Undertaking licence or for track access. The feasibility of transporting organic farm produce from the West of Ireland by rail is a matter for consideration in the first instance by those involved in the business and Iarnród Éireann.

Road Signage.

1084. **Ms O. Mitchell** asked the Minister for Transport the status of the proposed change of high grade dual carriageways to motorway designation; if this has now been agreed; the kilometres of road that will be impacted; the date for the change over; and the cost of necessary signage changes. [28695/06]

Minister for Transport (Mr. Cullen): The issue of re-designating certain high quality dual carriageways as motorways, subject to certain prescribed criteria, is one of the measures which I am considering in principle in the context of a proposed Roads Amendment Bill 2006. I hope to bring the Bill before the Oireachtas before the end of this year. The specific parameters of such a measure, if it is agreed have yet to be determined.

Public Transport.

1085. **Ms Shortall** asked the Minister for Transport further to Parliamentary Question No. 328 of 6 December 2005, the steps he will take to advertise, promote or otherwise introduce a public transport service between Ballybrit industrial estate and Galway City centre, in view of the considerable demand for such a service from workers in the estate. [28733/06]

Minister for Transport (Mr. Cullen): The provision of any public bus services on a specific route by a private bus operator is subject to the 1932 Road Transport Act. In the case of the State bus companies, the initiation or alteration of a bus service is subject to compliance with a Ministerial requirement to give advance notice to my Department and to compliance with the provisions of section 25 of the Transport Act 1958

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concerning competition with licensed private operators.

It is an operational matter for the private bus operators themselves to apply for a licence or in the case of Bus Éireann to notify my Department of their intention to provide public bus services. Once a licence has issued or a notification has been formally noted it is a matter for the transport provider itself to advertise and promote the service.

Currently, my Department has no applications from private bus operators or notifications from Bus Éireann for bus passenger services between Ballybrit Industrial Estate and Galway City Centre.

Open Skies Policy.

1086. **Ms O. Mitchell** asked the Minister for Transport the steps he has taken to request EU permission to proceed with the more liberal Irish/US bilateral negotiated in the expectation of open skies, but now vital to Aer Lingus prospects; the response he has received from the EU; and if no response has been received, if the urgency of a decision has been communicated to them. [28734/06]

1115. **Mr. P. Breen** asked the Minister for Transport if the transitional agreement on the Shannon bilateral arrangement with the US, negotiated in November 2005 and due to come into force from November 2006 to April 2008, will be suspended in view of the fact that it was predicated on the successful negotiation of an EU US Open Skies Agreement; and if he will make a statement on the matter. [29484/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 1086 and 1115 together.

In November 2005 EU and US negotiators concluded work on the text of a first-phase EU-US Open Skies agreement. The text was unanimously endorsed at the December 2005 Transport Council subject to sufficient progress by the US side on opening up ownership and control of US airlines to EU investors. The formal US process of changing its ownership and control rules was expected to be concluded in August 2006 so that a final decision could be taken at the October Transport Council. However, due to difficulties on the US side the rule-making process has been extended.

I am fully committed to the view that the liberalisation of air transport services between Ireland and the US will deliver major benefits for Irish business and tourism. I have had detailed discussions with EU Commissioner Barrot and have strongly urged the Commission to continue engagement with the US Authorities so that they can be in a position to bring forward a proposal for decision at the October Transport Council

that will incorporate the Irish transition arrangements.

In the absence of progress at EU level I intend to seek to implement, in accordance with the applicable Community law, the essential elements of the transitional arrangements by way of an amendment to the Ireland-US bilateral Air Services Agreement.

Light Rail Project.

1087. **Ms O. Mitchell** asked the Minister for Transport the date for signing the railway order for the Luas red line Point Depot extension; and if he will make a statement on the matter. [28735/06]

Minister for Transport (Mr. Cullen): The Public Inquiry into the Railway Procurement Agency's (RPA) application for a Railway Order for a Luas extension of the Red Line from Connolly Station to the Point Depot concluded on 2 June 2006 and the Inspector's report on that Inquiry was published on 6 August 2006. I am currently considering the Inspector's report and all other relevant documentation in relation to the RPA's application with a view to making a decision on this matter in due course.

Driving Tests.

1088. **Mr. Perry** asked the Minister for Transport when a person (details supplied) in County Galway will be called for their driving test; and if he will make a statement on the matter. [28757/06]

Minister for Transport (Mr. Cullen): Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the Road Safety Authority has responsibility for the delivery of the driving test and the issuing of certificates of competency. Your enquiry has been referred to the RSA for direct reply to you.

1089. **Mr. Perry** asked the Minister for Transport when a person (details supplied) will be called for a driving test as they have been offered employment; and if he will make a statement on the matter. [28760/06]

Minister for Transport (Mr. Cullen): Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the Road Safety Authority has responsibility for the delivery of the driving test and the issuing of certificates of competency. Your enquiry has been referred to the RSA for direct reply to you.

Proposed Legislation.

1090. **Ms Shortall** asked the Minister for Transport the Acts or sections or other provisions of Acts coming wholly or partly under the auspices of his Department, or for the commence-

ment of which his Department is wholly or partly responsible, which are not in force and which require the future making of a commencement order; if, in each case, it is intended to make such an order and if so, when; the reason for the failure to make such orders to date; and if he will make a statement on the matter. [28831/06]

Minister for Transport (Mr. Cullen): The information requested by the Deputy is set out below in year order.

Road Traffic Act 1961

A decision regarding the commencement of section 93 relating to protection of bridges from excessive burdens, as amended by section 61 of the Road Traffic Act 1968, will be taken when the review of the Traffic Signs Manual (1996) is completed.

Road Transport Act 1999

Section 23 of the Road Transport Act 1999 provides for the repeal of a number of sections in previous Road Transport Acts. A number of those repeals were brought into effect in 2005, while others remain outstanding as they can only be made in conjunction with other new legislation currently under consideration.

Adventure Activities Standards Authority Act 2001

The commencement of this Act is being reviewed to ensure that there is no duplication of responsibilities and that the most effective and efficient structures are put in place.

Road Traffic Act 2002

Sections 11 and 12 relate to the operation and enforcement of the fixed charge system and, in the case of section 11, to the operation and enforcement of the penalty points system. These provisions, except insofar as those already commenced up to 1 September 2006, will be progressively commenced as the operation and enforcement of the fixed charge system and or, penalty points system, is extended to the specified offences. Section 13 is a broad enabling provision. There are no proposals to commence this section at this time.

It is proposed that consideration will be given later in 2006 to the transfer of functions required under section 16 to local authorities.

Taxi Regulation Act 2003

Commencement of section 35 and subsections (1), (1A), (2), (5) and (6) of section 36 require

further consultation with the Commission for Taxi Regulation, An Garda Síochána and the Courts Service to ensure that the appropriate arrangements for implementation are in place. Section 44 (5) will not be commenced pending the full commencement of section 36.

Aer Lingus Act 2004

It is not intended to commence section 9, relating to superannuation schemes.

Road Traffic Act 2004

Part 5 of the Act is intended to deal with the possibility that the current unlimited personal liability for third party motor insurance cover could prove to be unsustainable in the market. This situation has not arisen and therefore Part 5 has not been commenced.

The Sea Pollution (Hazardous Substances) (Compensation) Act 2005

It is intended that the commencement date for the Act should, if possible, coincide with international entry into force of the International Convention on Liability and Compensation for Damage in connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996, which date is not yet known.

Section 28 of the Act amends the Merchant Shipping (Liability of Shipowners and Others) Act 1996 to give effect to the Protocol of 1996 to amend the Convention on Limitation of Liability for Maritime Claims 1976. Consideration is being given to commence this provision separately in advance of the remaining sections of the Act.

Rail Safety Act 2005

A Commencement Order in respect of Part 8 has yet to be made. Part 8 of the Act provides for the establishment of Railway Safety Advisory Council to advise both the Minister for Transport and the Railway Safety Commission on issues relating to railway safety. It is planned to commence this part before the end of the year.

The Road Traffic Act 2006

Sections 5,6,7,10,11,13,16 and 18 will be progressively commenced in the future.

1091. **Ms Shortall** asked the Minister for Transport the statutory instruments signed by him to date in 2006. [28832/06]

Minister for Transport (Mr. Cullen): The information requested by the Deputy is set out as follows.

S.I. No.	Description
9	Córas Iompair Éireann Pension Scheme for Regular Wages Staff (Amendment) Scheme (Confirmation) Order 2006
10	Córas Iompair Éireann Superannuation Scheme 1951 (Amendment)Scheme (Confirmation) Order 2006
58	European Communities (Motor Vehicle Type Approval) (Amendment) Regulations 2006
87	European Communities (Merchant Shipping) (Ro-Ro Passenger Ship Survivability) (Amendment) Rules 2006

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S.I. No.	Description
88	European Communities (Road Transport) Regulations 2006
89	European Communities (Road Transport)(Recording Equipment) Regulations 2006
134	Road Traffic Act 2002 (Commencement of Certain Provisions) Order 2006
135	Road Traffic Acts 1961 to 2005 (Fixed Charge Offences) Regulations 2006
136	Local Authorities (Traffic Wardens) Act 1975 (Fixed Charge Offences) Regulations 2006
138	Merchant Shipping (Light Dues) Order 2006
164	European Communities (Mechanically Propelled Vehicle Entry into Service)(Amendment) Regulations 2006
165	European Communities (Passenger Car Entry into Service)(Amendment) Regulations 2006
166	European Communities (Motor Vehicles Type Approval)(Amendment)(No. 2) Regulations 2006
187	Roads Act 1993 (Classification of National Roads) Order 2006
188	Roads Act 1993 (Classification of Regional Roads) Order 2006
193	Harbours Act, 1996 (Extension of the pilotage district of the port of Waterford Company) Order 2006
212	European Communities (Interoperability of the Trans-European Conventional and High-Speed Rail Systems) Regulations 2006.
213	European Communities (Minimum Safety Requirements for Tunnels in the Trans-European Road Network) Regulations, 2006
215	Railway Safety Act 2005 (Section 5 and Parts 4, 9 and 10) (Commencement) Order 2006
239	Sea Pollution (Prevention of Pollution by Garbage from Ships) (Amendments) Regulations, 2006
240	European Communities (Compulsory Use of Safety Belts and Child Restraint Systems in Motor Vehicles) Regulations 2006
265	Taxi Regulation Act 2003 (Section 36 (2A) to (4)) (Commencement) Order 2006
269	Sea Pollution (Prevention of Pollution by Sewage from Ships) Regulations, 2006
316	Harbours Act 1996 (Transfer of Sligo Harbour to Sligo County Council) Order 2006
339	European Communities (Installation and Use of Speed Limitation Devices in Motor Vehicles)(Amendment) Regulations 2006
340	Road Traffic (Requirement to have Audible Warning Devices on Vehicles) Regulations 2006
342	Road Traffic (Lighting of Vehicles) (Blue and Amber Lamps) Regulations 2006
347	Railway Safety Act 2005 (Section 130) (Commencement) Order 2006
348	Aer Lingus Act 2004 (Commencement of Section 3) Order 2006
384	Road Traffic Act 2006 (Commencement) Order 2006
385	Road Traffic Act 2006 (Mobile Phones – Prescribed Numbers) Regulations 2006
441	Railway (Dublin Light Rail Line B1 – Sandyford Industrial Estate to Cherrywood) Order 2006.
443	Road Traffic Act 2002 (Commencement of Certain Provisions relating to Driving while Holding Mobile Phone) Order 2006
444	Road Traffic Acts 1961 to 2006 (Fixed Charge Offence) (Holding Mobile Phone while Driving) Regulation 2006
446	Harbours Act 1996 (Sections 86 and 87) (Commencement Order) 2006.
455	Aer Lingus Act 2004 (Commencement of Section 6) Order 2006
456	Aer Lingus Act 2004 (Section 6 (4)) Order 2006
457	Road Traffic Act 2006 (Part Commencement Section 16 (2) (c)) Order 2006
462	Road Safety Authority Act 2006 (Establishment Day) Order 2006
463	Road Safety Authority Act 2006 (Section18)(Appointed Day) Order 2006
474	Aer Lingus Act 2004 (Commencement of Certain Provisions) Order 2006
475	Aer Lingus Act 2004 (Commencement of Certain Provisions) (No.2) Order 2006
476	Aer Lingus Act 2004 (Commencement of Section 6(2)) Order 2006
477	Road Safety Authority Act 2006 (Conferral of Functions) Order 2006

Airport Development Projects.

1092. **Ms Harkin** asked the Minister for Transport if his Department has applied for approval from the European Commission for a scheme called The National Development Capital Grant Scheme for Regional Airports; if so, when they applied; what has been the response, and in particular, are there any difficulties from the perspec-

tive of category D airports in objective one regions; and if he will make a statement on the matter. [28833/06]

Minister for Transport (Mr. Cullen): On 30th June, 2006 my Department launched a new Capital Expenditure Grant Scheme for the six regional airports involving a budget of €65 million in respect of the period up to the end of 2010.

The scheme was drawn up in the light of the EU Commission's legally-binding guidelines on funding of airports which were published in December 2005.

While informal discussions with the relevant Commission officials suggested that the scheme was fully in compliance with the guidelines, in the interest of legal certainty it was formally notified to the Commission on 7th June, 2006 for definitive approval. I am pleased to inform the Deputy that the Commission decided on 26th September to approve the scheme as submitted.

Meanwhile, all of the regional airports have submitted applications for funding under the new scheme. These will be assessed and prioritised by my Department with the assistance of expert advice and I expect to be in a position to announce the outcome in November.

Proposed Legislation.

1093. **Ms Shortall** asked the Minister for Transport when he will bring forward legislation to assist the introduction of a HGV permit scheme in Dublin, including creating an offence for the falsification of a permit. [28834/06]

Minister for Transport (Mr. Cullen): Measures were introduced in recent road traffic statutes to address these matters. The amendment of section 35 of the Road Traffic Act 1994 that is contained in section 20 of the Road Traffic Act 2004 is an enabling provision to facilitate the issue of permits by road authorities. The issue of permits to apply controls to the movement of heavy goods vehicles would come within the ambit of this measure.

The amendment of section 115 of the Road Traffic Act 1961 that is provided in section 20 of the Road Traffic Act 2006 expands the scope of the offences contained in that section to include offences related to any permit issued under the Road Traffic Acts. The amended section 115 provides that it is an offence to knowingly give particulars that are false or misleading in connection with an application for a permit and that it is an offence to forge or fraudulently alter or use any permit, or fraudulently lend to, or allow a permit to be used by, any other person.

Traffic Management.

1094. **Mr. Bruton** asked the Minister for Transport his views on a pilot scheme shortly to be introduced in the UK (details supplied) which would allow hard shoulders on motorways to be opened to traffic at the most congested times of the day; and if he will make a statement on the matter. [28835/06]

Minister for Transport (Mr. Cullen): The hard shoulder area on our motorways is normally reserved for mechanical breakdown situations

and emergency services access. I am not currently considering any change to this position.

National Car Test.

1095. **Cecilia Keaveney** asked the Minister for Transport the position regarding having a national car test centre in Inishowen; the facilities required to accommodate this centre; and if he will make a statement on the matter. [28888/06]

Minister for Transport (Mr. Cullen): I understand from the Road Safety Authority that, following on from the mid-term review of the national car testing service, the national car testing operator will shortly publish a notice in the local newspaper seeking proposals for the supply of facilities for a test centre in Inishowen, Co. Donegal. The selection of a building for the proposed test centre is a matter for the operator concerned.

Rail Network.

1096. **Mr. Crowe** asked the Minister for Transport if there will be a future rail link for Kells and beyond. [28889/06]

1098. **Mr. J. Higgins** asked the Minister for Transport if he will re-open the Kells to Navan section of the old Navan rail line. [28975/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 1096 and 1098 together.

There are no plans to re-open the former Kells to Navan section of the old Navan rail line. Under Transport 21 the old Navan rail line will be re-opened in two phases with the first phase running off the Maynooth line, at Clonsilla, to the M3 interchange at Pace, near Dunboyne. There will be a major Park and Ride facility at Pace on the M3 interchange. Subject to further studies, it is proposed to extend the rail line to Navan within the 10-year period of Transport 21. Iarnród Éireann and Meath County Council are developing terms of reference for a scoping study for the extension to Navan.

Public Transport.

1097. **Mr. McGuinness** asked the Minister for Transport the funds or grants available to local authorities to assist in the provision of urban public transport bus routes; and if he will make a statement on the matter. [28974/06]

Minister for Transport (Mr. Cullen): My Department does not provide funds or grants to local authorities for the provision of transport services. Funding for loss making economically and socially necessary public transport services in urban areas is currently provided to CIE, which has a statutory mandate under various Transport Acts, to provide passenger services having regard to social need and the need to maintain public

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transport services within the financial resources available to it.

Question No. 1098 answered with Question No. 1096.

Public Transport.

1099. **Mr. Stagg** asked the Minister for Transport his plans to introduce a public urban transport system in Castlebar and Ballina County Mayo; and if he will make a statement on the matter. [29013/06]

Minister for Transport (Mr. Cullen): I wish to advise the Deputy that I have no function in this matter. It is open to any operator to apply for a licence to provide such a service.

Rail Services.

1100. **Mr. Gormley** asked the Minister for Transport the length of time the situation will continue to exist whereby bicycles are not allowed to be carried on the majority of trains; the reason our trains here (details supplied) cannot have similar policies regarding the carrying of bicycles as other EU countries; and if he will make a statement on the matter. [29014/06]

Minister for Transport (Mr. Cullen): Iarnród Éireann has informed me that it is its intention to facilitate the carriage of bicycles on all intercity and regional train services. All new rolling stock currently being procured is designed to provide cycle accommodation.

The company states that it is not its intention to carry bicycles on DART and commuter train services as passenger demand for these services is such that all available accommodation is required for passengers.

Pension Provisions.

1101. **Mr. F. McGrath** asked the Minister for Transport if he will ensure that thousands of Irish Airline Superannuation Scheme members will receive a mandatory indexation provision in their pension schemes in relation to Dublin Airport Authority and a company (details supplied); and if they will be given the maximum support on this matter. [29045/06]

Minister for Transport (Mr. Cullen): Pension entitlements for employees in the DAA and the company referred to are primarily matters for the trustees, the members of the relevant scheme and the companies involved.

The pension scheme in question, the Irish Airlines (General Employees) Superannuation Scheme, is a multi-employer scheme in which these two companies and Aer Lingus participate. Under the rules of the scheme indexation increases are not guaranteed and are not

explicitly funded but depend on the performance of the pension fund and are paid at the discretion of the trustees of the scheme. I understand, however, that the practice by the trustees has been to provide pension increases in line with CPI.

Questions Nos. 1102 and 1103 answered with Question No. 1079.

EU Directives.

1104. **Mr. Crowe** asked the Minister for Transport if he will report on the implementation of EU Directive 2003/20/EC and its effects to date. [29066/06]

Minister for Transport (Mr. Cullen): EU Directive 2003/20/EC relating to the compulsory use of safety belts in motor vehicles was transposed into Irish law by means of the European Communities (Compulsory Use of Safety Belts and Child Restraint Systems in Motor Vehicles) Regulations 2006. These regulations extend the requirements in relation to the wearing of safety belts and child restraint systems in motor vehicles. The regulations make it obligatory to wear safety belts once they are fitted in a motor vehicle. In addition, the regulations provide for the enhanced protection of children travelling in cars and goods vehicles by requiring them to be restrained in an appropriate child restraint. An extensive public awareness campaign to promote the child safety requirements of the regulations is currently being conducted by the Road Safety Authority.

Broadcasting Legislation.

1105. **Mr. Durkan** asked the Minister for Transport the circumstances, having regard to the need to preserve security and integrity of air traffic radio transmissions and the rights of local communities to local radio as provided for under the broadcasting legislation whereby the local broadcasting of services from parish churches throughout the country interfered with aircraft or air traffic control radio transmissions in view of the fact that domestic radio appliances have an ability to receive transmissions in the range from 88 and 108 mhz and that air traffic transmissions are not receivable on such appliances; if the Irish Aviation Authority have given details as to the way in which the interference took place which led to closing down by order of ComReg of broadcasting from churches on safety grounds; the broadcasting, aviation, transport or telecommunications authorities or bodies, agencies or groups that have enquired into or contemplated the use of the radio frequencies in question and for what purpose; and if he will make a statement on the matter. [29091/06]

Minister for Transport (Mr. Cullen): In the first instance this is a matter for the Minister for

Communications, Marine and Natural Resources. The issues raised regarding the Irish Aviation Authority are a day-to-day matter for the Authority.

Questions Nos. 1106 and 1107 answered with Question No. 1074.

Census of Population.

1108. **Ms C. Murphy** asked the Minister for Transport if figures released by the Central Statistics Office in July 2006 via the Census 2006 Preliminary Report will be used by his Department for any reason; if so, what the figures will be used for; and if he will make a statement on the matter. [29311/06]

Minister for Transport (Mr. Cullen): The Census 2006 Preliminary Report provides a useful indication of population trends and, as such, is of assistance in the general ongoing analysis and appraisal of transport policies in my Department.

Road Traffic Offences.

1109. **Mr. Connolly** asked the Minister for Transport if he proposes to amend the penalty points system to address the serious anomaly whereby dangerous driving does not attract any penalty points in contrast to relatively less serious offences such as marginally exceeding the speed limit which is penalised with points; and if he will make a statement on the matter. [29339/06]

Minister for Transport (Mr. Cullen): The Road Traffic Act 2002 provides the legislative basis for the introduction and operation of the penalty points system. The intended effect of the penalty points system is to instil greater caution and responsibility in motorists in their driving and to change the behaviour of drivers who recurrently breach road traffic law. In the case of penalty points, a six month driving disqualification arises from the accumulation of 12 penalty points.

The most serious driving offences, including dangerous driving, can attract automatic disqualification upon first court conviction and are therefore not within the penalty points system or the system of fixed charges.

Public Transport.

1110. **Mr. Bruton** asked the Minister for Transport when a bus route modification application (details supplied) was sent to his Department; when he will make a decision in relation to this application; and if he will make a statement on the matter. [29342/06]

Minister for Transport (Mr. Cullen): The alterations to the bus route to which the Deputy refers were noted by my Department on 3 July 2006, based on a notification from Dublin to my Department for changes to services on 14 March

2006. The timing of introduction of these changes is an operational matter for Dublin Bus.

Rail Services.

1111. **Mr. Wall** asked the Minister for Transport the position of the re-valuation of prices by Iarnród Éireann for the greater Dublin region; the results of such deliberations; and if he will make a statement on the matter. [29371/06]

Minister for Transport (Mr. Cullen): I have no function in relation to this matter. The structure of rail fares is an operational matter for Iarnród Éireann.

Public Transport.

1112. **Mr. Wall** asked the Minister for Transport if his Department received applications for price increases from Bus Éireann in regard to rural routes or destinations during the past year; the result of such applications; and if he will make a statement on the matter. [29372/06]

Minister for Transport (Mr. Cullen): Applications for a general fares increase were received by my Department from the CIE group of companies in October 2005 and an average 4% increase in standard single fares was approved by me with effect from January 2006. I have no formal proposals for fares increases at the present time.

Rail Network.

1113. **Mr. Naughten** asked the Minister for Transport further to Parliamentary Question No. 425 of 30 May 2006, if he has received a proposal from a group (details supplied) on the re-opening of the Athlone to Mullingar railway line; and if he will make a statement on the matter. [29432/06]

Minister for Transport (Mr. Cullen): The re-opening of the Athlone to Mullingar rail link was considered as part of the strategic rail review, carried out on behalf of the Department of Transport by Booz Allen Hamilton in 2003. The strategic rail review did not recommend inclusion of the line in the list of new rail schemes. On this basis, the project was not included in Transport 21.

Nevertheless, on 2 November 2005, I met a delegation from the Midland Railway Action Group accompanied by local representatives to discuss the re-opening of the Athlone to Mullingar railway line.

In my discussions with the action group, I emphasised the importance of their proposals being supported by coherent, complementary land-use strategies that provide a clear justification for the project. A working group was subsequently established by the action group, comprising representatives from the executive of Westmeath County Council, Iarnród Éireann and

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Athlone Institute of Technology. The group's report was received by my Department on 20 June last.

The report is now being considered by my Department in conjunction with Irish Rail in the context of Transport 21. When my Department's assessment is complete I will respond fully to the report submitted by the group.

1114. **Mr. Naughten** asked the Minister for Transport further to Parliamentary Question No. 877 of 25 January 2006, his plans to upgrade the Dublin to Westport rail service; the status of this upgrade; and if he will make a statement on the matter. [29434/06]

Minister for Transport (Mr. Cullen): In recent years the Dublin to Westport line has been totally re-laid with modern continuous-welded track. Substantial investment has also been made in associated infrastructure: bridges, level crossings, fencing etc. Work is currently underway on a project to modernise the signalling system on the line, and this will be completed in 2007. By the end of 2007, a programme of investment in automating level crossings on the Dublin to Westport/Ballina route will have been completed. Last year almost 500,000 passenger journeys were made on the Dublin to Westport/Ballina route which is a record high.

The 150 new high-specification intercity railcars, due to be delivered in 2007 and 2008, will further improve the service on a number of lines including the Westport line. Combined with the upgrading of the fixed infrastructure, the new railcars will allow Iarnród Éireann to operate increased frequency and improved journey times on the line, as well as providing improved reliability and comfort levels. When the new rolling stock comes into service, Iarnród Éireann has indicated that it proposes to increase the daily frequency of services on the line from three services each way to five services each way, and to provide a mix of direct services and services between Westport/Ballina and Athlone, connecting to Galway to Dublin trains.

Question No. 1115 answered with Question No. 1086.

Questions Nos. 1116 and 1117 answered with Question No. 447.

Driving Tests.

1118. **Mr. Lowry** asked the Minister for Transport the number of people waiting for a driving test for each class of vehicle in each test centre; the number of weeks people must wait for a test for each class of vehicle in each test centre; and if he will make a statement on the matter. [29647/06]

Minister for Transport (Mr. Cullen): Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the Road Safety Authority has responsibility for the delivery of the driving test and the issuing of certificates of competency. The enquiry has been referred to the RSA for direct reply.

Rail Network.

1119. **Dr. Cowley** asked the Minister for Transport when he is going to provide the additional funding for the extension of the western rail corridor and his views on whether this is extremely good value and urgently needed in the west of Ireland; his further views as to whether this is something which should be continued to completion, now that the Ennis to Athenry section has been announced, and under the current plans, if will give a completion date for the entire project; and if he will make a statement on the matter. [29752/06]

Minister for Transport (Mr. Cullen): The development of the western rail corridor from Ennis to Claremorris was included as a priority project under Transport 21, with provision also for the preservation of the line from Claremorris to Collooney. This was confirmed recently in Towards 2016, the new partnership agreement.

Transport 21 provides for the re-opening of the corridor on a phased basis, in line with the recommendations of the report by the expert working group on the western rail corridor chaired by Mr. Pat McCann. The Ennis to Athenry section is to be completed in 2008, the Athenry to Tuam section in 2011 and the Tuam to Claremorris section in 2014.

The current situation is that yesterday, I announced Government approval for funding for the development of the first phase of the western rail corridor from Ennis to Athenry. I have asked Irish Rail to proceed now with the detailed planning and design of the project, with a view to commencing track renewal in mid-2007 and completing the project in 2008.

I also announced that, subject to some further studies to be completed by Irish Rail, the Government has approved funding in principle for the development of phase 2 of the corridor between Athenry and Tuam, scheduled for completion by 2011.

On phase 3 of the project, the development of the section from Tuam to Claremorris, I expect to receive business case proposals from Irish Rail at the appropriate time and in accordance with the timetable announced under Transport 21.

In addition, on 18 September last, my Cabinet colleague, Deputy Ó Cuív, announced that funding for the preservation of the Claremorris to Collooney section of the corridor would be provided under the CLÁR Programme.

Driving Tests.

1120. **Mr. Stanton** asked the Minister for Transport the reason New Zealand is not a recognised State for the purpose of driving licence exchange under the terms of Article 30(7) of the Road Traffic (Licensing of Drivers) Regulations, 1999, thereby preventing people holding a valid driving licence from New Zealand from exchanging their licence for an Irish driving licence when they take up residence here without the need for a driving test; the plans he has to amend the regulations to include holders of such licences to be recognised here; and if he will make a statement on the matter. [29806/06]

Minister for Transport (Mr. Cullen): A person who holds a driving licence issued by a member state of the European Union or of the European Economic Area is permitted to drive in Ireland for so long as that licence remains valid. Where such a person has taken up normal residence in Ireland, he or she may alternatively exchange the licence for an Irish driving licence without taking a driving test.

There is a system of recognition of licences from non-EU countries for licence exchange, and licences from a number of countries are so recognised. Under this system, persons holding a valid driving licence from a recognised state may exchange their licence for an Irish driving licence where they take up residence here, without the need for a driving test. Ireland does not, however, have a bilateral agreement with New Zealand for the exchange of driving licences. For licence exchange purposes the licensing system of the country being recognised must meet EU standards as laid down in EU directives on driving licences.

Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the Road Safety Authority has responsibility for the oversight of the driver licensing system and is in consultation with the New Zealand authorities concerning recognition of New Zealand licences for licence exchange purposes. These discussions follow on from contacts which my Department had with New Zealand officials and I expect a positive early outcome.

Temporary visitors to Ireland who hold a national driving licence or an international driving permit may drive here for the duration of their visit. Persons taking up Irish residence must however either avail of the arrangements described above, where applicable, or begin the process of obtaining an Irish driving licence by undergoing the driver theory test and securing a provisional driving licence.

1121. **Ms Shortall** asked the Minister for Transport the number of the official driver theory test books and CD-ROMs sold in each of the years since they went on sale; the amount accruing to the State from the sale of these in each year; and

the net per item cost to the State of producing this material. [29865/06]

Minister for Transport (Mr. Cullen): Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the Road Safety Authority has responsibility for the delivery of the driver theory test.

The driver theory test question bank is the property of the Road Safety Authority. The contractor operating the driver theory testing service as a public private partnership project is licensed to publish the question bank under the terms of the contract, which is now the responsibility of the Road Safety Authority. There is no cost to the State arising from the publication of the question bank. Revenue generated by sales of the question bank are retained by the contractor except where revenue exceeds a set amount, when a percentage of the excess is payable to the RSA.

Information sought by the Deputy concerning sales of the book and CD-ROM is not readily available and I have referred the request to the RSA for direct reply.

1122. **Ms Shortall** asked the Minister for Transport the number of rules of the road booklets sold in each of the years this century; the amount accruing to the State from the sale of this booklet in each from 2000 to date in 2006; and the net per item cost to the State of producing this material. [29866/06]

Minister for Transport (Mr. Cullen): I have asked the Government Publications Sale Office to supply the information sought directly to the Deputy.

Railway Stations.

1123. **Mr. O'Dowd** asked the Minister for Transport the progress to date in the provision of a new railway station for Dunleer, County Louth; and if he will make a statement on the matter. [29867/06]

Minister for Transport (Mr. Cullen): I refer the Deputy to my reply to Question No. 342 of 5 July 2006 regarding this matter. The position remains the same.

Public Transport.

1124. **Mr. O'Connor** asked the Minister for Transport if he will provide a detailed report on plans for the extension of the highly successful Luas line to Tallaght; and if he will make a statement on the matter. [29868/06]

Minister for Transport (Mr. Cullen): Transport 21 provides for an extension to the Luas red line from Connolly Station to the Point Depot and for a spur off the Tallaght line to City West.

[Mr. Cullen.]

The public inquiry into the RPA's application for a railway order for the Luas extension from Connolly Station to the Point Depot concluded on 2 June 2006 and the inspector's report on that inquiry was published on 6 August 2006. I am currently considering the inspector's report and all other relevant documentation in relation to the RPA's application with a view to making a decision on this matter in due course.

Following agreement with developers on contributions by the latter to the cost of the proposed spur off the Tallaght Luas line to City West, the RPA launched an up-dated public consultation exercise in August 2006. The up-date concerns a new proposed terminus at Garter Lane involving an extra 800 metres of Luas track. The original public consultation, which was launched in February 2006, concerned an extension terminating at Fortunestown Lane. The overall revised length of the proposed spur to City West is 4 kilometres. The RPA expects to submit a railway order application for this extension by the end of the year.

1125. **Mr. O'Connor** asked the Minister for Transport if assurances will be sought from Dublin Bus that they will respond positively to the need for improved bus services in the Tallaght region; and if he will make a statement on the matter. [29869/06]

Minister for Transport (Mr. Cullen): My Department is currently considering an application from Dublin Bus for funding for 200 additional buses to be delivered in 2006 and 2007. The application is being considered in the context of Transport 21, the bus network review completed by Dublin Bus and the bus market reform process. I expect to make an announcement shortly on the application having regard to the outcome of Government deliberations on bus market reform. The deployment of the buses by Dublin Bus is an operational matter for the company and I have no function relating thereto.

Road Safety.

1126. **Mr. Gregory** asked the Minister for Transport his response to the survey findings of the Vehicle and Operator Services Agency that Irish truck drivers were the worst on English roads; and if he will make a statement on the matter. [29891/06]

Minister for Transport (Mr. Cullen): I am aware of the findings of a report published by the UK Vehicle Operating Standards Agency (VOSA) concerning tests and enforcement checks conducted by the agency in the UK and the performance of Irish vehicles and drivers in compliance with vehicle standards and drivers hours rules.

The nature of the problems identified in the VOSA report are not unique to Irish vehicles and drivers. Of course, the UK authorities are entitled to prosecute any vehicle driver for failure to comply with relevant UK legislation and that is a matter for the UK authorities to pursue.

Insofar as improving vehicles standards and enforcement in the State is concerned, the Oireachtas recently enacted the Road Safety Authority Act 2006 which strengthens the institutional framework for improving enforcement levels for vehicle and driver legislation and for increasing cooperation with the Garda Síochána, which is responsible for the enforcement of Road traffic law. The authority, which was formally established on 1 September 2006, has now taken over responsibility for matters relating to vehicle standards, roadworthiness testing and enforcement of drivers hours, tachograph and licensing regulations.

The chief executive of the authority is putting in place the necessary resources to fulfil its mandate and in that regard four vehicle testers have been recruited by the authority recently. The addition of these testers combined with the recruitment of four new engineers, which is currently in process, will significantly strengthen the capacity of the authority in vehicle standards. Further resources will be procured by the authority as and when the need arises. Over time the number of serving transport officers will double from the current nine to 18. The CEO has met recently with the Department for Transport (UK) and VOSA to agree protocols for joint working. In addition the Road Safety Authority is working in partnership with the Irish Road Haulage Association to address standards in the sector.

As far as enforcement is concerned, the Garda Síochána has brought the traffic corps within a more unified structure under the direction of the Commissioner. There has been a significant increase in the strength of the Garda traffic corps. The corps is being increased from 500 in early 2005 to 800 by the end of this year and 1,200 by 2008.

There is on-going and close cooperation between the Irish and UK enforcement agencies in the enforcement of drivers' hours rules. This cooperation includes regular coordinated enforcement checks organised between the two jurisdictions and regular exchange of intelligence.

I am satisfied that the institutional arrangements now in place will strengthen the regime for monitoring compliance with vehicle standards and drivers hours rules.

Rail Network.

1127. **Mr. Stagg** asked the Minister for Transport when he will sign the railway order for the Kildare Route Project; the reason for the delay in signing same since his announcement of his intention to grant the railway order on 13 August

2006; and the estimated timetable for the completion of the project. [29970/06]

Minister for Transport (Mr. Cullen): On 13 August last, I announced my decision to grant the railway order for the Kildare rail project, in line with the recommendations of the Inspector to the public inquiry into the project. On that basis, the draft order has been sent to the Office of the Attorney General for legal drafting.

When that process is complete, the order will be submitted to the Minister for the Environment, Heritage and Local Government for his consent for the provisions of the order affecting roads and I will sign the order immediately thereafter.

In the meantime, I understand Iarnród Éireann has commenced enabling works and is proceeding with detailed design and procurement, with a view to the completion of the project in 2009.

1128. **Mr. Stagg** asked the Minister for Transport if his attention has been drawn to the demand that exists for Sunday services on the existing Arrow line serving Sallins and Hazelhatch in County Kildare; if he has had correspondence on this issue or meetings with representative groups; and the plans he has to introduce such a service shortly. [29971/06]

Minister for Transport (Mr. Cullen): Iarnród Éireann has informed me that the company is currently carrying out an examination into the possibility of commencing a service on the Kildare route on Sundays. This exercise will include an examination of the demand for the service, the effect of introducing such a service on existing services and the availability of rolling stock and staff to operate such a service. A decision will be made in time for the December 2006 timetable change. Iarnród Éireann has regular meetings with representative groups of train users in Sallins and Naas to discuss this and other operational issues.

1129. **Mr. Stagg** asked the Minister for Transport if his attention has been drawn to the rail fares being charged to suburban customers using Sallins and Kilcock rail stations compared to stations within the inner suburban core area; and if the review of suburban rail fares promised by Iarnród Éireann is complete. [29972/06]

Minister for Transport (Mr. Cullen): I have no function in this matter. The structure of rail fares is an operational matter for Iarnród Éireann.

Public Transport.

1130. **Mr. Stagg** asked the Minister for Transport if he has received proposals for park and ride facilities under Transport 21; and the details of same. [29994/06]

Minister for Transport (Mr. Cullen): Park and ride facilities have an important role in making it easier for people to access and transfer to public transport. Last summer I approved a Dublin Transportation Office (DTO) strategy for rail-based park and ride facilities, which envisages facilities at 22 locations on the existing and proposed rail network within the greater Dublin area.

This year I set aside €5 million in capital funding for the development under Transport 21. Applications will be evaluated according to their business cases and against the strategic value they offer, as assessed against the DTO strategy. Funding is also being made available under Transport 21 for park and ride in the regional cities.

The DTO has been consulted on preliminary designs for a 320 space park and ride at Leixlip/Louisa Bridge Station that is being proposed by Iarnród Éireann and my Department has approved funding for this project. The DTO has recently worked with Iarnród Éireann and Meath County Council to progress the provision of a new 250 space park and ride facility at Laytown rail station, replacing a 90 space car park.

Funding is also being made available under Transport 21 for bus priority measures and park and ride in the regional cities. It is a matter for the local authorities in each regional city to prioritise the most suitable locations for park and ride and to apply to my Department for funding for the capital cost of appropriate park and ride facilities. Any applications received from local authorities will be considered on a first come first served basis and will be evaluated according to their business cases. I have not yet received any applications for the development of park and ride facilities in the regional cities in 2006, but I understand that several authorities are considering possible sites.

1131. **Mr. Stagg** asked the Minister for Transport when he will provide the funding requested by Dublin Bus for the provision of 200 additional buses. [29998/06]

Minister for Transport (Mr. Cullen): My Department is currently considering an application from Dublin Bus for funding for 200 additional buses to be delivered in 2006 and 2007. The application is being considered in the context of Transport 21, the bus network review completed by Dublin Bus and the bus market reform process. I expect to make an announcement shortly on the application having regard to the outcome of Government deliberations on bus market reform.

Rail Stations.

1132. **Mr. Stagg** asked the Minister for Transport if the main contract for the new docklands

[Mr. Stagg.]

station has been awarded; and the details of same. [29999/06]

Minister for Transport (Mr. Cullen): The award of contracts for the completion of the docklands station is an operational matter for Iarnród Éireann and I have no function in the matter. Work on the project is underway and the station is expected to open next year.

Public Transport.

1133. **Mr. Boyle** asked the Minister for Transport further to his recent promise on the provision of new buses, the number of new and additional buses which are to be provided to Bus Éireann for its regional bus network and for city services in Cork, Limerick, Galway and Waterford. [30103/06]

Minister for Transport (Mr. Cullen): My Department is currently considering an application from Bus Éireann for funding for additional buses to be delivered over the period 2006 to 2008. The application is being considered in the context of Transport 21 and the bus market reform process. I expect to make an announcement shortly on the application having regard to the outcome of Government deliberations on bus market reform.

Airport Development Projects.

1134. **Mr. Boyle** asked the Minister for Transport the situation regarding the repayment of the construction costs of the new terminal at Cork Airport. [30107/06]

Minister for Transport (Mr. Cullen): As I have said before, the funding of the new Cork Airport terminal will have to take account not only of what is commercially and financially feasible for Cork Airport, but also what is commercially and financially feasible for Dublin Airport. The future plans for both Shannon and Cork as independent airports must have regard to the capacity of each airport to contribute to its own capital investment programme. The approach to and timing of restructuring, having regard to the need to ensure the financial sustainability of all three State airports, is being examined with a view to resolving the issue of how best to achieve Cork airport's autonomy.

Question No. 1135 answered with Question No. 1082.

Water Pollution.

1136. **Mr. Gormley** asked the Minister for Community, Rural and Gaeltacht Affairs if his attention has been drawn to the fact that tourists on the Shannon (details supplied) are asked to flush their toilets straight into the river; his views on this practice; the steps he will take to deal with

same; and if he will make a statement on the matter. [28437/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The Shannon navigation is in the care of Waterways Ireland, one of the North-South Implementation Bodies set up under the British-Irish Agreement in 1999.

The practice referred to in the Deputy's question is expressly prohibited under Waterways Ireland's bye laws. Maintenance of good water quality and ensuring that all users of the navigation behave in a responsible manner is of central concern to the organisation. Waterways Ireland informs me that it has in recent years provided, in co-operation with the relevant local authorities, a network of pump-out facilities along the Shannon navigation.

While there are occasional complaints of boaters discharging polluting matter directly into the navigation, there has not to date been sufficient evidence to warrant a prosecution by Waterways Ireland under its own bye laws. At present, one such complaint is being investigated and, when inquiries are complete, a decision will be made on how to proceed.

In this regard, the Deputy may wish to communicate directly with Waterways Ireland on any evidence available to him concerning the case referred to in his question.

Security of the Elderly.

1137. **Mr. Howlin** asked the Minister for Community, Rural and Gaeltacht Affairs the way the scheme under which personal alarms are provided for elderly persons is administered; if funding is allocated on an ongoing basis or only at specific times during the year; the average waiting period between receipt of applications and provision of funding; if the scheme could be improved in order to obviate the need for elderly persons to wait months or longer for installation of alarms; and if he will make a statement on the matter. [28725/06]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): The scheme of community support for older people is aimed at encouraging and assisting the community's support for older people by means of a community based grant scheme to improve the security of its older members. This is why the scheme is administered by local community and voluntary groups with the support of my Department.

In addition to funding the once-off cost of installing socially monitored alarm systems, the scheme also provides funding for door locks, window locks, door chains, security lighting and smoke alarms. There is also provision for interior emergency lighting for older people living on our offshore islands.

Maximum individual grants under the scheme are as follows: €300 in respect of socially moni-

tored alarms; €200 in respect of physical security equipment; €200 in respect of security lighting; €50 in respect of smoke alarms; €150 in respect of interior emergency lighting, for qualifying older people living on our offshore islands.

For the 2006 scheme, which I launched in May, I introduced a number of important changes, which followed a consultation process my Department had conducted with a range of community and voluntary groups. One of the most important of these changes was to open the scheme for applications throughout the year. Previously, there had been a set closing date for receipt of applications each year and this had resulted in the full annual batch of applications being received at the same time with an obvious impact on their processing.

While we are still at an early stage in the cycle of applications, it is clear that this change has already resulted in applications now being processed in weeks rather than months. This change also allows groups to apply for funding under the scheme at any time throughout the year to address the needs of the older members of their communities as they arise. Overall, I am confident that the open application process has been very well received by the local community and voluntary groups who administer this scheme.

Another change I introduced this year is the payment of an administration subvention to these voluntary groups who deal with the applications on behalf of the older people in the communities. This is a recognition of the important work such groups do on an ongoing basis.

National Standards Authority.

1138. **Mr. Ring** asked the Minister for Community, Rural and Gaeltacht Affairs the changes which have been made regarding the installation of alarm systems under the community support for older people scheme; if the National Standards Authority of Ireland has developed a certification scheme which can be applied to IS EN50134; and if he will make a statement on the matter. [28581/06]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): I refer the Deputy to my response to Parliamentary Question 453 of 30 May 2006. My Department has been consulting with the relevant stakeholders in this area about the imposition of standards for socially monitored alarms, as covered by the Scheme of Community Support for Older People (CSOP), in particular IS EN50134.

This process involves consultations with the NSAI and with service providers and community and voluntary groups who implement this scheme in their own communities. As previously indicated, it is the intention of my Department to only fund installations by certified installers once this process has been completed.

Departmental Funding.

1139. **Mr. Ring** asked the Minister for Community, Rural and Gaeltacht Affairs if he will provide funding for the provision of a pier (details supplied) in County Mayo. [28727/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The provision of funding for the pier referred to by the Deputy will be assessed by my Department, having regard to Departmental criteria for such projects, when the next programme of works is being evaluated.

1140. **Mr. Perry** asked the Minister for Community, Rural and Gaeltacht Affairs if he will ensure that funding is provided to a group (details supplied) in County Leitrim to provide better facilities in a centre; and if he will make a statement on the matter. [28747/06]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): Under the 2006 round of Dormant Account Funding, a total of €24 million is being targeted at measures tackling economic and social disadvantage. The roll-out of these measures is well underway and applications are being invited for the specific programmes on a phased basis as the operational arrangements are finalised. One of the measures provides funding of up to €3 million for projects supporting initiatives for Older People.

An application under this measure has been received from the group concerned and this is currently being evaluated. It is anticipated that a decision in relation to this application and the others received for this measure will be made before the end of October.

1141. **Mr. N. O'Keeffe** asked the Minister for Community, Rural and Gaeltacht Affairs if he will arrange to issue an application form and details under the Locally Based Community and Voluntary Organisations 2006 to a person (details supplied) in County Cork who was unable to access the form on his Department's website; and if he will approve grant aid to a group (details supplied) in County Cork. [29234/06]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): The Programme of Grants for Locally-Based Community and Voluntary Organisations organised by my Department includes a scheme under which funding towards the purchase of certain equipment can be provided to support the activities of groups who are addressing disadvantage in their communities.

All applications under this scheme are assessed objectively against the published criteria and up to 90% of the cost of equipment can be funded, subject to a maximum of €10,000.

My Department has been in contact with the Deputy's Constituency Office on behalf of the

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group and arrangements have been made to process the group's application if received within an agreed time-frame.

Census of Population.

1142. **Ms C. Murphy** asked the Minister for Community, Rural and Gaeltacht Affairs if figures released by the Central Statistics Office in July 2006 via the Census 2006 Preliminary Report will be used by his Department for any reason; if so, what the figures will be used for; and if he will make a statement on the matter. [29300/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): These preliminary figures will not be used.

Dormant Accounts Fund.

1143. **Mr. Wall** asked the Minister for Community, Rural and Gaeltacht Affairs the number of grants drawn down by applicants in Kildare through the dormant accounts mechanism; the value of such grants; and if he will make a statement on the matter. [29381/06]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): Under the initial round of dormant accounts funding which was overseen by the Dormant Accounts Fund Disbursements Board, a total of 521 projects were approved for funding totalling approximately €60 million. 12 of these projects, involving the allocation of €2.7 million, are based in Co. Kildare. A breakdown of the approved projects in Co. Kildare, including details of the amount drawdown to date, is provided in Appendix 1.

Following the enactment of the Dormant Accounts (Amendment) Act 2005, the Government approved a series of funding measures providing for the allocation of a further €60 million from the Fund in 2006. These measures are being rolled-out on a phased basis as the operational arrangements are finalised.

In July 2006 details of the specific projects approved in respect of the first €12 million of this 2006 allocation were announced. These allocations were in respect of funding for priority projects in RAPID areas and one project in Athy Co. Kildare was included. Details of this project are provided in Appendix 2.

Appendix 1

Dormant Accounts Round 1 Funding (Co. Kildare)

Group/Organisation	Grant Approved	Drawdown to end August 2006
	€	€
KARE, Co Kildare	194,000	174,600
Hospitaller Order of St John of God, Celbridge, Co Kildare	167,336	106,569
Board of Management, Scoil Phadraig Naofa, Athy, Co Kildare	41,000	36,900
Sisters of Charity of Jesus and Mary, Co Kildare	300,000	201,922
Kildare Youth Services (Curragh Youth Project)	81,226	13,066
Camphill Communities of Ireland, Kilcullen, Co Kildare	360,000	209,184
Athy Youth Project, Co Kildare	58,775	9,466
Athy Travellers' Club, Co Kildare	50,420	45,378
Athy Town Council	70,838	Nil
ASSET, Athy, Co Kildare	100,000	16,500
Cheshire Ireland, Newbridge, Co. Kildare	1,272,273.00	311,695
Dyspraxia Association of Ireland, Leixlip	50,500.00	Nil
Overall Total	2,746,368.00	1,125,280

Appendix 2

Dormant Accounts 2006 Round

Funding to RAPID Projects, Co. Kildare

Group/Organisation	Purpose of Grant	Grant Approved	Drawdown to end August 2006
		€	
Athy Town Council	Refurbishment works to provide Youth Café.	200,000	Nil

Cohesion Projects.

1144. **Mr. Lowry** asked the Minister for Community, Rural and Gaeltacht Affairs the progress to date in the Tipperary cohesion project; and if he will make a statement on the matter. [29617/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I refer the Deputy to my reply to Question No. 363 of 27 June and earlier replies in relation to the cohesion process. I have had discussions with the local development agencies in North Tipperary and South Tipperary to explore the optimum solution in the respective counties. The process is still ongoing and will take account of all relevant factors.

Údarás na Gaeltachta.

1145. D'fhiafraigh **Mr. O'Shea** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a fuair sé amach faoin gComhaontú Saincomhairleoireachta idir Údarás na Gaeltachta agus Ollscoil na hÉireann, Gaillimh, ag a bhfuil feidhm ó 1 Samhain 2005. [29947/06]

1146. D'fhiafraigh **Mr. O'Shea** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta an bhfuil sé sásta gur ceapadh Comhairleoir faoin gComhaontú Saincomhairleoireachta idir Údarás na Gaeltachta agus Ollscoil na hÉireann, Gaillimh ag a bhfuil feidhm ó 1 Samhain 2005 gan an Conradh a fhógairt sna nuachtáin chun cuireadh a thabhairt d'iarratasóirí cur isteach ar an gconradh. [29948/06]

1147. D'fhiafraigh **Mr. O'Shea** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta an bhfuil sé sásta leis an gcuardach a rinne Acadamh na hOllscolaíochta Gaeilge laistigh d'Ollscoil na hÉireann, Gaillimh, agus lasmuigh di chun teacht ar dhuine oiriúnach do chonradh an Chomhairleora faoin gComhaontú Saincomhairleoireachta idir Údarás na Gaeltachta agus Ollscoil na hÉireann, Gaillimh ag a bhfuil feidhm ó 1 Samhain 2005. [29949/06]

1148. D'fhiafraigh **Mr. O'Shea** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta an bhfuil sé sásta nár cuireadh aon ráiteas poiblí amach i leith an Comhairleora a cheapadh faoin gComhaontú Saincomhairleoireachta idir Údarás na Gaeltachta agus Ollscoil na hÉireann, Gaillimh ag a bhfuil feidhm ó 1 Samhain 2005 [29950/06]

1149. D'fhiafraigh **Mr. O'Shea** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta an bhfuil sé sásta gur leanadh na nósanna imeachta cearta i leith an Comhairleora a cheapadh faoin gComhaontú Saincomhairleoireachta idir Údarás na Gaeltachta agus Ollscoil na hÉireann, Gaillimh ag a bhfuil feidhm ó 1 Samhain 2005. [29951/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Tógfaidh mé Ceisteanna Uimh 1145, 1146, 1147, 1148 agus 1149 le chéile.

Ba mar thoradh ar cheist ó iriseoir chuig mo Roinnse ar 22 Meán Fómhair 2006 maidir leis an gcomhaontú atá luaite ag an Teachta a d'iarr agus a fuair mo Roinn nóta eolais i leith an cháis ó Údarás na Gaeltachta.

É sin ráite, ní mór dom a mheabhbrú don Teachta nach bhfuil aon fheidhm reachtúil agamsa mar Aire maidir le riaradh ghnóthaí laethúla Údarás na Gaeltachta. Dá bhrí sin, tuigfidh an Teachta nach bhfuil agus nach raibh aon bhaint agamsa ná ag mo Roinnse leis an gcomhaontú sonrath seo agus nach mbeadh sé cuí go dtarlódh a leithéid.

Chomh fada agus a bhaineann sé leis an dualgas atá ar mo Roinnse maidir le rialú corparáideach Údarás na Gaeltachta, ba mhaith liom a threisiú go leagtar síos coinníollacha soiléire i litir cheadúcháin mo Roinne chuig an Údarás gach bliain faoi na rialacha agus na próisis dea-chleachtais atá le leanúint chun a chinntiú go gcomhlíonann an tÚdarás a chuid dualgas go héifeachtach agus go cuí i ngach gné dá chuid oibre. Bíonn plé rialta ag oifigigh mo Roinne leis an Údarás faoin gcóras rialaithe seo. Chomh maith leis sin, ar ndóigh, déanann an tArd-Reachtair Cuntas agus Ciste cuntais Údarás na Gaeltachta a iniúchadh gach bliain agus leagtar cóip de na cuntais sin, maraon le tuarascáil bhliantúil na heagraíochta, faoi bhráid Thithe an Oireachtais.

Maidir leis an gcás airithe atá luaite ag an Teachta, tá iarrtha agam ar mo Roinnse

— deimhniú a lorg ón Údarás gur tugadh aird ar na rialacha agus na próisis chuí chun a chinntiú go bhfuil an caiteachas atá déanta, agus le déanamh, in ord agus ag cloí leis an mbunphrionsabal go bhfuil an luach is fearr ar chaiteachas á fháil aige chun cuspóirí straitéiseacha na heagraíochta a bhaint amach; agus

— eolas a lorg faoi na nósanna imeachta a leanadh chun na críche sin.

Maidir le hAcadamh na hOllscolaíochta Gaeilge de, chuir mo Roinn deontas ar fáil i 2003 chun an tAcadamh a bhunú agus tá deontas reáchtála bliantúil curtha ar fáil dó ó shin chun tacú leis an ollscolaíocht trí Ghaeilge sa Ghaeltacht a chur chun cinn. Is faoi stiúir Ollscoil na hÉireann, Gaillimh, atá Acadamh na hOllscolaíochta Gaeilge ag feidhmiú, áfach, agus níl aon bhaint agamsa mar Aire ná ag mo Roinnse le riaradh ghnóthaí laethúla nó le rialú corparáideach an Acadaimh.

Cross-Border Projects.

1150. **Mr. Crawford** asked the Minister for Community, Rural and Gaeltacht Affairs the position regarding the Ulster Canal; will progress

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be made without a working Northern Ireland Assembly; if he has examined with his UK counterparts other ways of moving this vital cross-border, cross-community project forward; and if he will make a statement on the matter. [30143/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): In my reply to Question No 496 of 4 July 2006, I informed the Deputy that I met the new Minister for Culture, Arts and Leisure, Ms Maria Eagle, MP, on 19 June 2006 and took the opportunity, inter alia, to discuss the Ulster Canal with her. When I meet with Minister Eagle again it will provide an opportunity for us to further explore ways in which this issue might be taken forward.

Transport Services.

1151. **Mr. Ring** asked the Minister for Agriculture and Food if she will support a proposal to use rail freight for the delivery of fresh farm produce and organic farm produce from the regions into Dublin for use in the restaurant industry daily; if she will introduce a grant scheme or liaise with Iarnród Éireann for such a proposal; and if she will make a statement on the matter. [28574/06]

Minister for Agriculture and Food (Mary Coughlan): Subsidisation of transport by Iarnród Éireann does not fall within the remit of my Department.

Grant Payments.

1152. **Mr. Cregan** asked the Minister for Agriculture and Food the reason for the offset of money against other payments due to a person (details supplied) in County Limerick; and if she will make a statement on the matter. [28169/06]

Minister for Agriculture and Food (Mary Coughlan): The person named was requested to submit evidence that he was compliant with the terms and conditions of the 1994 Scheme of Early Retirement from Farming. As this evidence was not furnished my Department was obliged to impose a penalty on him.

On 8 July 2005 the person named was advised of this decision and told that the penalty would be recouped from other Departmental payments due to him if no payment or payment proposal was received from him. He was also informed that he could pursue the matter with the Agriculture Appeals Office within three months. The Agriculture Appeals Office received notification that the person named intended to submit an appeal but despite numerous requests by them no grounds of appeal were ever forwarded.

1153. **Mr. O'Dowd** asked the Minister for Agriculture and Food further to Parliamentary Question No. 368 of 5 July 2006, the amount claimed by each local authority and the amount granted by her Department in each case for each year since 2002; and if she will make a statement on the matter. [28216/06]

Minister for Agriculture and Food (Mary Coughlan): My Department issues payments as outlined in Parliamentary Question No.368 of 5 July 2006, to Local Authorities following receipt of requests for reimbursement of expenses from them and following assessment of documentation submitted.

My Department does not keep data in a format that records the total amount claimed. From time to time elements of some claims may be disallowed for a variety of reasons. However these amounts would not be significant and so the amounts paid will closely reflect the amounts claimed.

Details of funding provided by my Department to Local Authorities from 1 January 2002 to 30 June 2006 are listed as follows.

County/City Council	2002	2003	2004	2005	2006
Clare Co. Council	45,498.01	67,047.03	69,455.55	75,951.10	Nil
Cork City Council	Nil	72,689.48	79,125.74	128,075.64	47,903.54
Cork Co. Council	122,260	125,988.10	93,569.66	74,654.47	100,352.50
Dún Laoghaire/Rathdown	48,093.89	11,728.62	Nil	Nil	Nil
Dublin City Council	1,508,693.28	292,181.36	244,775.30	205,817.06	167,433.00
Fingal Co. Council	Nil	532,367.12	168,060.24	259,166.94	73,120.60
Kerry Co. Council	7,058.09	54,356.58	55,602.78	Nil	Nil
Kildare Co. Council	87,125.43	7,373.45	19,347.22	Nil	36,974.59
Kilkenny Co. Council	Nil	40,706.49	25,583.09	42,508.68	13,259.24
Laois Co. Council	49,880.45	33,377.97	Nil	387.76	20,206.43
Limerick City Council	44,373.46	178,961.71	113,832.86	117,541.57	43,179.88
Limerick Co. Council	208,321.41	232,434.15	112,561.57	115,169.82	Nil
Louth Co. Council	Nil	23,870.61	171,320.41	165,079.96	132,519.21
Mayo Co. Council	1,075.47	Nil	Nil	Nil	1,741.76
Meath Co. Council	Nil	3,420.90	Nil	300.70	Nil

County/City Council	2002	2003	2004	2005	2006
Monaghan Co. Council	Nil	Nil	Nil	1,974.02	Nil
Sligo Co. Council	Nil	1,696.20	3,119.67	Nil	Nil
South Dublin Co. Council	280,345.35	214,885.89	349,482.23	559,183.32	72,792.05
Tipperary North Co. Council	Nil	23,779.36	52,149.34	36,734.75	Nil
Tipperary South Co. Council	50,603.86	91,575.56	73,912.87	60,049.03	32,389.09
Waterford City Council	5,580.56	40,934.66	87,738.79	Nil	44,801.79
Waterford Co. Council	12,466.38	27,143.22	24,782.00	24,631.49	Nil
Westmeath Co. Council	Nil	50,316.15	Nil	63,341.94	14,048.93
Wicklow Co. Council	8,053.85	5,446.48	1,700.05	Nil	Nil
Total	2,479,429.49	2,132,281.09	1,746,119.10	1,930,568.25	800,722.61

Legislative Regulations.

1154. **Mr. Costello** asked the Minister for Agriculture and Food the legislation which governs and regulates arboriculture and horticulture; and if she will make a statement on the matter. [28330/06]

Minister for Agriculture and Food (Mary Coughlan): Arboriculture and horticulture are regulated at both EU and national level. The legislation covers propagating and planting material, forest reproductive material, plant health, plant protection products, marketing standards, producer organisations, intervention arrangements, trade with third countries, potatoes and hygiene. A list of the legislation currently in force has been forwarded to the Deputy.

Milk Quota.

1155. **Mr. Kehoe** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Wexford has not had their purchased milk quota transferred to their herd; when same will be carried out; and if she will make a statement on the matter. [28375/06]

Minister for Agriculture and Food (Mary Coughlan): The person named was notified on 22nd August 2006 that a milk quota purchased by him under Regulation 9A of the EC (Milk Quota) Regulations, 2000, as amended, was transferred into his account at his milk purchaser, with effect from 1st April 2006.

Farm Retirement Scheme.

1156. **Mr. Naughten** asked the Minister for Agriculture and Food if she has received correspondence from the EU Petitions Committee regarding the operation of the early retirement scheme; the steps she intends to take to address their concerns; and if she will make a statement on the matter. [28399/06]

Minister for Agriculture and Food (Mary Coughlan): In May 2003, a group representing retired farmers 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 Commission. In reply, the Commission made it clear that in its considered opinion there was no question of any infringement having been committed by Ireland in the implementation of the Schemes.

The Chairman of the Committee has raised these issues with me again in a letter dated 5 September, while acknowledging the view that the Commission had taken. The Chairman also referred to the report on the same issues which was produced in February 2005 by the Joint Committee on Agriculture and Food, and asked for details of my response to the Joint Oireachtas Committee's recommendations. The contents of the Chairman's letter are currently being examined.

Equine Diseases.

1157. **Mr. Naughten** asked the Minister for Agriculture and Food further to Parliamentary Question No. 377 of 27 June 2006 regarding equine infectious anemia, if she will furnish a response to the issues raised; and if she will make a statement on the matter. [28403/06]

Minister for Agriculture and Food (Mary Coughlan): In my reply on 27th June, I indicated that my Department's initial focus was on the containment and immediate eradication of the disease. This still remains the case.

All of the confirmed cases are being epidemiologically investigated and the circumstances in which the disease was first introduced into the country is also the subject of a thorough and ongoing investigation. At this stage it can be stated that twenty of the current twenty-four cases fall within a group of horses identified by the Department as being at particularly high-risk. There are still a small number of horses in this category which are alive and which are, consequently under very close surveillance and subject to an intensive serological testing regime. Investigations are continuing in relation to the four

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other cases and tentative links exist between them and other cases.

My Department is working closely with the various elements of the industry and the veterinary profession to contain and eradicate the disease as quickly as possible.

Until such time as the investigations referred to above are completed, it remains inappropriate for me to comment any further on the issues raised by the Deputy.

EU Regulations.

1158. **Mr. Naughten** asked the Minister for Agriculture and Food the rules and regulations which farmers who transport animals more than 40 miles but have less than eight hours have to comply with; the impact same will have on marts and show and sale events; and if she will make a statement on the matter. [28404/06]

Minister for Agriculture and Food (Mary Coughlan): Council Regulation (EC) 1 of 2005 on the protection of animals during transport harmonises EU rules on the transport and care of animals and will apply on a phased basis from January 2007.

The Regulation provides for graduated rules in respect of the transport of animals for three categories of journeys: up to 65 kilometres; over 65 kilometres and under 8 hours, and long journeys over 8 hours. Farmers here will fall into the first two categories.

I am aware that in general Irish farmers and transporters operate to the highest animal welfare standards. The new rules will specify the standards to be applied and they will be operated in a sensible manner that will ensure compliance with the legislation, no additional cost to farmers and no disruption to trade.

Basic minimum provisions relating to animal welfare will continue to be required in respect of the transport of animals regardless of duration. For journeys up to 65km, farmers (or others) will not require any authorisation or specific training.

Persons transporting animals beyond 65km will have to be registered with the District Veterinary Office and from 2008 will have to demonstrate competence. However, farmers using their own vehicles will not have to undergo any specific training as they will be deemed to have the required competence based on the levels of farmer training undertaken in Ireland, the approval process for herd numbers and the availability of a Department issued leaflet on animal transport.

There is scope in the Regulation to exempt certain activities from the general rules. In this way the transport of animals to agricultural shows will be facilitated.

I am satisfied that properly regulated transport of animals plays an essential role in supporting both our indigenous farming activity on this

island and our export trade in live animals. I am also satisfied that Ireland will meet the requirements of the Regulation without imposing additional obstacles or costs on farmers or livestock marts.

Grant Payments.

1159. **Mr. Gilmore** asked the Minister for Agriculture and Food the grant assistance which has been made available through her Department or through any of the agencies under her Department for local horse shows or equestrian events in 2006; her views on providing financial assistance for a show (details supplied) in 2007; and if she will make a statement on the matter. [28414/06]

Minister for Agriculture and Food (Mary Coughlan): Funding is provided by my Department to the Irish Horse Board (IHB) for the promotion and development of the sport horse industry. The organisers of the show referred to by the Deputy should be advised to apply to the Horse Board to see if they qualify for assistance with funding.

1160. **Mr. Hayes** asked the Minister for Agriculture and Food the position regarding the case of a herdowner (details supplied) in County Tipperary who is awaiting payment under the single payment scheme. [28475/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application under Single Payment on the 29th April 2005 and also applied under the Consolidation measure of the Scheme. The application for consolidation of entitlements has been accepted and fully processed. In December 2005 and January 2006 payments issued in respect of 15.08 entitlements to the total value of €1,021.52.

The person named submitted an application for an allocation of entitlements from the National Reserve under Category C. 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.

The person named sold his milk quota into a re-structuring scheme in April 2002 but he did not convert 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 and therefore did not satisfy the criteria for an allocation of entitlements under Category C.

A formal letter outlining my Department's position has issued to the person named and if he is dissatisfied with this decision, he now has the opportunity to appeal the decision to the Independent Appeals Committee. An appeals appli-

cation is available from any of my Department's offices or on the Department website at www.agriculture.gov.ie.

1161. **Mr. Hayes** asked the Minister for Agriculture and Food the position regarding the case of a herdowner (details supplied) in County Tipperary who is awaiting payment under the single payment scheme. [28476/06]

Minister for Agriculture and Food (Mary Coughlan): The application under the 2005 Single Payment Scheme for the person named has now been fully processed and payment will issue shortly.

Rural Environment Protection Scheme.

1162. **Mr. Kehoe** asked the Minister for Agriculture and Food the criteria for a person to start up on their own as a REPs planner; the qualifications which are needed; the way in which a person can apply for their own REPs planning licence; the location where a person can obtain the appropriate application; the length of time a person would have to wait to get registered; and if she will make a statement on the matter. [28501/06]

Minister for Agriculture and Food (Mary Coughlan): Individuals who wish to operate as REPS planners on their own must be approved by my Department as REPS planning agencies in their own right. They must demonstrate that they fulfil my Department's minimum criterion, which is a university degree in general Agricultural Science. If a comparable or equivalent degree is proffered, subjects such as soil science, farm management, farm buildings and pollution control, animal husbandry and crop husbandry must have formed a significant part of the degree course syllabus and the qualification must, in the opinion of my Department, have sufficient relevance to the requirements of the REP scheme.

Applicants whose qualifications are acceptable will be required to attend a REPS planning agency training course organised by my Department, and having completed the course, must submit within one year three unsupervised training plans for detailed assessment. If deficiencies are found in the first or second such plan, the trainee planning agency shall amend and resubmit the plan as necessary. If the third plan is acceptable, the trainee planning agency will be required to sign a form of undertaking before being issued with a planning agency code by my Department and being added to the approved list of REPS planning agencies. The conditions for the issue of a planning agency code are under review at present.

Applications for approval of new planning agencies should be sent to the REPS Section of my Department at Johnstown Castle Estate, Co Wexford.

Farm Waste Management.

1163. **Mr. Coveney** asked the Minister for Agriculture and Food her proposals to review the regulations on the composting of household organic waste material; and if she proposes to alter the regulations, which currently require composting to include a heat treatment process for the elimination of pathogens in organic kitchen waste, for example meat, fish and cooked material, to permit the introduction of new technologies incorporating cold composting. [28516/06]

Minister for Agriculture and Food (Mary Coughlan): Regulation (EC) No.1774/2002 lays down health rules concerning animal by-products not intended for human consumption. Household catering waste is classified as a low risk (Category 3) animal by-product for the purpose of the Regulation.

Composting and biogas plants using animal by-products must meet the requirements outlined in Chapter II, Annex VI of the Regulation, in relation to premises, equipment, microbiological testing, hygiene, processing standards, sampling, collection and transport of material.

Under Article 6 of S.I. 248 of 2003, the European Communities (Animal By-products) Regulations 2003 (as amended by S.I. 707 of 2005) which implements the above Regulation, I may grant an approval, attach conditions to an approval, revoke or vary a condition, withdraw an approval or refuse an application to operate a composting or biogas facility.

My Department has been phasing in the implementation of regulations in this area over the past two years, and interested bodies have been notified that 30 September 2006 is the deadline for formal approval.

The composting process involves the breakdown of organic material by microbes. Representative samples of the digestion residues or compost taken during or immediately after processing at a biogas or composting plant must comply with standards specified in Regulation (EC) No.1774/2002 in relation to *Escherichia coli* and *Enterococaceae*. Representative samples of the digestion residues or compost taken during or on withdrawal from storage must comply with specified standards in relation to *Salmonella*.

Regulation (EC) No.1774/2002 specifies standards and requirements relating to raw material particle size, and minimum processing temperature and time. However in the case of a plant where catering waste is the only animal by-product to be used as a feedstock, other operating parameters may be accepted. The plant must produce documented evidence/research to guarantee an equivalent effect regarding the reduction of pathogens, unless the method employed is otherwise officially approved by the EU Commission as an acceptable alternative treatment method.

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Given that there is scope for the introduction of new technologies which guarantee an equivalent effect in reduction of pathogens, I do not propose to review the current regulations in this regard.

Installation Aid Scheme.

1164. **Mr. Hayes** asked the Minister for Agriculture and Food if she will intervene in the application for installation aid by a person (details supplied) in County Tipperary. [28541/06]

Minister for Agriculture and Food (Mary Coughlan): Under the current Installation Aid Scheme, applicants must have been set-up in farming for the first time after 1 January 2000. The person concerned was deemed ineligible for grant-aid under the Scheme as he was set-up in farming prior to that date.

I regret, therefore, that there are no grounds for intervention in this case.

Grant Payments.

1165. **Mr. P. Breen** asked the Minister for Agriculture and Food when a field officer will inspect works for a slatted unit for a person (details supplied) in County Clare; and if she will make a statement on the matter. [28572/06]

Minister for Agriculture and Food (Mary Coughlan): The above-named person is an applicant for grant-aid under the Farm Waste Management Scheme. A Department official recently visited the applicant's farm and approval to commence the investment works will be issued by my Department shortly.

1166. **Mr. Ring** asked the Minister for Agriculture and Food if a person (details supplied) in County Mayo will be given additional entitlements from the national reserve; the decision which has been made on their application. [28576/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for an allocation of entitlements from the Single Payment Scheme National Reserve under Category B.

Category B caters for farmers who, between 1 January 2000 and 19 October 2003, made an investment in production capacity in a farming sector for which a direct payment under Livestock Premia and /or Arable Aid schemes would have been payable during the reference period 2000 – 2002. Investments can include purchase or long-term lease of land, purchase of suckler and/or ewe quota or other investments.

This application under Category B has been deemed successful and a formal letter setting out my Department's decision has issued to the person named. If he is dissatisfied with my Depart-

ment'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.

Rural Environment Protection Scheme.

1167. **Mr. P. Breen** asked the Minister for Agriculture and Food the reason for the hold up in REPS payment to farmers in County Clare; and if she will make a statement on the matter. [28697/06]

Minister for Agriculture and Food (Mary Coughlan): Earlier this summer, temporary staff shortages caused a backlog in processing REPS payments in County Clare. However applications are now being processed and payments issued in accordance with the targets agreed in the Charter of Rights for Farmers.

Grant Payments.

1168. **Mr. Naughten** asked the Minister for Agriculture and Food further to Parliamentary Question No. 234 of 29 September 2004, the grant aid which has been returned to her Department; the discussions her Department has had with the company concerned regarding alternative employment on the site; and if she will make a statement on the matter. [28739/06]

Minister for Agriculture and Food (Mary Coughlan): My Department, in conjunction with Enterprise Ireland, has been examining the position regarding contingent liabilities arising from the closure of the plant at Rooskey, Co. Roscommon.

Discussions are on-going between Enterprise Ireland and the Company on the possible level of liability arising from the decision to discontinue the slaughtering and boning activities at Rooskey, while retaining and developing the cannery operations from the Rooskey site, and having regard to the company's other significant capital investment in the Irish pork sector.

As the issues are complex, the discussions and examination have taken some time. Progress has been made and it is anticipated that a conclusion will be reached in the near future. Where any amounts are identified as due, the process of recovery will follow.

In the meantime Enterprise Ireland is endeavouring to stimulate further investment at the Rooskey plant. Discussions are at an early stage and have yet to be comprehensively developed.

Nitrates Directive.

1169. **Mr. Naughten** asked the Minister for Agriculture and Food the inspection regime which will apply to the enforcement of the

Nitrates Directive; the level of on-farm inspection anticipated by her officials; and if she will make a statement on the matter. [28742/06]

Minister for Agriculture and Food (Mary Coughlan): The implementation of the Nitrates Directive is a matter in the first instance for the Minister for the Environment, Heritage and Local Government. The control authorities designated for the purposes of implementation of the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2006 are the local authorities and the Environmental Protection Agency.

My Department's role is in the context of EU cross-compliance inspections required under the Single Payment Scheme. These inspections will address the various statutory management requirements, including compliance with the requirements of the Nitrates Directive, on farm holdings in receipt of payment under the Single Payment Scheme. EU regulations require that 1% of farm holdings are selected for inspection annually.

EU Regulations.

1170. **Mr. Perry** asked the Minister for Agriculture and Food the decision she has made on issues raised (details supplied); and if she will make a statement on the matter. [28744/06]

Minister for Agriculture and Food (Mary Coughlan): The requirement that all bovine animals over 30 months of age, slaughtered for human consumption, must be tested for BSE is provided for in Regulation (EC) No. 999/2001 of the European Parliament and of the Council, laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (The TSE Regulation). Accordingly I do not have discretion to raise this age provision as I would wish to do.

I have been making repeated efforts to have the age thresholds for the various categories of animals changed, based on the results of surveillance carried out here. Amendments to the TSE Regulation, including Community rules in relation to testing for BSE have been under discussions at EU level involving, the Council, the Commission and the European Parliament. These discussions are almost completed and the likely outcome is that Member States wishing to change the age limit for testing for BSE in healthy animal slaughtered for human consumption will have the opportunity to seek this in the context of requests which they can make for revisions to their annual monitoring programmes based on the improvement of the BSE situation of the country, on the basis of as yet to be agreed criteria and which may take some time to finalise.

Any request for such changes would require to be approved by the European Commission and the other Member States within the framework

of the Standing Committee on Animal Health and the Food Chain. I will, of course continue to press for a change in the age threshold at every opportunity.

Grant Payments.

1171. **Mr. Perry** asked the Minister for Agriculture and Food when the headage payment will be released for a person (details supplied); and if she will make a statement on the matter. [28752/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application under the 2005 Disadvantaged Areas Scheme on the 5th May 2005. The area claimed on this application was 29.19 hectares. A subsequent field inspection established a found area of 23.25 hectares, as the person named had leased out one of the parcels claimed. This resulted in an over-declaration of 25.55%. Under EU Regulations, payment cannot be made if the difference between the area declared and the area found is more than 20%. Consequently, the person named was not paid under the 2005 Disadvantaged Areas Scheme.

The decision of my Department was reviewed at the request of the person named and was upheld. While the person named was advised of his right to appeal to the Agriculture Appeals Office, I understand that he has not done so.

Rural Environment Protection Scheme.

1172. **Mr. Perry** asked the Minister for Agriculture and Food when a person's (details supplied) REP scheme payment will be issued; the reason for the delay; and if she will make a statement on the matter. [28759/06]

Minister for Agriculture and Food (Mary Coughlan): Payment dated 11 September 2006 has issued to the person named. This was within the targets agreed in the Charter of Rights for Farmers.

Grant Payments.

1173. **Mr. McGuinness** asked the Minister for Agriculture and Food if a farm grant for buildings will be approved and payment expedited for a person (details supplied) in County Kilkenny; and if she will make a statement on the matter. [28785/06]

Minister for Agriculture and Food (Mary Coughlan): The above-named person is an applicant for grant-aid under the Farm Waste Management Scheme. The application is currently being processed and a decision in respect of the application will be made shortly.

1174. **Mr. Deenihan** asked the Minister for Agriculture and Food when a decision will be

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made on the appeal by a person (details supplied) in County Kerry, regarding the level of their single payment; and if she will make a statement on the matter. [28786/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for an allocation of entitlements from the National Reserve under Category C. Category C caters for farmers who sold their milk quota into a re-structuring scheme 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.

Following re-examination by my Department, the application under Category C has been deemed to be successful and a letter outlining the details of his National Reserve allocation has issued to the person named.

If he is dissatisfied with this decision, he now has the opportunity to appeal to the Independent Appeals Committee. An appeals application is available from any of my Department's offices or on the Department website at www.agriculture.gov.ie.

1175. **Mr. Ring** asked the Minister for Agriculture and Food the number of years the single farm payment will last; the date that payments started to issue; and the expected date that payments will end; and if she will make a statement on the matter. [29016/06]

Minister for Agriculture and Food (Mary Coughlan): The EU Regulations governing the operation of the Single Payment Scheme provides for funding in each of the years 2005 to 2012. The principle behind the SPS is that while maintaining direct supports for the agriculture sector, such supports would no longer be directly linked to production. Such a change in emphasis thereby gives farmers freedom to farm in a manner more attuned to the requirements of the market place. In advance of any definite proposals as to what might replace the current regime, there will be substantial discussions and negotiations between the Member States at Council level, in which Ireland will play its full part. An initial review of the regime is currently scheduled for 2008.

Cattle Identification Scheme.

1176. **Mr. Ring** asked the Minister for Agriculture and Food if she will examine ways to increase the longevity of cattle tags in order that they are more durable in view of the fact that cattle are losing their tags more frequently and re-tagging has become more hazardous for elderly farmers in particular; and if she will make a statement on the matter. [29063/06]

Minister for Agriculture and Food (Mary Coughlan): My Department is constantly looking at developments in the market in relation to eartags to ensure that the tag most suited to the needs of Irish farming is available. The suitability of the current tag and that recently selected for use in the Irish bovine identification system was determined by reference to a range of criteria designed to select an effective and secure identification and traceability system so that customers and consumers of Irish beef can be assured of the traceability of the product.

It is virtually impossible to guarantee that all tags inserted will remain in place indefinitely in a farming environment. The likelihood of tags remaining in place depends to some extent on their proper insertion in the animal's ears and in this regard improved insertion techniques have greatly assisted in maintaining identification of cattle in recent years. All farmers should follow the guidelines in relation to the insertion of tags in order that this is carried out in the safest and most effective manner possible.

Grant Payments.

1177. **Mr. N. O'Keeffe** asked the Minister for Agriculture and Food the position regarding an application for entitlements under the single payment national reserve for a person (details supplied) in County Cork. [29067/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for an allocation of entitlements from the Single Payment Scheme National Reserve under Category B.

Category B caters for farmers who, between 1 January 2000 and 19 October 2003, made an investment in production capacity in a farming sector for which a direct payment under Livestock Premia and /or Arable Aid schemes would have been payable during the reference period 2000 – 2002. Investments can include purchase or long term lease of land, purchase of suckler and/or ewe quota or other investments.

The application under Category B has been deemed to be successful and a formal letter setting out my Department's decision has issued to the person named. If she is dissatisfied with my Department's decision in relation to the National Reserve, she now has the opportunity to appeal this decision to the Independent Payment 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.

Grant Payments.

1178. **Mr. Sargent** asked the Minister for Agriculture and Food the date on which Coillte Teoranta reimbursed the Government for the grant aid intended for farmers claimed by Coillte Teor-

anta, which was clawed back by the European Commission. [29078/06]

Minister for Agriculture and Food (Mary Coughlan): The question of whether Coillte should reimburse monies paid to them under the EU afforestation scheme stems from a decision by the European Court of Justice on the status of the company. The matter is under consideration within my Department and a decision will be made shortly.

Afforestation Programme.

1179. **Mr. Sargent** asked the Minister for Agriculture and Food if she will institute a review of the 1996 strategic plan for the development of the forestry sector in Ireland which reflects the current planting rates and accepts the impossibility of reaching the targets required for critical mass as specified in that plan and in the terms of reference of the review of that plan by a person (details supplied). [29079/06]

Minister for Agriculture and Food (Mary Coughlan): A review of current policy is underway. A High-Level Strategy Group in my Department is undertaking this review in the light of recent developments affecting the forestry sector. These include the Bacon Review, the situation following the introduction of the Single Farm Payment Scheme and the new Rural Development Regulation. The High-Level Strategy Group will be submitting its findings shortly.

1180. **Mr. Sargent** asked the Minister for Agriculture and Food if she will confirm that she revealed the full terms of reference of the Forestry and Margaritifera Group's technical working group for the proposed forestry guidelines in her reply to Parliamentary Question No. 172 of 1 June 2006, and that no agreement was reached with Coillte Teoranta to ensure that the terms of reference included the requirement for the guidelines to be cost efficient. [29080/06]

Minister for Agriculture and Food (Mary Coughlan): The Forestry and Margaritifera Group was established to identify and address the potential impacts of forestry operations on the freshwater pearl mussel. It consists of two sub groups (a) the Steering Group and (b) the Technical Working Group.

Parliamentary Question No. 172 of 1st June 2006 sought the terms of reference of the Steering Group. As there were no written terms of reference for the Steering Group I provided main terms of reference of the Technical Working Group which are as follows:

The Technical Working Group on Forestry and Margaritifera is to produce agreed guidance for all relevant forestry operations which could affect Margaritifera populations in the

rivers designated SAC for that species. The guidance will apply to all relevant forestry operations within those portions of the catchments of these rivers upstream of the Margaritifera populations.

The terms of reference of the Technical Group also refer the methodology to be adopted, including reviewing existing Forest Service guidelines and Coillte's Environmental Impact Appraisal Procedure. Relevant published scientific data was also to be reviewed. The Technical Group was to report to the Steering Group and furnish guidance on the planning and execution of forest operations that would be effective in conserving Margaritifera, while being cost efficient and implementable. The terms of reference including the reference with efficiently were agreed by the Group as a whole.

Nitrates Regulations.

1181. **Mr. Sargent** asked the Minister for Agriculture and Food if the definition of peat soils incorporated in Schedule 1 of the Nitrates Regulations 2006 (details supplied) as soils with an organic matter content exceeding 20 per cent will also be applied to soils used for forestry. [29081/06]

Minister for Agriculture and Food (Mary Coughlan): The soil classification used in respect of the 2006 Nitrates Regulations is for one purpose only — the application of fertiliser for agricultural purposes. The classification system for soils, including peat, which is used in forestry has much wider application, including species selection, estimation of potential rooting depth, potential yield, crop stability etc. It is not proposed to change this.

Afforestation Programme.

1182. **Mr. Sargent** asked the Minister for Agriculture and Food if she is satisfied that the foliar analysis, upon which her Forest Service's approval of fertilisation of forestry is based, is sufficient to determine phosphorous deficiency in the soil. [29082/06]

Minister for Agriculture and Food (Mary Coughlan): Foliar analysis is the internationally recognised method to determine nutrient requirements, including phosphorous requirements, in forests. There are recognised levels for different tree species to indicate their nutrient requirements.

A site inspection also takes place to ensure that any nutrient deficiency identified by foliar analysis is not due to silvicultural or environmental factors.

1183. **Mr. Sargent** asked the Minister for Agriculture and Food the maximum amount of phosphates fertilisers permitted to be applied per hec-

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ture for afforestation projects over their rotation. [29083/06]

1186. **Mr. Sargent** asked the Minister for Agriculture and Food if the Forest Service has the ability to regulate hand fertilisation if it is outside the grant aid period to ensure the protection of the environment. [29086/06]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 1183 and 1186 together.

The application of fertiliser in forestry is governed by the Code of Best Forest Practice, Forestry and Water Guidelines and Forestry and Aerial Fertilization Guidelines, all issued by the Forest Service of my Department. These Guidelines, which reflect scientific findings and international good practice, set out requirements for permanent fertilizer-free buffer strips adjacent to waterways, methods of application, fertiliser formulation, rates and times of application and other stipulations.

A forest rotation in Ireland is typically 35 to 45 years or longer. If phosphate fertiliser is required, it is typically applied at the time of initial afforestation at a rate of 250 kilogrammes of rock phosphate (14.5% Phosphorus) per hectare. Rock phosphate is a slow release fertiliser. On unenclosed land the maximum amount permitted at this time is 350 kilogrammes of rock phosphate per hectare. In a minority of cases one or more additional applications may be necessary during the rotation.

As regards 'hand fertilisation' or 'manual application', this is the typical method used in the early life of a forest before it closes canopy, i.e. before the crop is circa 10 years of age. This is well within the period for which premiums are paid by my Department. After the forest closes canopy, the only practical way to apply fertiliser is by air and this requires specific approval from my Department. In such cases, the maximum amount permitted is 350 kilogrammes of rock phosphate per hectare at a concentration of 11-16% Phosphorus.

1184. **Mr. Sargent** asked the Minister for Agriculture and Food if she will provide an assurance that sufficient information is required to be provided in the application for all felling licences to ensure that the Forest Service is able to assess the impact on the environment; and if she will further provide the information required for each application. [29084/06]

Minister for Agriculture and Food (Mary Coughlan): The information required for felling licence applications is prescribed under legislation in accordance with the Forestry Act, 1946 (Part IV) Regulations, 1949 and is furnished by way of a Felling Application and Notice submitted by the landowner.

Part I of the Felling Notice contains particulars relating to the applicant and the land on which the trees stand together with a declaration of intention to replant and the extent of replanting to be undertaken.

Part II contains details of trees to be cut down including species, number and age of the trees together with an estimate of the value of the timber and reason for proposed cutting or uprooting.

Part III contains details of the trees proposed to be cut down or uprooted and claimed to be "exempted trees" as defined in Section 35(1) of the Forestry Act 1946.

In addition to the above, the application must also include a 6-inch Ordinance Survey map indicating the location of the plantation. A separate report may also be required detailing the felling and replanting operations it is proposed to undertake.

The follow up inspection procedures for approval of licence applications include an assessment of the environmental considerations for the sites in question. This can entail referral of the application to the various consultation bodies such as National Parks and Wildlife Service, Fisheries Boards and Local Authorities for their consideration and recommendations if applicable. Any recommendations made are taken into account by the Forest Service in their decision to grant or withhold a licence.

I believe that the combination of information supplied, subsequent examination and consultation provides a sound basis upon which to assess applications to fell. The appropriateness of the information provided is under continuous review.

1185. **Mr. Sargent** asked the Minister for Agriculture and Food if the Forest Service has the ability to regulate forest road construction if it is not being approved for grant aid to ensure the protection of the environment. [29085/06]

Minister for Agriculture and Food (Mary Coughlan): I have no authority to regulate non-grant aided forest road construction on private property. Protection of the Environment in such a non-grant aid situation is a matter for the National Parks and Wildlife Service and the Department of the Environment Heritage and Local Government.

Question No. 1186 answered with Question No. 1183.

1187. **Mr. Sargent** asked the Minister for Agriculture and Food the enforcement provisions she has to control unapproved plantations of trees; and the powers she has to require that the development be reversed and the owner be prosecuted. [29087/06]

Minister for Agriculture and Food (Mary Coughlan): Under the Environmental Impact

Assessment (Amendment) Regulations 2001 (S.I. 538/2001), which were introduced by the Minister for the Environment, Heritage and Local Government, my prior approval must be obtained for all afforestation projects, regardless of whether any application is made for grant aid.

A full review of forestry legislation is underway at present in my Department, and the question of providing direct powers in primary legislation for dealing with unapproved plantations, including comprehensive sanctions, is being closely examined.

Water Supply.

1188. **Mr. McHugh** asked the Minister for Agriculture and Food if she will introduce a system of grant aid for farmers who must bore wells on their lands to supply water to their lands in areas where no public water supply exists; and if she will make a statement on the matter. [29088/06]

Minister for Agriculture and Food (Mary Coughlan): I have no plans to introduce grant-aid for the boring of wells by farmers on their lands.

Departmental Funding.

1189. **Mr. Durkan** asked the Minister for Agriculture and Food if she has received a submission from a person (details supplied) in County Kildare; if she will respond favourably to same; and if she will make a statement on the matter. [29089/06]

Minister for Agriculture and Food (Mary Coughlan): My Department has received the submission referred to in his question. The submission, which contains a request for a substantial amount of State funding, is currently being carefully examined by officials in my Department and a decision will issue in due course.

Alternative Energy Projects.

1190. **Mr. Naughten** asked the Minister for Agriculture and Food further to Parliamentary Question No. 391 of 3 May 2006, if the review has taken place; and if she will make a statement on the matter. [29265/06]

1206. **Mr. Ferris** asked the Minister for Agriculture and Food to introduce a grant to encourage the growth of Short Rotation Coppice, as an energy crop, on set-aside land; and if she will make a statement on the matter. [29660/06]

Minister for Agriculture and Food (Mary Coughlan): I propose to reply to Parliamentary Questions Nos. 1190 and 1206 together.

As part of the EU Strategy for Bio-fuels, the EU Commission has just published a Report on implementation of the Energy Crops Scheme since 2005 and on how the efficiency of the

Scheme could be further improved. My Department is currently studying this Report.

Census of Population.

1191. **Ms C. Murphy** asked the Minister for Agriculture and Food if figures released by the Central Statistics Office in July 2006 via the Census 2006 Preliminary Report will be used by her Department for any reason; if so, what the figures will be used for; and if she will make a statement on the matter. [29297/06]

Minister for Agriculture and Food (Mary Coughlan): My Department has no immediate plans to use the figures in the 2006 Census Preliminary Report produced by the Central Statistics Office. However, it is possible that they may be used in the future.

Waste Management.

1192. **Mr. Connolly** asked the Minister for Agriculture and Food if she proposes to extend the farm plastics collection pilot scheme to cover the entire country; and if she will make a statement on the matter. [29329/06]

Minister for Agriculture and Food (Mary Coughlan): The disposal of waste materials generally is covered by the Waste Management Acts 1996 to 2005, which apply to all sectors of society including the agricultural sector, and is a matter for the Minister for the Environment, Heritage and Local Government.

Under the Waste Management (Farm Plastics) Regulations 2001, manufacturers and importers of farm plastics — that is, silage bale wrap and sheeting — are required to take steps to recover farm plastics waste which they have placed on the market, or alternatively to contribute to and participate in compliance schemes to recover the waste in question. The Irish Farm Film Producers Group, IFFPG, is currently the sole approved body in Ireland for the purposes of implementing a compliance scheme for the recovery of farm plastics waste. The Waste Management (Farm Plastics) Regulations are a matter for the Minister for the Environment, Heritage and Local Government, and my Department has no involvement in the running of the IFFPG scheme.

Alternative Energy Projects.

1193. **Mr. Connolly** asked the Minister for Agriculture and Food the plans she has to introduce start-up grants for farmers entering the biofuel crops market; and if she will make a statement on the matter. [29330/06]

Minister for Agriculture and Food (Mary Coughlan): Currently, support for the growing of energy crops is provided by way of the Energy Crops Scheme, which was introduced under the reform of the CAP. Under this scheme, energy

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crops may qualify for aid of €45 per hectare provided they are intended primarily for use in the production of biofuels and electric and thermal energy produced from biomass. In addition to this scheme, set aside land can be used for a variety of non-food uses including the growing of crops for energy purpose and will therefore qualify to activate set-aside entitlements under the Single Payment Scheme. The EU has agreed that sugar beet will be eligible for aid under the scheme and may also be grown as an energy crop on set aside land. At the February Council of Agriculture Ministers meeting I called for a review of the energy crop premium. The EU Commission has just published a Report on implementation of the scheme since 2005 and on how the efficiency of the scheme could be further improved. My Department is currently studying the Report.

I am confident that the recently announced Mineral Oil Tax Relief Scheme valued at €205m will help drive additional demand for the production of energy crops. When fully operational in 2008, it will deliver some 163 million litres of biofuels per year and should result in Ireland achieving 2% market penetration of biofuels.

There has been renewed interest among some producers in growing miscanthus and willow as a feedstock for bioenergy purposes. My Department has received a number of proposals for the introduction of establishment grants and these are currently being considered. The introduction of establishment grants will require EU approval.

I am also working closely with Ministerial colleagues to promote the development of an indigenous biofuels sector in Ireland. The Government have recently established a Ministerial Taskforce on Bioenergy to prepare a firm road map to develop Ireland's bioenergy resources to 2020. This will ensure a cohesive approach to the development of bioenergy across Government Departments, state agencies and relevant stakeholders. The Taskforce will prepare a comprehensive national Bio-energy Action Plan by the end of this year.

Grant Payments.

1194. **Mr. N. O'Keeffe** asked the Minister for Agriculture and Food the position regarding an application for a person (details supplied) in County Cork in respect of the single payment national reserve 2005. [29377/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for an allocation of entitlements from the Single Payment Scheme National Reserve under Category B.

Category B caters for farmers who, between 1 January 2000 and 19 October 2003, made an investment in production capacity in a farming sector for which a direct payment under Live-

stock Premia and /or Arable Aid schemes would have been payable during the reference period 2000-2002. Investments can include purchase or long term lease of land, purchase of suckler and/or ewe quota or other investments.

The application under Category B has been deemed to be successful and a formal letter setting out my Department's decision has issued to the person named. 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.

Alternative Energy Projects.

1195. **Mr. Wall** asked the Minister for Agriculture and Food the plans or proposals she has to provide incentives to farmers in the Kildare and Carlow region to provide alternative crops to overcome the loss of the sugar beet crop; and if she will make a statement on the matter. [29378/06]

Minister for Agriculture and Food (Mary Coughlan): Following the introduction of the Single Payment Scheme last year, farmers now have the freedom to choose whatever farming enterprise is most appropriate to their circumstances. Under the agreement on reform of the EU sugar regime, the Single Payment Scheme is being extended to cover sugar beet compensation.

The sugar reform agreement also provides for the introduction of aid for diversification measures where sugar beet production completely ceases. This aid, worth almost €44m, would be drawn down in the framework of a national restructuring programme. Under the Commission implementing regulation, Ireland will be required to submit the restructuring programme to the Commission by the end of this year.

I am aware there has been renewed interest among farmers in growing energy crops as a feedstock for bioenergy purposes following the closure of the sugar industry. The key issue for farmers considering energy crops, as an alternative crop, is the expectation of a good economic return. In this context, the Government announced in the last budget, an expanded excise relief scheme valued at €205m to stimulate the demand for biofuels. At farm level, support by way of a premium of €45 per hectare is currently available under the EU Energy Crops Scheme. I called last February for the premium to be reviewed and the EU Commission undertook to review the operation of the scheme. Last week, the Commission published a Report on the implementation of the scheme, which my Department is examining.

I believe the development of an indigenous bioenergy industry would not alone create new opportunities for farmers to diversify into growing energy crops and other forms of renewable energy, but is important for environmental and energy supply reasons. A Ministerial Taskforce has been established to oversee preparation of a National Bioenergy Strategy by end 2006.

1196. **Mr. Ferris** asked the Minister for Agriculture and Food if farmers are permitted to grow energy crops on set-aside land. [29380/06]

Minister for Agriculture and Food (Mary Coughlan): Council Regulation EC No. 1973/2004 provides that any agricultural raw material with the exception of Jerusalem artichokes or chicory roots may be grown on set-aside land, provided that they are intended primarily for use in the production of the end products referred to in Annex 1 of the Regulation, which include products intended for energy purposes.

1197. **Mr. Ferris** asked the Minister for Agriculture and Food if any research is currently being conducted in relation to the potential for the use of forestry based biomass in Ireland; and if she will make a statement on the matter. [29610/06]

Minister for Agriculture and Food (Mary Coughlan): There is considerable potential for the use of forestry-based biomass, such as thinnings, as a source of renewable energy. A pilot study is underway in Co. Clare, with funding from my Department, on the feasibility of establishing a locally-based wood fuel economy.

COFORD, the National Council for Forest Research and Development, is conducting trials on the harvesting, chipping and transport of forest biomass, under the 'Forest Energy 2006' banner. The overall objective is to demonstrate ways to produce high quality wood chip fuel from forest plantations, suitable for the heating and/or power generation sectors. In conjunction with the trials, field demonstrations of harvesting equipment and techniques have been held at six locations, in collaboration with Teagasc forestry staff. These have attracted many hundreds of forest owners and contractors. Bord na Móna has also been involved in the programme of work, through the investigation of wood chip transport and roading logistics. Results from the trials, in terms of machine productivity, thinning systems, fuel quality and logistics are currently being collated and will be presented at a COFORD conference in December.

COFORD has also commissioned work on the potential supply of forest biomass from thinnings and other sources. This information has been used in conjunction with a separate review of forest policy that is underway in my Department. COFORD intends to continue calls for further

research proposals on wood energy in the near future.

Grant Payments.

1198. **Mr. Lowry** asked the Minister for Agriculture and Food her views on increasing the level of grant assistance under the farm waste management grants where steel structures will form a major part of any development in view of the high price of steel; and if she will make a statement on the matter. [29611/06]

Minister for Agriculture and Food (Mary Coughlan): Revised Standard Costings which are used to calculate grants under the Farm Waste Management Scheme were introduced by my Department on 9 August 2006. The revised Costings take into account, inter alia, recent increases in the price of steel. The revised Standard Costings will be applied to all letters of approval issued to applicants to commence investment works since 1 January 2006.

Factory Closures.

1199. **Mr. Lowry** asked the Minister for Agriculture and Food the progress to date on the compensation payment negotiations in respect of the sugar industry; if she will ensure that beet growers and contractors will receive the maximum amount of payment available; the measures proposed for distributing compensation; and if she will make a statement on the matter. [29612/06]

Minister for Agriculture and Food (Mary Coughlan): Under the EU regulations governing the EU restructuring aid for the sugar industry, decisions on the percentage of the aid to be reserved for growers and certain machinery contractors and related matters were required to be made by the Member States. Based on the recommendations of an independent expert appointed by the Government and following a rigorous public consultation process, the Government on 12 July 2006 announced the relevant decisions. These decisions have now been challenged by Greencore by way of Judicial Review proceedings in the High Court.

Under the EU regulations, the first instalment of the restructuring aid would fall to be paid in June 2007 and the first payment of the diversification aid would be due in September 2007.

Grant Payments.

1200. **Mr. Lowry** asked the Minister for Agriculture and Food her views on the number of farmers awaiting payment under the 2005 single farm payment scheme in each county; the most common reasons for delays in making payments; and if she will make a statement on the matter. [29613/06]

Minister for Agriculture and Food (Mary Coughlan): The tabular statement below sets out the numbers of 2005 Single Payment Scheme applications in each county with outstanding problems, which must be solved prior to payment.

In common with the coupled schemes, which the Single Payment Scheme replaced, delays in processing can be caused by many factors, including incomplete application forms, errors on applications and discrepancies highlighted following computer validation, which must be resolved via correspondence with the applicant. In many cases, payment could not be made because applicants did not submit an application to transfer the Single Payment entitlements, with lands, by way of inheritance, gift, lease or purchase.

It will be noted that the number of outstanding cases in some counties has increased arising from the continuing concerted efforts by my Department to make direct contact with farmers, who had not submitted applications for the transfer of entitlements despite the issue of previous correspondence and reminders to them.

My Department will continue to issue payments to farmers as outstanding problems are resolved.

Not fully processed

	Number
Carlow	14
Cavan	36
Clare	36
Cork	37
Donegal	112
Dublin	4
Galway	179
Kerry	20
Kildare	34
Kilkenny	27
Laois	27
Leitrim	34
Limerick	9
Longford	11
Louth	9
Mayo	164
Meath	9
Monaghan	44
Offaly	15
Roscommon	60
Sligo	45
Tipperary	45
Waterford	24
Westmeath	8
Wexford	9
Wicklow	25

Rural Development Plan.

1201. **Mr. Lowry** asked the Minister for Agriculture and Food the measures included in the Rural Development Plan 2006-2013; when the plan was sent to the European Commission for approval; when she anticipates approval will be received; if a draft of the document will be made available immediately to Oireachtas Members; and if she will make a statement on the matter. [29614/06]

Minister for Agriculture and Food (Mary Coughlan): The new rural development programme will cover the period 2007 to 2013. A draft programme is currently being finalised and will issue for public consultation. It will also be subject to independent evaluation and a strategic environmental assessment. Following this process, the programme will be submitted for approval to the EU Commission. I have emphasised to the Commission the importance of having the programme in place by early 2007 and I anticipate that this will be the case.

The measures in the programme will address the three objectives set out in the EU rural development framework. These concern competitiveness, the environment and quality of life/diversification of economic activity. The measures will be detailed in the draft document, which on finalisation I will be pleased to make available to Oireachtas members.

Grant Payments.

1202. **Mr. Lowry** asked the Minister for Agriculture and Food when a national reserve top-up from the single farm payment will issue to a person (details supplied) in County Tipperary; the reasons for a delay in issuing confirmation to the person; and if she will make a statement on the matter. [29615/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for an allocation of entitlements from the Single Payment Scheme National Reserve under Category D. This category caters for farmers who commenced farming after 31 December 2002 or who commenced farming in 2002 but who received no direct payments in respect of that scheme year.

The person named is deemed successful under this category. A formal letter outlining the Department's decision will issue to him in the near future, along with the relevant payment due.

If the person named is dissatisfied with my Department's decision in relation to the National Reserve, he will have 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.

This particular case also involved inheritance which first had to be processed to allow the inherited entitlements to be topped-up by the allocation from the National Reserve.

1203. **Mr. Perry** asked the Minister for Agriculture and Food when a decision will be made on a persons (details supplied) *force majeure*; and if she will make a statement on the matter. [29649/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application under the Force Majeure/Exceptional Circumstances measure of the Single Payment Scheme. Following a full examination of the circumstances put forward, the person named was informed that the circumstances outlined by him did not satisfy the criteria laid down in Article 40 of Council Regulation EC No. 1782/2003, determining Force Majeure/Exceptional Circumstance and therefore his application was unsuccessful.

To qualify for Force Majeure/Exceptional Circumstances, production must have been adversely affected during one or more of the three reference years 2000, 2001, 2002 due to circumstances outside a person's control, and as a result stock numbers must have fallen, or arable areas must not have been cultivated. During the reference years 2000-2002 no entitlements were established by the person named as his lands were leased and any entitlements generated on the holding are proper to the lessee/s.

When all three reference years are affected by a case of Force Majeure/Exceptional Circumstances the alternative reference years 1997-1999 may be taken into consideration. However, in this case no entitlements can be established by using the alternative reference period as the person named claimed no premia during this period. The Herd Number of the person named has, in fact, been dormant since 1989.

1204. **Mr. Perry** asked the Minister for Agriculture and Food the progress made on the details submitted to her Department officials in Portlaoise (details supplied); and if she will make a statement on the matter. [29654/06]

Minister for Agriculture and Food (Mary Coughlan): The person named declared two parcels of land on his 2006 Disadvantaged Areas/Single Payment Scheme application form which were also declared by another applicant. This resulted in a dual claim, which must be resolved prior to the final processing of the applications.

My Department wrote to both applicants and has received responses from both. However, my Department has issued a further letter to the person named seeking clarification on certain matters in order that a decision can be made in this case.

1205. **Mr. Perry** asked the Minister for Agriculture and Food if she will clarify the single payment entitlements of a person (details supplied); the reason for the delay in processing their file; when the top up will be included; and if she will make a statement on the matter. [29657/06]

Minister for Agriculture and Food (Mary Coughlan): The person named did not farm during the reference years 2000-2002 and therefore no single payment entitlements were established for him. He applied to the 2005 National Reserve for an allocation of entitlements under Category D. This category caters for farmers who commenced farming after 31 December 2002 or who commenced farming in 2002 but who received no direct payments in respect of that scheme year.

The person named is deemed successful under this category. A formal letter outlining the Department's decision will issue to him in the near future, along with the relevant payment due.

If the person named is dissatisfied with my Department's decision in relation to the National Reserve, he will have 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.

This particular case also involved inheritance which first had to be processed and subsequently the inheritance entitlements were topped-up by the allocation from the National Reserve.

Question No. 1206 answered with Question No. 1190.

1207. **Mr. Neville** asked the Minister for Agriculture and Food the position in regard to an appeal of a decision on the allocation of entitlements from Single Payment Scheme National Reserve by a person (details supplied) in County Limerick. [29661/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for an allocation of entitlements from the 2005 Single Payment Scheme National Reserve under Category B.

Category B caters for farmers who, between 1 January 2000 and 19 October 2003, made an investment in production capacity in a farming sector for which a direct payment under Live-stock Premia and/or Arable Aid schemes would have been payable during the reference period 2000- 2002. Investments can include purchase or long term lease of land, purchase of suckler and/or ewe quota or other investments.

The person named applied to the Reserve on the basis that he purchased land and made other investments related to production capacity but the invoices submitted in support of his application indicate that all of the investments were made in the period 2004 and 2005 and are there-

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fore outside the specified dates 1 January 2000 to 19 October 2003.

A formal letter setting out my Department's decision has issued to the person named and he has appealed this decision to the Independent Payment Appeals Committee who will carry out a full review of the case and will correspond directly with him following the outcome of their review.

Alternative Energy Projects.

1208. **Mr. J. Higgins** asked the Minister for Agriculture and Food if she will resist attempts to dismantle the Mallow sugar factory and what remains of the Carlow sugar factory and instead investigate the potential for the future re-structured use of these factories, for example in bio-fuel production. [29728/06]

1209. **Mr. J. Higgins** asked the Minister for Agriculture and Food if she will study the EC Council Sugar Regulations published in January 2006 which provide for aiding and assisting Member States in transitional measures, diversification and re-structuring. [29729/06]

1210. **Mr. J. Higgins** asked the Minister for Agriculture and Food if her attention has been drawn to the fact that Mr. Klaus Dieter Borchardt, head of the EU Sugar Reform section, is on record as favouring the conversion of Ireland's former sugar factories for ethanol production. [29730/06]

1211. **Mr. J. Higgins** asked the Minister for Agriculture and Food if she will act on the recommendations of the June 2006 Energy Report by the Parliamentary Joint Committee on Communications, Marine and Natural Resources, which calls for a study into providing State assistance for the conversion of the Mallow sugar factory for bio-ethanol production. [29731/06]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 1208 to 1211, inclusive, together.

The Report of the Joint Committee on Communications, Marine and Natural Resources made a number of recommendations under the theme of 'Sustainable Energy Policy' to support the production of biofuels in Ireland. This included a recommendation that the possibility of providing state assistance to encourage the conversion of the Mallow sugar factory to bioethanol production should be investigated.

The Council Regulations mentioned by the Deputy give effect to the reform of the EU sugar regime which was agreed by the Council of Agriculture Ministers in November 2005 after protracted and difficult negotiations. One of the regulations, Council Regulation (EC) No 320/2006, governs the EU restructuring scheme for the

sugar industry. Restructuring, in this context, refers to the abandonment of sugar quota production and the allocation of restructuring aid to the affected processors, growers and machinery contractors. The maximum rate of restructuring aid is available where a sugar quota is renounced and the redundant sugar plant is fully dismantled. However, the regulation also provides an option to apply for a reduced rate of aid (75%) where a sugar plant is to be partially dismantled and used for non-food purposes, such as bioethanol production. The availability of this option reflects the fact that the EU Commission is favourably disposed towards the conversion of former sugar plants for biofuel production. However, a decision on which option to pursue is entirely a matter for the sugar processor concerned. Greencore has already submitted an aid application which involves full dismantling of the Mallow plant. The Carlow plant, which closed early in 2005, is not covered by the restructuring scheme.

Cattle Movement Monitoring System.

1212. **Mr. Ring** asked the Minister for Agriculture and Food if her Department will assist a person (details supplied) in County Mayo in removing an animal from their CMMS herd profile, in view of the fact that they sold the animal in 1999 and no longer have the records for it. [29762/06]

Minister for Agriculture and Food (Mary Coughlan): A record in respect of this animal appears on the herd profile of the person named on the Cattle Movement Monitoring System (CMMS). The records in my Department indicate that the animal in question was registered on 7 August 2001 as the dam of a female calf born in the named person's herd on 29 June 2001. However there is no record on the CMMS database that this animal ever moved from the holding of the person named.

As the animal was not presented for testing as part of his 2006 annual TB herd test, a letter issued from the local District Veterinary Office asking the person to account for the non-presentation of the animal for the TB test. He contacted that office subsequently indicating that the animal was sold to a factory in 1999 but did not provide any supporting documentation in relation to the movement to the factory. In addition, this movement could not be recorded on the CMMS due to the existence of the record in respect of the animal relating to a birth in 2001.

In the circumstances, I will arrange for an officer from the District Veterinary Office to contact the person named to examine the position further.

Grant Payments.

1213. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason the application

by a person (details supplied) in County Galway for entitlements under the national reserve was not successful; and if she will make a statement on the matter. [29763/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for an allocation of entitlements from the 2005 Single Payment Scheme National Reserve under Categories A, B and D.

Category A caters for farmers who inherited land or received land free of charge or for a nominal sum from a farmer who had retired or died by 16 May 2005 and who had leased out his/her holding to a third party during the reference period 2000-2002. The person named was unsuccessful under this category as he did not acquire the holding free of charge or for a nominal sum.

Category B caters for farmers who, between 1 January 2000 and 19 October 2003 made an investment in production capacity in a farming sector for which a direct payment under Live-stock Premia and/or Arable Aid schemes would have been payable during the reference period 2000-2002. Investments can include purchase or long term lease of land, purchase of suckler and/or ewe quota or other investments. The person named was unsuccessful as there was no evidence of investment as required under this category.

Category D caters for farmers who commenced farming after 31 December 2002 or who commenced farming in 2002 on purchased or inherited land but who received no direct payments in respect of that scheme year. The person named was unsuccessful as the land declared was leased land which is ineligible under this category.

If the person named 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.

Rural Development.

1214. **Mr. Ferris** asked the Minister for Agriculture and Food her views on whether the current concept of rural development in EU terms and as applied to EU programmes is too restrictive; and if she will make a statement on the matter. [29764/06]

Minister for Agriculture and Food (Mary Coughlan): The EU rural development support framework forms part of the common agricultural policy. I believe that it is a very important element of that policy and that the priorities identified for the forthcoming programming period are the correct ones. These cover the competitiveness of the agricultural and forestry sectors,

the environment and the countryside, and quality of life and diversification of economic activity. Within each priority, there is a range of possible support measures available to member states. This approach affords a necessary element of choice without detracting from the overall priorities. It is also worth noting that the rural development support framework is designed to complement other support mechanisms available in rural areas.

In liaison with the Department of Community, Rural and Gaeltacht Affairs, my Department is currently finalising a draft rural development programme for 2007 to 2013. That draft programme will issue for consultation and independent evaluation prior to its formal submission to the EU Commission.

Replacement Fencing.

1215. **Mr. Durkan** asked the Minister for Agriculture and Food if she will arrange through Coillte for the replacement of the current wooden pallisade fencing with similar steel fencing in an area (details supplied) in County Kildare; if she will approach the Office of Public Works with a view to sharing in the responsibility with particular reference to the need to prevent unauthorised access to the area and vice versa; and if she will make a statement on the matter. [29792/06]

Minister for Agriculture and Food (Mary Coughlan): Coillte Teoranta was established as a private commercial company under the Forestry Act 1988 and day to day operational matters are the responsibility of the company.

This matter was, however, raised with the company. I understand that a meeting has already been arranged between Coillte and the Office of Public Works to consider matters relating to the area in question.

Grant Payments.

1216. **Mr. Perry** asked the Minister for Agriculture and Food if her attention has been drawn to the circumstances (details supplied) regarding entry to REPS3; if she will make a favourable decision; and if she will make a statement on the matter. [29793/06]

Minister for Agriculture and Food (Mary Coughlan): The person named was refused entry to REPS on the grounds that his holding was artificially created in order to satisfy the conditions for REPS participation. Artificially creating a holding for this purpose is expressly prohibited in the terms and conditions of the scheme.

The person named appealed the decision to the Agriculture Appeals Office but his appeal was not successful. He was advised of his right of further appeal to the Office of the Ombudsman.

Farm Retirement Scheme.

1217. **Mr. Stanton** asked the Minister for Agriculture and Food if the European Parliament's Committee on Petitions has called on her Department to re-examine issues relating to the Early Retirement Scheme; the issues involved and any action she intends to take on the matter; and if she will make a statement on the matter. [29794/06]

Minister for Agriculture and Food (Mary Coughlan): In May 2003, a group representing retired farmers 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 Commission. In reply, the Commission made it clear that in its considered opinion there was no question of any infringement having been committed by Ireland in the implementation of the schemes.

The Chairman of the Committee has raised these issues with me again in a letter dated 5 September, while acknowledging the view that the Commission had taken. The Chairman also referred to the report on the same issues which was produced in February 2005 by the Joint Oireachtas Committee on Agriculture and Food, and asked for details of my response to the Joint Committee's recommendations. The contents of the Chairman's letter are currently being examined.

Fur Farms.

1218. **Mr. Boyle** asked the Minister for Agriculture and Food the number of people who are currently employed full-time and part-time on fur farms here. [30132/06]

Minister for Agriculture and Food (Mary Coughlan): The specific figures sought by the Deputy on the numbers of persons employed on fur farms is not required under legislation and is not collected by my Department.

Farm Waste Management.

1219. **Mr. Crawford** asked the Minister for Agriculture and Food if she has satisfied herself regarding the fact that farmers paid a collection fee at the time they purchased plastic for silage wrap and that this plastic is not being collected; her views on the implications this has for those involved in REPS and so on; and if she will make a statement on the matter. [30140/06]

Minister for Agriculture and Food (Mary Coughlan): The disposal of waste materials generally is covered by the Waste Management Acts 1996 to 2005, which apply to all sectors of society including the agricultural sector, and is a matter

for the Minister for the Environment, Heritage and Local Government.

Under the Waste Management (Farm Plastics) Regulations 2001, manufacturers and importers of farm plastics — that is, silage bale wrap and sheeting — are required to take steps to recover farm plastics waste which they have placed on the market, or alternatively to contribute to and participate in compliance schemes to recover the waste in question. The Irish Farm Film Producers Group, IFFPG, is currently the sole approved body in Ireland for the purposes of implementing a compliance scheme for the recovery of farm plastics waste. The Waste Management (Farm Plastics) Regulations are a matter for the Minister for the Environment, Heritage and Local Government, and my Department has no involvement in the running of the IFFPG scheme.

Where a recycling collection facility exists for certain plastics, such as the IFFPG scheme, participants in REPS are required to avail of it. Officials of my Department who carry out on-farm inspections have been made aware that some farmers, for reasons outside their control, may not have access to the IFFPG scheme and take account of this in the course of their inspections. It should be noted that the absence of a collection service does not remove the obligation on REPS participants to keep their farms and farmyards neat and tidy at all times and to store recyclable materials, including farm plastics, in a tidy fashion.

On-Farm Checks.

1220. **Mr. Crawford** asked the Minister for Agriculture and Food if her attention has been drawn to the problems being created by the limited warning being given to farmers for farm inspections in view of the fact that such a high percentage of farmers have been forced into off farm employment and they are expected to give reasonable notice to their employers to get time off; if she will ensure that this situation is rectified; and if she will make a statement on the matter. [30141/06]

Minister for Agriculture and Food (Mary Coughlan): Insofar as inspections under the Single Payment Scheme are concerned, EU regulations provide that on-farm inspections should be unannounced. However, prior notification may be given where the purpose of the inspection is not jeopardized. Such prior notification must be limited to a maximum 48 hours where land eligibility or cross-compliance on the identification and registration of animals is part of the inspection.

The policy of my Department has been to give the maximum 48 hours notice of inspections under the Single Payment Scheme. However, following clarification received recently from the European Commission that systematic prior notification of all on-farm inspections is not accept-

able and is in breach of EU Regulations, my Department has had to change the inspection regime and to include a number of unannounced inspections. My Department will continue to press the Commission on the matter of advance notification of inspections in line with the commitments in the Charter of Rights for Farmers.

Grant Payments.

1221. **Ms Enright** asked the Minister for Agriculture and Food if she will confirm receipt of an application under the national reserve by a person (details supplied) in County Offaly; when a decision will be reached in relation to this application; and if she will make a statement on the matter. [30142/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for an allocation of entitlements from the Single Payment Scheme National Reserve under Category B.

Category B caters for farmers who, between 1 January 2000 and 19 October 2003, made an investment in production capacity in a farming sector for which a direct payment under Live-stock Premia and/or Arable Aid schemes would have been payable during the reference period 2000-2002. Investments can include purchase or long term lease of land, purchase of suckler and/or ewe quota or other investments.

Following receipt of additional information, the application under Category B has been deemed to be successful and a letter outlining the details of his National Reserve allocation has issued to the person named.

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.

Higher Education Grants.

1222. **Cecilia Keaveney** asked the Minister for Education and Science the talks planned with her counterpart in Northern Ireland in relation to the top-up grant issue, which is financially curtailing students in Donegal from being able to access educational institutions locally in Derry, Coleraine, and Belfast; and if she will make a statement on the matter in the context of his visit to Donegal during the summer to launch the Inter-governmental Report. [28948/06]

1223. **Cecilia Keaveney** asked the Minister for Education and Science the talks planned with Mr. Tony Blair, in relation to the top-up grant issue, which is financially curtailing students in Donegal from being able to access educational institutions locally in Derry, Coleraine, and Belfast; and if she

will make a statement on the matter in the context that the North of Ireland is now a different entity to other parts of the United Kingdom courtesy of the Good Friday Agreement and therefore progress on this matter is urgently required if we are to see tangible results from the many plans that are in place. [28949/06]

1294. **Cecilia Keaveney** asked the Minister for Education and Science the talks planned with her counterpart in Northern Ireland in relation to the top-up grant issue, which is financially curtailing students in Donegal from being able to access educational institutions locally in Derry, Coleraine and Belfast; and if she will make a statement on the matter in the context that the North of Ireland is now a different entity to other parts of the United Kingdom courtesy of the Good Friday Agreement. [28928/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1222, 1223 and 1294 together.

Under the terms of my Department's third level maintenance grants schemes, grant assistance is available to eligible students attending approved third level courses in approved institutions. An approved course for the purpose of the schemes means a full-time undergraduate course of not less than two years duration and a full time postgraduate course of not less than one year duration pursued in an approved institution.

In order to qualify for grant assistance, a candidate must, of course, satisfy the prescribed conditions of the schemes including those relating to residence, means, nationality and previous academic attainment.

Students from this State who are attending undergraduate courses in Northern Ireland can apply for maintenance grants in respect of approved courses generally at Higher National Diploma level or higher, which are pursued in colleges approved for the purpose of my Department's Higher Education Grant Scheme and Vocational Education Committees' Scholarship Scheme.

Both of these schemes provide that where a candidate is not eligible for free tuition under the Free Fees Initiative and is pursuing an approved course at undergraduate level in an institution listed in the State, the Local Authority/VEC may award a full or part grant in respect of the candidate's lecture fee, subject to the terms of this Scheme.

There are no plans to extend the payment of tuition fees under the Student Support Schemes to undergraduate students attending approved courses outside the State.

It is understood however that students attending Higher Education Institutions in Northern Ireland and who are ordinarily resident in a Member State of the European Union will be eligible for a fee loan from the Northern Ireland

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367 Authorities up to the amount charged by the Higher Education Institution. Further clarification can be sought by the individual from Department of Employment and Learning in the Northern Ireland. Their e-mail address is *student-finance@delni.gov.uk*.

An extension of the scope of the free fees initiative or the maintenance grant schemes could only be considered having regard to overall resource constraints and other competing demands in the education sector.

Section 473A Taxes Consolidation Act, 1997 also provides for tax relief on tuition fees, at the standard rate of tax in respect of approved courses at approved colleges of higher education including certain approved undergraduate and postgraduate courses in EU and non-EU member states.

Special Educational Needs.

1224. **Mr. Kehoe** asked the Minister for Education and Science the reason the special needs assistance hours allocated are being cut from full time to minimum hours; and if she will make a statement on the matter. [28172/06]

1225. **Mr. Kehoe** asked the Minister for Education and Science the position of resource hours being allocated to pupils; and if she will make a statement on the matter. [28173/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1224 and 1225 together.

Special need assistant (SNA) support is provided specifically to address the care needs of pupils with special educational needs. The nature and level of support provided is based on the assessed needs of the individual child having regard to the criteria set out in my Department's circulars.

The Deputy will be aware that the National Council for Special Education (NCSE), through the local special educational needs organisers (SENOs), is responsible for processing applications for special educational needs (SEN) supports from primary and post primary schools. The teaching and SNA support allocated are intended to enable schools to meet the needs of pupils as outlined in psychological and other professional reports. In allocating SEN supports for individual pupils, the SENOs examine the teaching and other resources available within the individual schools. The SENO also operates within the parameters of my Department's criteria for the allocation of such resources.

While these parameters have not changed recently, the level of SNA support in schools is kept under review by SENOs. In cases where the pupils for whom such support had been sanctioned mature and develop independent coping

skills the level of SNA support may be reduced accordingly.

As the Deputy is aware, a general allocation scheme was introduced in September 2005 under which mainstream primary schools have been provided with resource teaching hours, based on enrolment figures, to cater for children with high incidence special educational needs, such as dyslexia, and those with learning support needs. In addition to this allocation, schools may receive extra resource teaching hours in respect of pupils with low-incidence special educational needs.

1226. **Mr. F. McGrath** asked the Minister for Education and Science her views on the proposal to recognise officially Irish sign language for all deaf citizens here; and if she will make a statement on the matter. [28225/06]

Minister for Education and Science (Ms Hanafin): I wish to advise the Deputy that Irish Sign Language (ISL) has formal recognition in the Education Act, 1998. Under the Act, it is a function of the Minister for Education and Science to ensure, subject to the provisions of the Act, that there is made available to each person resident in the State, including a person with a disability or who has other special educational needs, support services and a level and quality of education appropriate to meeting the needs and abilities of that person. This includes provision for students learning through ISL.

A number of initiatives which seek to promote, develop and implement ISL in order that it will achieve greater recognition and use in the education system are currently in place. These include:

- the special schools for the deaf in Cabra (Dublin) have been encouraged in relation to the use of sign language in class.
- funding is available for training of teachers in ISL.
- my Department has provided funding for an ISL weekly home tuition service whereby deaf tutors visit the homes of deaf pre-school children and deaf school-going pupils to provide training in ISL for the deaf children/pupils, their siblings and parents.
- my Department has sanctioned a pre-school for deaf children on a pilot basis.
- my Department through the Higher Education Authority (HEA) has established and fully funds a Centre for Deaf Studies in Trinity College, Dublin which provides diploma courses for ISL/English interpreters, deaf tutors and in deaf studies. The course modules deal with issues such as sign linguistics, bilingualism and socio-linguistics of sign language. The

course is delivered in seminar sessions/group work and the award of the diploma is based on continued assessment and a project and course design.

Third Level Education.

1227. **Mr. F. McGrath** asked the Minister for Education and Science the reason University College Dublin decided to stop running a third level course for students (details supplied). [28253/06]

Minister for Education and Science (Ms Hanafin): The position is that the universities are autonomous institutions and my Department does not have any function in their day to day operational affairs. The universities receive a block grant from the Higher Education Authority and it is a matter for each institution to determine how it is allocated internally.

It is understood in 2004 University College Dublin commenced offering a one-year, part-time Certificate in Citizenship and Advocacy for approximately 40 students with an intellectual disability.

In July of this year it was reported that a decision had been taken by UCD to not proceed with this course for the academic year commencing September, 2006.

It is understood that the college is currently examining if it is possible to recommence the course. The outcome of this review should be known within the next couple of months.

Teaching Qualifications.

1228. **Mr. Allen** asked the Minister for Education and Science the reason the Teaching Council is demanding, as a condition for post-primary registration, one complete year teaching at a minimum of 18 hours per week; and the way in which teachers who are employed on a part-time basis of less than 18 hours can register with the consequences that, having failed to register, they will be unable to obtain a permanent job after March 2007. [28339/06]

Minister for Education and Science (Ms Hanafin): The Teaching Council was formally established on 28 March 2006, following enactment of the Teaching Council Acts, 2001 and 2006. On its establishment, the Council took over the functions of the Registration Council, including those covering the registration of post-primary teachers. As part of this process, and in relation to the registration of post-primary teachers, the Teaching Council has continued to operate with the same regulations that were used by the Registration Council. These regulations are set out in my Department's publication: "General Information on Post-Primary Teaching in the Republic of Ireland including Teacher Qualification Requirements".

This publication outlines the criteria for the registration of teachers in voluntary secondary schools as follows:

"Teachers who are proposed for appointment to posts in Voluntary Secondary schools must be registered or have applied for registration (that is, with the Registration Council) before they are entitled to salary. To be eligible for registration, a teacher must:

- hold a suitable degree, and
- hold a suitable teacher-training qualification, and
- have at least one year of full-time approved teaching service.

Some teachers appointed to teaching posts in voluntary secondary schools will have qualifications that enable them to be registered, but will not have the required approved teaching service. While they may be appointed to teaching posts (and paid at the qualified rate of salary), they cannot become fully registered until they satisfy all conditions for registration."

I understand that the Teaching Council is currently in the process of drawing up Regulations covering the registration of teachers, including those at post-primary level. It is expected that these Regulations will be ratified by the Teaching Council over the coming months.

School Staffing.

1229. **Mr. McCormack** asked the Minister for Education and Science the situation regarding the appointment of a visiting teacher in Galway City and County to look after the needs of people with hearing disabilities; if it is her intention to have two such teachers appointed for Galway City and County which has a population of over 180,000, with many primary school pupils suffering from hearing disabilities; and the educational criteria her Department uses to allocate one visiting teacher to Galway County and City. [28340/06]

Minister for Education and Science (Ms Hanafin): As soon as my Department became aware of the decision of the then Visiting Teacher serving the Galway area to seek a transfer to Dublin from 1st September 2006, it initiated the process to appoint a successor. Following interviews held in June 2006 a successor was appointed but she subsequently communicated her decision not to accept the appointment. The post was re-advertised in the national newspapers at the beginning of the school year with interviews to be held in October. In the meantime, a part-time temporary appointment has been made.

During the summer period my Department examined the overall casework requirements for the services of a Visiting Teacher in the Galway area. Following this review, it has been decided

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that a second VT should be appointed to work in Galway. Interviews for this post will also be held at the beginning of October. The successful candidate will also work in Roscommon and Longford.

Youth Services.

1230. **Mr. Carey** asked the Minister for Education and Science if she will consider the Finglas or Ballymun areas of Dublin as a location for a youth information centre as part of her Department's service provision; and if she will make a statement on the matter. [28341/06]

Minister of State at the Department of Education and Science (Miss de Valera): The Youth Affairs Section of my Department provides grant-in-aid assistance to support the operation of 32 Youth Information Centres whose purpose is to provide young people with information on a wide range of issues in a suitably conducive atmosphere. Applications were received for funding for Youth Information Centres in Finglas and Ballymun but it has not been possible to provide funding for those centres because of finite financial resources and in light of other commitments to the youth work sector.

A review has been commissioned by the Department which will help inform the future direction of youth information provision. Future funding applications for proposed new centres will be examined having regard to the recommendations of this review, which is nearing completion. I would like to assure the Deputy of my commitment to continued support of the youth work sector in Ireland and its work.

Child Protection.

1231. **Mr. F. McGrath** asked the Minister for Education and Science her plans to deal with children suffering from domestic violence which can lead to poor exam results, low self esteem and future aggression and adjustment problems. [28346/06]

Minister for Education and Science (Ms Hanafin): As Minister for Education and Science I am always concerned for the general welfare of children and any negative experience that interferes with a child's potential for learning is of particular concern to me.

The Department issued new child protection guidelines to primary schools in 2001 and to post-primary schools in 2004. These guidelines, which are based on the Department of Health and Children national guidelines Children First, set out the steps to be followed by a school in dealing with allegations or suspicions of child abuse. The Guidelines state that the protection and wellbeing of the child is the most important consideration in dealing with such cases.

The Children First guidelines for schools require each board of management to designate a senior member of staff, normally the principal, as the Designated Liaison Person (DLP) for the school. The DLP acts as a liaison person with the health authorities and other agencies on child protection issues and as a resource person to any staff member who has concerns in this regard. Where there are reasonable grounds for an allegation or suspicion of child abuse, the school DLP should report the matter without delay to the Health Services Executive (HSE) which has statutory responsibility for child protection.

The Department has provided an extensive in-service training programme for school principals and teachers to assist them in dealing with child protection issues and in implementing the Department guidelines.

The teaching of a personal safety programme to ensure child protection is now an integral element of Social, Personal and Health Education. SPHE was introduced to the primary curriculum in September 2003 and is also part of the junior cycle curriculum at post-primary level.

In addition, a guidance and counselling service is available in all post primary schools.

The National Education Psychological Service (NEPS) of my Department provides an educational psychological service to primary and post primary schools. NEPS also supports all schools in the context of traumatic incidents that affect the school community, arising from violence that might occur in the home or in the community.

Pupil-Teacher Ratio.

1232. **Mr. F. McGrath** asked the Minister for Education and Science the action she will take regarding the class size issue in national schools here in 2006. [28376/06]

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. At the beginning of the current school year there are no less than 4,000 extra teachers in our primary schools, compared with 2002. The average class size in our primary schools is 24 and 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 primary schools are staffed on a general rule of at least one classroom teacher for every 28 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 28 children in the school. Next year (2007/2008 school year) this is being reduced to 27 children per classroom teacher.

A further initiative that has been of direct benefit to primary schools has been the change in the criteria for developing schools. 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 many schools. Some 170 such posts were 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.

Higher Education Grants.

1233. **Mr. Howlin** asked the Minister for Education and Science if, in relation to a person (details supplied) in County Wexford, account will be taken of the fact that the person is a single parent who, prior to reaching age 23, had established a separate household from their parents and had lived independently for a number of years; if, in these circumstances, mature student status will be granted for the second and subsequent years of their third level course; and if she will make a statement on the matter. [28398/06]

Minister for Education and Science (Ms Hanafin): Under the terms of the Department's maintenance grants schemes, and in accordance with the Local Authorities (Higher Education Grants) Act 1992, a mature student is defined as a candidate who is at least 23 years of age on the 1st January of the year of entry or re-entry to an approved course.

Under the terms of my Department's Third Level Student Maintenance Grant Schemes the position is that, generally speaking, students who are entering approved courses for the first time are eligible for grants where they satisfy the prescribed conditions with regard to age, residence, means, nationality and previous academic attainment. A mature student is defined for the purposes of the schemes as a candidate who is at least 23 years of age on the 1st January of the year of entry or re-entry to an approved course.

Mature students are categorised as either independent mature students or mature students dependent on parents or guardians. An independent mature student is defined as meaning a mature student who was not ordinarily resident

at home with his/her parents or guardians from the October preceding their entry to an approved course. Independent mature students are assessed without reference to either their parents' or guardians' income or address.

When assessing the means of students other than independent mature students, the means test provision of the scheme specifies that the students' means and those of their parents or guardians must be below a prescribed limit. This provision requires that parental income be taken into account irrespective of the individual circumstances in any case where the student is not an independent mature student.

From information provided by the Deputy to my Department, it would appear that the candidate was under 23 when she commenced her course. The Deputy will appreciate that the terms of the schemes are of general application and it is not open to me to make exceptions in individual cases.

It is not proposed, at present, to change the current terms and conditions in relation to the definition of mature students.

Capital Expenditure.

1234. **Ms Burton** asked the Minister for Education and Science the expenditure in respect of schools (details supplied) in Dublin 15; in each of the schools for capital expenditure for each of the three years to 2006; if her attention has been drawn to the fact that a number of these schools which have had long-standing requests made by schools for various forms of capital expenditure; the position in relation to future commitments of capital expenditure to each of these schools; and if she will make a statement on the matter. [28422/06]

Minister for Education and Science (Ms Hanafin): Details of capital expenditure in respect of the schools to which the Deputy refers in the Dublin 15 area are contained in the attached table.

The position regarding applications for major capital funding in each school is as follows:

1. Blakestown CS — RN: 91316Q and Riversdale Community College — RN: 70081V.

My Department has no current applications from these schools for major capital funding.

2. Coolmine CS — RN: 91315O, Castleknock College — RN: 60100Q and Mount Sackville Secondary School — RN: 60120W.

Each of these schools has an application with my Department for major capital funding. The projects in question have been assigned a band 2 priority rating under the published prioritisation criteria for large scale building works.

Progress on these projects is being considered in the context of the School Building and Modernisation Programme from 2007 onwards.

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3. Castleknock Community College — RN: 76062B.

A PE hall project at this school was recently authorised to progress through architectural planning and on to tender and construction as soon as all stages of the planning processes are complete.

The school also has an application with my Department for an extension. The project has

been assigned a band 2 priority rating in accordance with the prioritisation criteria. Progress on this project is being considered in the context of the School Building and Modernisation Programme from 2007 onwards.

4. Hartstown Community School — RN: 91339F.

This school currently has a dust extraction project which is ongoing and being funded by my Department.

CAPITAL EXPENDITURE FOR DUBLIN 15 SCHOOLS FROM 2003 TO END SEPTEMBER 2006

SCHOOL	ROLL NO.	2003	2004	2005	2006	TOTAL
		€	€	€	€	€
BLAKESTOWN C.S.	91316Q	74,626.91	890,566.70	118,974.92	8,511.22	1,092,679.75
COOLMINE C.S.	91315O	21,147.68	424,986.21	295,966.70	24,629.50	766,730.09
CASTLEKNOCK COMMUNITY COLLEGE	76062B	99,400.68	69,832.58	11,622.70	3,864.74	184,720.70
CASTLEKNOCK COLLEGE	60100Q	0.00	0.00	0.00	0.00	0.00
HARTSTOWN C.S.	91339F	0.00	248,789.83	48,043.58	0.00	296,833.41
MOUNT SACKVILLE S.S.	60120W	0.00	0.00	0.00	0.00	0.00
RIVERSDALE COMMUNITY COLLEGE	70081V	312,153.05	0.00	32,113.55	0.00	344,266.60
Grand Total		507,328.32	1,634,175.32	506,721.45	37,005.46	2,685,230.55

NOTE: Spend for the current year is up to and including the 25th of September, 2006.

Schools Building Projects.

1235. **Mr. Dennehy** asked the Minister for Education and Science if improvements are proposed for primary schooling in Passage West, County Cork; and if she will make a statement on the matter. [28423/06]

Minister for Education and Science (Ms Hanafin): A site has been acquired for the development of a new primary school in Passage West which will accommodate Star of the Sea Primary School which was formed as a result of the amalgamation of the boys' and girls' schools in the town.

An assessment of projected enrolment trends, demographic trends and housing developments in the area was carried out in order to inform the determination of the long term projected staffing on which the school's accommodation needs will be based. This has been finalised and notified to the school authorities.

The building project required to deliver the new school building is being considered in the context of the School Building and Modernisation Programme 2006-2010.

1236. **Mr. Dennehy** asked the Minister for Education and Science the improvements which are proposed for national schools in Ringaskiddy, County Cork; and if she will make a statement on the matter. [28424/06]

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 a new national school in Ringaskiddy.

A number of site options have been identified and the OPW are currently conducting negotiations for a site for the new school.

When the site acquisition is finalised, consideration will be given to the progression of the project in the context of the Schools Building and Modernisation programme 2006-2010.

1237. **Mr. Dennehy** asked the Minister for Education and Science if the acquisition of a site for a national school (details supplied) in County Cork has been completed; and if she will make a statement on the matter. [28425/06]

Minister for Education and Science (Ms Hanafin): I am advised by the Office of Public Works, who acts on behalf of my Department in relation to acquiring sites generally, that a suitable site has been identified for the school in question. The site comprises three parcels of land. The up to date position is as follows,

Plot 1 — At conveyancing

Plot 2 — Awaiting contracts

Plot 3 — Agreement on price reached, subject to contract. OPW understands that the

receipt from the Vendor of contracts may be delayed depending on other planning matters being resolved in the first instance.

The question of the provision of the new school will be considered further when the site has been acquired.

Student Support Schemes.

1238. **Mr. P. Breen** asked the Minister for Education and Science when a person (details supplied) in County Clare will receive payment following the special aid 1; and if she will make a statement on the matter. [28431/06]

Minister for Education and Science (Ms Hanafin): I can confirm for the Deputy that my Department processed the claim in question and issued a payable order to the parents of the child on 12th September 2006. My officials have confirmed with the family that they have received the payable order. The family has also confirmed that they have reimbursed the tutor.

Schools Building Projects.

1239. **Mr. Hayes** asked the Minister for Education and Science the position in the case of a school (details supplied) in County Tipperary which has applied for additional facilities; if all information requested from the school has been received; and when a decision will be made in this case. [28444/06]

Minister for Education and Science (Ms Hanafin): The project to provide additional facilities at the school referred to by the Deputy is at an early stage of architectural planning.

In October of 2005 my Department wrote to the School Authorities with issues that needed addressing on a stage 1/2 submission (outline sketch scheme with costings). The School's response was examined and discussed with them at a meeting with my Officials in January of this year. At that meeting the design considerations of the School in question, particularly in relation to the site, highlighted new concerns over the viability of further development regarding effluent discharge.

In February of this year my Department wrote to the School Authorities requesting them to carry out a site suitability test for the discharge of effluent to ground waters.

In June of this year my Department received a response from the School Authorities and following a review of the documentation in August, my Department's officials wrote to the School Authorities seeking additional information. When this additional information is received and assessed, my Department will then be in further contact with the School Authorities as to the next steps involved in progressing this project.

School Transport.

1240. **Mr. F. McGrath** asked the Minister for Education and Science the transportation grants available to gaelscoil families outside the schools catchment area. [28463/06]

Minister of State at the Department of Education and Science (Miss de Valera): Parents should apply for school transport on behalf of their children, in the first instance. A service can only be established where a sufficient number of eligible children offer for transport from a distinct locality.

In circumstances where an insufficient number of eligible children offer for transport my Department may approve a Remote Area Transport Grant to the families towards the cost of private transport arrangements.

Schools Building Projects.

1241. **Mr. Hayes** asked the Minister for Education and Science the position regarding an application by a school (details supplied) in County Tipperary for additional facilities. [28479/06]

Minister for Education and Science (Ms Hanafin): It is proposed to amalgamate the school to which the Deputy refers with another school in the area. The resulting building project has been assessed in accordance with the published prioritisation criteria for large scale building projects and has been assigned a Band 1 priority rating. The local inspector has been requested to provide long term projections for both schools to establish the extent of accommodation which will be needed to facilitate the amalgamation. As soon as this information has been received and assessed, progress on the proposed works will be considered in the context of the School Building and Modernisation Programme from 2007 onwards.

Pension Provisions.

1242. **Mr. P. Breen** asked the Minister for Education and Science if a person (details supplied) in County Clare is entitled to a pension as an advisory examiner for the leaving certificate; and if she will make a statement on the matter. [28502/06]

Minister for Education and Science (Ms Hanafin): The person named by the Deputy is not entitled to pensionability on the basis of her work as an advising examiner. Examiners, including advising examiners, are engaged by the State Examinations Commission to provide their professional services to the Commission under a contract for services. They are paid on a fee basis, are not in an employer/employee relationship with the Commission and are therefore not eli-

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gible for admission to the superannuation schemes operated by the Commission.

I should add that the work of the examiners is carried out over a very short period each year, usually during school holidays, and that, as teachers, retired examiners receive pensions in respect of their teaching service.

School Transport.

1243. **Ms O. Mitchell** asked the Minister for Education and Science the action she will take in relation to the concerns expressed by PAMBO that the level of remuneration to private school bus contractors is not consistent with the level of safety required; and if she will make a statement on the matter. [28503/06]

Minister of State at the Department of Education and Science (Miss de Valera): Bus Éireann operates the school transport services on behalf of my Department and contracts are agreed annually between Bus Éireann and individual contractors. The contractors provide the school bus services on behalf of Bus Éireann.

A contract agreement obliges individual contractors to meet all statutory requirements in relation to public service vehicles, and additional criteria as specified by Bus Éireann. There is a provision for contractors to withdraw from the agreement in the event that they no longer wish to fulfil the conditions of the contract, in which case Bus Éireann will arrange to provide an alternative that meets the necessary statutory requirements.

It would be misleading to imply that rates agreed in contract agreements between Bus Éireann and individual contractors might not be consistent with the level of maintenance required for the safe operation of vehicles, some of which are used for other commercial activities, outside of school bus runs.

Special Educational Needs.

1244. **Mr. F. McGrath** asked the Minister for Education and Science if an application was made from a school (details supplied) in Dublin 9 for a centre of excellence which would incorporate the school and a new school building for another school; and the position in relation to this project. [28514/06]

Minister for Education and Science (Ms Hanafin): I can confirm that my Department is currently examining a proposal for the development of a National Centre for the Visually Impaired. It is envisaged that the proposal will include provision of improved school accommodation. The proposal is currently under consideration with my Department and the Department of Health and Children.

School Staffing.

1245. **Mr. McHugh** asked the Minister for Education and Science the primary schools in County Longford with pupils with hearing impairment on their rolls on 31 July 2006; the number of pupils with hearing impairment attending each school; their age and class on said date; the number of visiting teachers covering these schools on that date; and if she will make a statement on the matter. [28523/06]

1246. **Mr. McHugh** asked the Minister for Education and Science the primary schools in County Roscommon with pupils with hearing impairment on their rolls on 31 July 2006; the number of pupils with hearing impairment attending each school; their age and class on said date; the number of visiting teachers covering these schools on that date; and if she will make a statement on the matter. [28524/06]

1249. **Mr. McHugh** asked the Minister for Education and Science the primary schools in Galway City and County with pupils with hearing impairment on their rolls on 31 July 2006; the number of pupils with hearing impairment attending each school; their age and class on said date; the number of visiting teachers covering these schools on that date; and if she will make a statement on the matter. [28527/06]

1257. **Mr. McCormack** asked the Minister for Education and Science if she will provide this Deputy with the names and addresses of primary schools in Galway City and County with pupils with hearing impairment on their rolls on 31 July 2006; the number of pupils with hearing impairment attending each school; their ages and classes on 31 July 2006; the number of visiting teachers operating in this area on 31 July 2006; the Department's criteria for the appointment of a visiting teacher; and the educational criteria the Department uses to allocate a visiting teacher to an area. [28585/06]

1258. **Mr. McCormack** asked the Minister for Education and Science if she will provide this Deputy with the names and addresses of primary schools in counties Roscommon and Longford with pupils with hearing impairment on their rolls on 31 July 2006; the number of pupils with hearing impairment attending each school; their ages and classes on 31 July 2006; and the number of visiting teachers operating in this area on 31 July 2006. [28586/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1245, 1246, 1249, 1257 and 1258 together.

I wish to advise the Deputies that the specific information requested in respect of primary schools with pupils with hearing impairment in

the counties mentioned is not readily available to my Department.

The position regarding the visiting teacher service on 31 July 2006 is that there were two visiting teachers supporting children/students with hearing impairment assigned to Sligo, Leitrim and Roscommon. These assignments remain in place.

There is currently a vacancy for a visiting teacher for the hearing impaired in the Galway region. My Department initiated the process of appointing a successor who was appointed but subsequently decided not to accept the position. The post was re-advertised in the national newspapers at the beginning of this school year and interviews are due to be held in October. In the meantime, a part-time temporary appointment has been made.

During the summer my Department examined the overall casework requirements for the services of a visiting teacher in the Galway area. Following this review, it has been decided that a second visiting teacher should be appointed to work in East Galway. Interviews for this post will also be held in October. The successful candidate will also work in Roscommon and Longford.

Children with a hearing impairment needing access to a visiting teacher in the Longford region will continue to access the services of a visiting teacher assigned to Cavan/Monaghan until the vacancies have been filled.

1247. **Mr. McHugh** asked the Minister for Education and Science the educational criteria used by her Department to allocate a visiting teacher to an area with schools having pupils with hearing impairments; and if she will make a statement on the matter. [28525/06]

Minister for Education and Science (Ms Hanafin): Visiting Teachers (VTs) are assigned to areas and support the children/students with hearing impairment in that area. Except in large urban centres, the areas covered by VTs are aligned to county boundaries. One VT may serve children/students in a number of contiguous counties. The size of an area assigned to each VT depends on the number of children/students with a hearing impairment and the intensity of service required by each child/student in an area.

All VTs' areas have been reviewed in the past year and, in light of this review, changes have been made in assignments.

1248. **Mr. McHugh** asked the Minister for Education and Science her Department's criteria for the appointment of a visiting teacher to schools with pupils with hearing impairments; and if she will make a statement on the matter. [28526/06]

Minister for Education and Science (Ms Hanafin): Visiting Teachers (VTs) are not appointed to schools. They are assigned to areas and they support the education of

children/students attending school in an area. It is important to note that the services of the Visiting Teacher are supplemental to those of the school.

The VT service is available to all deaf and hard of hearing children, from time of diagnosis, through to third level education. The nature and frequency of visits depends on a range of factors including the age of the child, severity of hearing loss, educational placement and individual learning needs.

Question No. 1249 answered with Question No. 1245.

Schools Building Projects.

1250. **Mr. McHugh** asked the Minister for Education and Science if approval will be given to a project (details supplied) in County Galway; and if she will make a statement on the matter. [28528/06]

Minister for Education and Science (Ms Hanafin): The school authority has indicated its wish to apply for capital funding under the Small Schools Scheme 2007. A completed application form is awaited from the school authority in this case. The closing date for receipt of applications under the Small Schools Scheme 2007 is 27 October 2006. All applications received by that date will be assessed and considered in the context of the School Building and Modernisation Programme 2006-2010.

1251. **Mr. McHugh** asked the Minister for Education and Science when construction of a project (details supplied) in County Galway will commence; and if she will make a statement on the matter. [28529/06]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware contracts for the transfer of the site for the project 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 still awaited.

The timing for the project proceeding to construction is dependant on the site transfer being completed.

Pupil Teacher Ratio.

1252. **Mr. F. McGrath** asked the Minister for Education and Science the action she will take regarding the class size issue at a school (details supplied) in Dublin 9; and if the school will be assisted on this matter. [28544/06]

Minister for Education and Science (Ms Hanafin): The staffing of a primary school is determined by reference to the enrolment of the school on the 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 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. Application(s) for an additional post(s) under developing school criteria must be submitted on or before 10 October, 2006.

The enrolment of the school referred to by the Deputy on 30th September 2005 was 325 pupils, which warrants a staffing of a Principal and 12 mainstream class teachers for the 2006/2007 school year. The school also has the 3 learning support/resource teaching posts.

To ensure transparency and openness in the system an independent Appeals Board is now in place to decide on any mainstream staffing appeals. The criteria under which an appeal can be made are set out in Primary Circular 0024/2006, which is available on my Department's website. The closing date for receipt of appeals for the next Appeals Board meeting is 18th October 2006.

Schools Recognition.

1253. **Mr. F. McGrath** asked the Minister for Education and Science the position in relation to a school (details supplied) in Dublin 11; and if they will be given the maximum support in relation to finances and staffing. [28555/06]

Minister for Education and Science (Ms Hanafin): New schools generally commence operation with provisional recognition. The question of permanent recognition is considered when the Department is satisfied that long-term viability has been demonstrated and that the school is operating in accordance with the Rules for National Schools.

A school which is granted provisional recognition is eligible for the following funding / services:

- Payment of teachers' salaries
- Capitation and other related grants
- Contribution towards interim accommodation
- Grants towards the provision of secretarial and caretaking services

— Transport Services.

A new school becomes eligible for capital funding when it secures permanent recognition.

The school referred to by the Deputy received provisional recognition with effect from 1st September 2005. In common with all new schools in this mode, it is eligible for the grant aid as outlined.

Site Acquisitions.

1254. **Ms Harkin** asked the Minister for Education and Science in view of the fact that the acquisition of a site for a new community school in Ballinamore, County Leitrim has been ongoing for a number of years will he indicate a precise timeframe for the acquisition of this site. [28582/06]

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 re-advertisement for possible sites, a number of new proposals were received. All site options have been examined by the OPW.

My Department is awaiting clarification from OPW on a number of issues relating to the new site proposals.

Higher Education Grants.

1255. **Mr. P. Breen** asked the Minister for Education and Science the reason a person (details supplied) in County Clare is ineligible to receive funding from her Department to complete a course over a period of two years under the terms of the PLC maintenance grant scheme; and if she will make a statement on the matter. [28583/06]

Minister for Education and Science (Ms Hanafin): The Maintenance Grant Scheme for Students attending Post Leaving Certificate courses is administered by the Vocational Educational Committees on behalf of my Department.

Under the terms of my Department's Maintenance Grants Scheme for Students Attending Post Leaving Certificate Courses, grant assistance may be awarded to eligible students attending full-time PLC courses approved for the purposes of the Scheme.

All four Student Maintenance Grant Schemes, including the PLC Scheme, prescribe that students may only be funded in respect of the "normal duration" of an approved course. There is no provision under the Scheme to allow students to receive grant assistance beyond the normal duration of a PLC course.

The normal duration of approved PLC courses must be applied consistently in respect of all students.

Officials in my Department understand from Clare VEC, the awarding body in this case that the candidate referred to by Deputy wishes to complete a one-year course over a two year period. Unfortunately, this extends the normal duration of the course and accordingly will preclude the student from receiving a grant for that second year.

School Staffing.

1256. **Mr. McCormack** asked the Minister for Education and Science the reason that the advertisement for visiting teacher service for children with hearing and visual impairment for counties Galway and Roscommon only appeared in the public press on 1 September 2006, in view of the fact that pupils were returning to school on that day and that it will now be another 3-4 weeks before these posts will be filled and that as a result teaching days will be lost to pupils with hearing and visual impairment; and if she will make a statement on the matter. [28584/06]

Minister for Education and Science (Ms Hanafin): As soon as my Department became aware of the decision of the then Visiting Teacher serving the Galway area to seek a transfer to Dublin from 1st September 2006 it initiated the process to appoint a successor. Following interviews held in June 2006 a successor was appointed but she subsequently communicated her decision not to accept the appointment. The post was re-advertised in the national newspapers at the beginning of the school year with interviews to be held in October. In the meantime a part-time temporary appointment has been made. It is important to note in this context that the services of the Visiting Teacher supplement the education provided in the school setting.

Questions Nos. 1257 and 1258 answered with Question No. 1245.

Teachers' Remuneration.

1259. **Mr. O'Shea** asked the Minister for Education and Science further to Parliamentary Question No. 806 of 21 March 2006, the progress which has been made in regard to this case; and if she will make a statement on the matter. [28587/06]

Minister for Education and Science (Ms Hanafin): This case involves a request for the payment of a specific allowance, which is payable to seconded teachers in accordance with the findings of the Teachers Arbitration Board in July, 2003, to a person who is not a seconded teacher. As such the person is not entitled to the allowance under the existing arrangements and is being paid in accordance with their contractual arrangements. My Department agreed to review the arrangements applying under the various national education initiatives following the implemen-

tation of the seconded teachers arbitration award. This review is continuing and I will advise the Deputy as to the outcome when the review is completed.

Educational Disadvantage.

1260. **Mr. O'Shea** asked the Minister for Education and Science further to Parliamentary Question No. 226 of 4 May 2006, the decisions she has made in the context of extending the walk tall programme to areas of disadvantage other than the local drug task force areas; and if she will make a statement on the matter. [28588/06]

Minister for Education and Science (Ms Hanafin): Proposals for extending the Substance Misuse Prevention Programme ('Walk Tall' Programme) to other areas of disadvantage outside the Local Drugs Task Force Areas (LDTFAs) have been made by the Steering Committee of the 'Walk Tall' Programme.

The proposals have been received in my Department where they are currently being considered by my officials. This consideration involves consultation with the "Walk Tall" Support Programme personnel to explore, amongst other issues, the feasibility of extending the Programme to areas of disadvantage which are outside the local drugs taskforces. This includes the deployment of resources to areas of most need in accordance with the National Drug Strategy 2001-2008, including Urban Band 1 and 2 schools which are identified in the DEIS (Delivering Equality in Schools) programme.

I have been assured that this work has almost been completed and that a range of options in relation to any proposed extension of the "Walk Tall" Programme will be given to me for consideration in the context of demands for the service and available resources.

Special Educational Needs.

1261. **Mr. Ring** asked the Minister for Education and Science the help which is available from her Department for children diagnosed with Asperger's Syndrome, including both school based and home based support; and if she will make a statement on the matter. [28589/06]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware of my commitment to ensuring that all children, including those with Asperger's Syndrome receive an education appropriate to their needs. In this regard my Department has established 5 classes specifically to cater for children with Asperger's Syndrome. In addition to this pupils with Asperger's Syndrome who are fully integrated into mainstream school receive individual teaching support for a number of hours per week as well as support from special needs assistants and specialist equipment if required.

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The Deputy is aware that a specific function of the National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOs), is to identify appropriate educational placements for all children with special educational needs, including children with autism. The NCSE, through the SENOs, will continue to develop and co-ordinate additional provision, where necessary.

The home tuition scheme is designed to provide compensatory instruction for pupils with medical ailments which cause major disruption to their attendance at school on a continuing basis. Home tuition is sanctioned where a child cannot attend school at all or where the child is absent for a significant proportion of the school year due to illness. The scheme has also facilitated provision of tuition for pupils awaiting a suitable school placement.

Teachers' Remuneration.

1262. **Mr. Ring** asked the Minister for Education and Science the proposals she has to introduce pensions for people who have worked long term as substitute teachers in the primary sector; and if she will make a statement on the matter. [28590/06]

Minister for Education and Science (Ms Hanafin): The position is that provision exists for the reckoning for pension purposes of substitute service given as a qualified teacher where that service reaches specific thresholds. This provision applies to substitute service given since 1991. The service may be reckoned following appointment to a permanent teaching post and is subject to the payment of appropriate pension contributions.

Arrangements are currently being made following discussions with the INTO and having regard to recent pension reforms, for the reckonability of substitute service given prior to 1991, whether the teacher was qualified or unqualified at the time the service was given. A circular which will set out the detailed arrangements is in course of preparation and it is expected that it will be issued to schools in the coming months.

Third Level Fees.

1263. **Mr. Ring** asked the Minister for Education and Science the reason reimbursed travelling expenses are included as reckonable income for third level grant purposes in view of the fact that the payment would not be actual wages despite the figure being included on the P.60; if she will review this; and if she will make a statement on the matter. [28591/06]

Minister for Education and Science (Ms Hanafin): The three Third Level Student Support Schemes, administered by the Local Authorities

and the Vocational Education Committees on behalf of my Department, offer financial assistance to eligible students attending approved third level courses. Students entering approved courses for the first time are, generally speaking, eligible for grants where they satisfy the relevant conditions as to age, residence, means and nationality. Under the terms of the Schemes grants may only be awarded where the reckonable income is below the prescribed income limits.

For the purposes of determining grant eligibility under my Department's Maintenance Grants Schemes, reckonable income is defined for the purposes of the 2006 Scheme as all amounts received or receivable by an individual without reference to his/her residence or domicile, from both Irish and foreign sources, which are liable to Irish Income Tax, Irish Capital Gains Tax or Irish Capital Acquisitions Tax, or which would be so liable but for exemptions and reliefs contained in Irish legislation, and corresponding amounts received or receivable by individuals resident in another EU Member State which are liable to Income Tax, Capital Gains Tax, Inheritance or Gift Taxes of that State, or which would be so liable but for exemptions and reliefs contained in the legislation of that State.

If the travel expenses are included on the P60 and are liable to Irish Income Tax they would have to be included in reckonable income.

In certain circumstances Revenue regulations oblige an employer to deduct Income Tax under PAYE when an expense payment is made to an employee. Where this occurs the employee may make a claim to his Inspector of Taxes on the grounds the expenses are allowable deductions for income tax purposes. The amount allowed by the Inspector on foot of this claim would generally be allowed in calculating reckonable income.

As all applications for financial support are means tested in accordance with the terms of the student maintenance grant schemes, a candidate shall not be eligible for a grant if the reckonable income for the purpose of the means testing is over the prescribed income limits irrespective of the individual circumstances.

Home Tuition Scheme.

1264. **Mr. Ring** asked the Minister for Education and Science when home tuition will be approved for a person (details supplied) in County Mayo. [28592/06]

Minister for Education and Science (Ms Hanafin): An application for a home tuition grant for the pupil referred to by the Deputy was received recently in my Department.

My officials requested additional information in support of the application during a telephone call with the family on 18th September last. As soon as this information is received, the application will be considered further.

School Transport.

1265. **Mr. Ring** asked the Minister for Education and Science if an extension will be provided to a school transport service (details supplied) in County Mayo similar to the extension provided in 2005. [28593/06]

Minister of State at the Department of Education and Science (Miss de Valera): One of the main objectives of the School Transport Scheme is to provide a basic level of service for children who live long distances from school and who might otherwise experience difficulty in attending regularly.

In general primary school transport routes are planned so that, as far as possible, no eligible pupil will have more than 2.4 kilometres to travel to a pick up point.

The school transport service provided to the families referred to in the details supplied are within this guideline. My Department understands from Bus Éireann that an extension to the existing service is not feasible due to operational reasons.

Home Tuition Scheme.

1266. **Mr. Ring** asked the Minister for Education and Science the reason a person (details supplied) in County Mayo was refused home tuition, in view of the fact that they were approved two hours in 2005 and they are currently in their junior certificate year. [28594/06]

Minister for Education and Science (Ms Hanafin): The home tuition scheme is designed to provide compensatory instruction for pupils with medical ailments which cause major disruption to their attendance at school on a continuing basis. Home tuition may also be sanctioned where a child cannot attend school at all or is absent for a significant proportion of the school year due to illness.

An application for a home tuition grant for the pupil in question in respect of the 2006/07 school year was considered by my Department. The application was not granted as the pupil had a satisfactory attendance record during the 2005/06 school year. The matter may be re-considered in light of any unsatisfactory attendance during the current school year.

Special Educational Needs.

1267. **Mr. Ring** asked the Minister for Education and Science the person in her Department who is responsible for informing parents regarding the July provision scheme. [28595/06]

Minister for Education and Science (Ms Hanafin): 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. Where school based provision is not feasible, home based provision may be grant aided.

My Department encourages all eligible schools to participate in this initiative in the interest of the children in question. There has been a steady increase in the number of schools offering the programme since it was introduced in 2001 when relevant schools were circulated with details. I can confirm that my Department will be further publicising the availability of this initiative in the coming year.

Home Tuition Scheme.

1268. **Mr. N. O'Keeffe** asked the Minister for Education and Science the position regarding an application for a home tuition grant in respect of a person (details supplied) in County Cork; and if she will ensure that payments in respect of approved applicants issue without delay in view of the enormous hardship imposed on applicants who have to meet the home tuition charges in advance of payment from the Department and where only one parent can work owing to the special needs of the child. [28699/06]

Minister for Education and Science (Ms Hanafin): I am pleased to advise the Deputy that home tuition has been sanctioned for the child in question for the 2006/2007 school year and correspondence confirming the sanction issued to the family on 20th September.

Payment of home tuition grant is made retrospectively following receipt of the relevant claim form from the family. My Department makes every effort to ensure that payment issues promptly.

1269. **Mr. Perry** asked the Minister for Education and Science if her attention has been drawn to the circumstances of persons (details supplied) in County Sligo; if she will ensure that an allocation of home tuition and flexibility to allow them to fully implement their endorsed strategy for school integration; and if she will make a statement on the matter. [28700/06]

Minister for Education and Science (Ms Hanafin): As the Deputy may be aware, home tuition is intended to provide compensatory instruction for pupils with a medical ailment which is likely to cause major disruption to their school attendance on a continuing basis. Home tuition has been extended as an interim support for children with a significant special educational need pending the provision of an appropriate school based educational service.

My Department considers that school-based education provision is the most appropriate inter-

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vention for all children, including those with special educational needs.

The pupil in question is enrolled in a mainstream primary school with five hours resource teaching support. Therefore the pupil concerned does not qualify for home tuition under the terms of the scheme.

Third Level Fees.

1270. **Caoimhghín Ó Caoláin** asked the Minister for Education and Science if local authority maintenance grants apply to students pursuing the course of higher diploma in education; the criteria for qualification for such grants; if it is the case that these criteria differ between local authorities; and if she will make a statement on the matter. [28701/06]

Minister for Education and Science (Ms Hanafin): Under the terms of the Third Level Maintenance Grant Schemes (which are administered on behalf of the Department, by the Local Authorities and the Vocational Education Committees) the position is that generally speaking, students who are entering approved courses for the first time are eligible for grants where they satisfy the relevant conditions as to residence, means, and nationality and previous academic attainment. These criteria apply to all the Maintenance Grant Schemes.

An approved course for the purpose of the Schemes means a full-time undergraduate course of not less than two years duration and a full time postgraduate course of not less than one years duration pursued in an approved institution. Under the terms of the Third Level Student Support Schemes, administered by the Local Authorities and Vocational Education Committees on behalf of the Department of Education and Science, a student is not eligible for grant assistance in respect of a second period of study at the same level, irrespective of whether a grant was paid previously. The schemes also provide that grants may not be paid to candidates who already hold a postgraduate qualification and are pursuing a second postgraduate qualification.

Notwithstanding this condition, candidates who already hold a postgraduate qualification and are progressing to a further postgraduate course which represents progression from the level at which the previous postgraduate qualification(s) was attained, may be deemed eligible for grant aid.

For the purposes of the maintenance grant schemes a Masters qualification is deemed to represent progression from the Higher Diploma in Education. While the Higher Diploma is accepted as progression from the Honours Bachelor Degree, an undergraduate qualification, it is not accepted as progression from any postgraduate qualification.

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.

Schools Building Projects.

1271. **Ms Enright** asked the Minister for Education and Science when approval for major capital improvement works will be granted to a school (details supplied) in County Offaly who have five mainstream classrooms which are all in full-time use, but also have a full-time special education teacher and resource teacher based in the school, a part-time resource teacher, a visiting teacher for travellers and a part time secretary; and if she will make a statement on the matter. [28703/06]

Minister for Education and Science (Ms Hanafin): The School Planning Section of my Department is in receipt of an application for major capital works from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale projects and has been assigned a Band 3 rating. Progress on the proposed works is being considered in the context of the School Building and Modernisation Programme from 2007 onwards.

1272. **Ms Enright** asked the Minister for Education and Science further to Parliamentary Question No. 686 of 6 July 2006, if following receipt of a letter from the school in question dated 30 June 2006, she will now ensure that her Department will meet with representatives of the school (details supplied); and if she will make a statement on the matter. [28704/06]

1299. **Ms Enright** asked the Minister for Education and Science further to Parliamentary Question No. 686 of 6 July 2006, if following receipt of a letter from the school in question dated 30 June 2006 she will now ensure that her Department will meet with representatives of the school (details supplied); and if she will make a statement on the matter. [28984/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1272 and 1299 together.

I am pleased to inform the Deputy that officials in the School Planning Section of my Department recently met with representatives of the school in question to discuss its capital project which is being considered for progress in the context of the School Building and Modernisation programme from 2007 onwards.

Educational Disadvantage.

1273. **Mr. Perry** asked the Minister for Education and Science if she will review the decision on a school (details supplied) in County Leitrim in relation to the new school support programme under the delivering equality of opportunity in schools action plan; and if she will make a statement on the matter. [28751/06]

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.

A review mechanism was put in place to address the concerns of schools that did not qualify for inclusion in the School Support Programme but regarded themselves as having a level of disadvantage which is of a scale sufficient to warrant their inclusion in the programme. The review process operated under the direction of an independent person, charged with ensuring that all relevant identification processes and procedures were properly followed in the case of schools applying for a review.

An application for review was received from the school referred to by the Deputy and was thoroughly examined by the Review Group. In accordance with the recommendations of the Review Group, the school has not been identified for inclusion in the School Support Programme and the Principal was informed by letter on 4th August.

Schools which have not qualified for the new School Support Programme and which are receiving additional resources, both human and financial, under pre-existing schemes and programmes for addressing concentrated disadvantage, will retain these supports for 2006/2007. After that, schools will continue to get support in line with the level of disadvantage among their pupils.

The DEIS action plan states that, as well as the provision being made under the new School Support Programme for schools with a concentrated level of disadvantage, financial support will also continue to be provided for other primary schools

where the level of disadvantage is more dispersed.

School Libraries.

1274. **Mr. Crowe** asked the Minister for Education and Science if schools are under obligation to provide a library; and if not, if she will reform this situation. [28787/06]

Minister for Education and Science (Ms Hanafin): At primary level it is a matter for each Local Authority to provide a library service for schools in its area. While my Department has no involvement in the actual operation of this service, it does make a grant available to each Local Authority on an annual basis to enable Local Authority Librarians select, purchase, and deliver books to the primary schools in its area. The grant is based on the number of pupils enrolled in primary schools in each Local Authority area. Expenditure on the library grant at primary level was €2.07 million in the current year. Further increases in the level of the grant in future years will be considered as part of the normal estimates process.

In December, 1998, as part of a special literacy initiative £3.997m was disbursed to primary schools by way of a once-off library grant. All primary schools received £1,000 under the scheme with an additional £2,170 per school allocated to schools in the disadvantaged areas scheme. A second grant issued to all primary schools in December, 1999 as part of the national reading initiative. Under the terms of this grant primary schools received a payment of £7.70 per pupil, while a minimum grant of £462 was issued to all schools with 60 pupils or less. The total value of these two grants was approximately £7.7 million (€9.8 million).

At post-primary level my Department provides a library of 100 metres squared in schools with an enrolment of 200-499 students while it provides 136 metres squared of accommodation for a library in schools with more than 500 students. Schools below 200 are examined individually.

Responsibility for the stocking of post-primary school libraries falls to be met by individual school authorities from within normal school budgets. In recent years two grants have issued to post-primary schools in the Free Education Scheme to assist them with the development of their library resource materials. The first grant, which amounted to £2,500 or £5,320 in the case of disadvantaged schools, was called a library grant and was issued by my Department in December, 1998. A second grant issued to all post-primary schools in December, 1999 as part of the national reading initiative. Post-primary schools received £7.70 per pupil, while a minimum grant of £1,540 was paid to all schools with less than 200 recognised pupils. Total expenditure on these two grants amounted to £5.2million (€6.6million).

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Schools were informed that the grants were to be used to improve the range and quality of library books and an information note offering advice on book purchases was issued.

Under the Junior Certificate School Programme (JCSP) new school libraries were set up in 11 participating post-primary schools for students up to Junior Certificate. The libraries are staffed by full-time qualified librarians. Reinforcing the concept of the whole-school approach to tackling literacy problems, the 11 schools were asked to draw up and implement library based strategies to tackle the literacy difficulties experienced by many JCSP students. On the basis of positive evaluation findings the project is being extended on a phased basis to additional schools participating in the Programme.

Teachers' Remuneration.

1275. **Mr. McGuinness** asked the Minister for Education and Science if full back pay for a person (details supplied) in County Kilkenny will be granted forthwith; the number of teachers affected by the Protection of Employees (Fixed Term Work) Act 2003 and still waiting payment; and if she will expedite the matter. [28788/06]

Minister for Education and Science (Ms Hanafin): The terms of the Protection of Employees (Fixed Term Work) Act 2003 are being implemented for post-primary teachers paid by my Department.

Teachers who meet the criteria as outlined in the relevant Circular Letters issued by my Department are being awarded contracts of indefinite duration (CIDs).

Any arrears of salary due to teachers who fulfilled the conditions for the award of CIDs from September 2005 were included in the salary payment issued on the 31st August 2006.

The teacher referred to by the Deputy, has been awarded a Contract of Indefinite duration. The contract was awarded on the basis of the number of hours per week that she worked in the 2004/2005 school year. The teacher is not due any arrears for her teaching service which is being paid for by my Department.

Special Educational Needs.

1276. **Mr. McGuinness** asked the Minister for Education and Science if extra resource hours and a personal assistant will be approved immediately in the case of a person (details supplied) in County Kilkenny; and if she will expedite a decision. [28789/06]

Minister for Education and Science (Ms Hanafin): The Deputy is aware that the National Council for Special Education (NCSE) has been operational since 1st January 2005, and is responsible for processing applications for special edu-

ational needs (SEN) supports through its network of Special Educational Needs Organisers (SENOs).

I can confirm that an application for SEN support was received for the pupil in question by the local SENO. However, the application was refused in May 2006 on the basis that it did not meet my Department's criteria for such support.

The NCSE will review decisions previously taken in relation to such cases on foot of a request from the school or parents/guardians, when accompanied by relevant additional information, which may not have been to hand at the time of the decision. The NCSE has outlined this process in its Circular 01/05 which issued to all primary schools.

Schools Building Projects.

1277. **Mr. P. Breen** asked the Minister for Education and Science the stage of the application for the provision of a new school (details supplied) in County Clare; the reason for the delay in the provision of the new school; her views on whether a site (details supplied) proposal offers a better value for money solution than the existing site; and if she will make a statement on the matter. [28790/06]

Minister for Education and Science (Ms Hanafin): The application for capital funding towards the accommodation needs of the school referred to has been assessed by my officials and a decision taken to provide funding towards a new 24 classroom school to replace the existing school building, on a site to be provided by the Patron for that purpose.

As part of the Patron's plans for future primary education provision in Ennis, a proposal has been received from the Patron which involves the relocation of the school from its existing site at Kilrush Road to a site at Ashline, which has recently been rezoned by the local authority for educational use. This proposal is being considered by my officials at present. When a final decision is taken on the site for the school, the building project required to facilitate delivery of the school building will be considered in the context of the School Building and Modernization programme 2006 — 2010.

Third Level Fees.

1278. **Mr. Ring** asked the Minister for Education and Science if there is funding available for a person (details supplied) in County Mayo to cover the cost of an educational course. [28791/06]

Minister for Education and Science (Ms Hanafin): Part-time courses are not approved courses under the terms of the Maintenance Grant Schemes.

Any extension of the student support schemes to part-time studies would have significant cost implications. I have no plans at present to extend the grant schemes to include part-time students.

Under my Department's Free Fees Initiative the Exchequer meets the tuition fees of eligible students who are attending approved full-time undergraduate third-level courses in the State. I have no plans at present to extend this schemes to include part-time students.

Schools Building Projects.

1279. **Cecilia Keaveney** asked the Minister for Education and Science the position regarding a school (details supplied) in County Donegal; and if she will make a statement on the matter. [28850/06]

Minister for Education and Science (Ms Hanafin): My officials are in the process of drawing up a detailed accommodation brief for this school. A site visit is required in order to inform the final brief for the project and my Department will be in contact with the school authority in order to arrange a mutually convenient time for this site visit. On completion of the brief, the project will be considered for progression in the context of the School Building and Modernisation Programme 2006--2010.

School Transport.

1280. **Mr. Crowe** asked the Minister for Education and Science if an education campaign highlighting safety issues for school transport users and their parents and guardians has been rolled-out to all areas; and if it has been judged as a success. [28851/06]

Minister of State at the Department of Education and Science (Miss de Valera): I launched a safety information campaign in August to make parents and children aware that it is now the law to wear seat belts on school buses, where provided. The campaign also aims to encourage children to behave in a safety-conscious manner on, and in the vicinity of, school buses.

These messages are being conveyed by way of television, cinema and radio advertisements and through a DVD which is being distributed to each primary and post-primary school.

1281. **Mr. Crowe** asked the Minister for Education and Science if she will extend the warning flashing lights system to all school buses. [28852/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department is currently examining the possibility of extending the warning flashing light pilot scheme to buses in a number of areas in 2007 with a view to a full roll out nationally.

1282. **Mr. Crowe** asked the Minister for Education and Science further to Parliamentary Question No. 423 of 5 July 2006, if she has received this report by Bus Éireann; and if she will make a statement on the matter. [28853/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department has requested Bus Éireann to provide an update on the position for the current school year. When this report is received and considered my Department will contact the Deputy.

Special Educational Needs.

1283. **Mr. Bruton** asked the Minister for Education and Science the facilities on Dublin's northside which can provide second-level education opportunities for children in the autistic spectrum; if there are discussions ongoing to develop additional services on the campus of ordinary schools in order that the education provision will be more integrated into the mainstream; and the progress which has been made on developing new facilities. [28854/06]

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 1,820 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 533.50 whole time equivalent learning support teachers and approximately 1,319 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

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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 dedicated classes or units attached to the school may be the more appropriate response. Such special classes operate at significantly reduced pupil teacher ratios.

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 a number of post primary schools throughout the country including schools in Fairview and Finglas in Co. Dublin. 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.

Schools Building Projects.

1284. **Mr. J. Higgins** asked the Minister for Education and Science if she will immediately sanction the establishment of a second-level school in the Donabate Portrane area in view of the fact that this area has been the subject of rezonings for large new housing developments. [28897/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, my Department is committed to providing a new 1,000 pupil post primary school for Donabate. This will be delivered by way of a Public Private Partnership (PPP).

I can confirm that arrangements are in place for the transfer of the designated site from Fingal County Council to my Department. Once the site is acquired, the project can then be included in a bundle of projects to progress under the PPP model of delivery. The school will be a Community College under the Vocational Education Committee.

The project has already been assigned a Band 1 Priority rating under the published prioritisation criteria for large scale building projects. This is the highest band rating possible which is a clear indication of the priority which the Department attaches to the delivery of this project.

Capital Expenditure.

1285. **Mr. Ring** asked the Minister for Education and Science if she will increase funding for second level schools to at least the OECD average levels; and if she will make a statement on the matter. [28898/06]

1320. **Mr. Durkan** asked the Minister for Education and Science if she has received correspondence from a person (details supplied) in Dublin 8; if she expects to respond favourably to a request to increase funding for second level schools to at least the average of OECD levels; and if she will make a statement on the matter. [29098/06]

1326. **Mr. F. McGrath** asked the Minister for Education and Science if second level schools here will be resourced in the forthcoming estimates to at least the average OECD levels; and if she will support the ASTI on this matter. [29105/06]

1395. **Mr. O'Shea** asked the Minister for Education and Science her proposals to bring funding of second level schools in line with our European

counterparts (details supplied); and if she will make a statement on the matter. [29738/06]

1406. **Mr. Costello** asked the Minister for Education and Science if her attention has been drawn to the fact that Ireland is 29th out of 30 OECD countries in terms of per capita expenditure on second level education; the action she will take to increase the spending on second level education in Budget 2007; and if she will make a statement on the matter. [29807/06]

1409. **Mr. Gregory** asked the Minister for Education and Science her plans to ensure that primary and second level schools here will be funded to at least the average OECD levels in the context of the recent OECD report on funding for education. [29923/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1285, 1320, 1326, 1395, 1406 and 1409 together.

The OECD Report examined changes in expenditure since the mid-1990s. It shows that expenditure on education in Ireland has increased substantially between 1995 and 2003 at all levels, even when allowing for inflation. I am pleased to say that investment in education has also increased substantially since 2003, the financial year indicated in the OECD Report referred to by Deputies.

According to data provided by my Department, per pupil expenditure in Ireland at primary level has increased by 16% from €4,567 in 2003 to €5,300 in 2005 (and by 96%, from €2,706 in 1997). At second level per pupil expenditure has increased by 11% from €6,605 in 2003 to €7,347 in 2005.

With regard to staffing, major improvements have been made at both levels in recent years. There are 4000 more teachers in our primary schools now than there were in 2002. The average class size in our primary schools is 24 and there is now one teacher for 17 pupils at primary level—including resource teachers etc. The mainstream staffing schedule for primary schools was improved this year and the Government has committed to hiring extra teachers to improve primary school staffing even further in the 2007/08 school year. At second-level there is now one teacher for 13 students.

Indeed, with the thousands of extra teachers hired by this Government, recent years have seen the largest expansion in teacher numbers since the expansion of free education.

Day to day funding for our schools has also increased significantly in recent years. Since the financial year referred to in the OECD report — 2003 — second-level schools have benefited from substantial increases in funding. The standard capitation grant of €266 per pupil in 2003 now stands at €298 per pupil from 1 January last. In addition, the support services grant for secondary

schools has been increased from €127 per pupil in 2003 to €159 per pupil from January last. This per capita grant is in addition to a range of equalisation grants of up to some €15,500 per school per annum that were also approved for voluntary secondary schools.

Similarly at primary level, schools have benefited from substantial increases in funding since 2003. The standard capitation grant has increased from €111.58 per pupil in 2003 to €145.58 from 1st January, 2006 while the Ancillary Services grant has been increased from €127 in 2003 to €139 in 2006.

These significant increases in the funding and staffing of schools is a clear demonstration of my commitment to prioritise available resources to address the needs of schools.

Schools Building Projects.

1286. **Mr. McHugh** asked the Minister for Education and Science the position regarding the provision of a school (details supplied) in County Galway; the manner in which it is proposed to provide the accommodation; the stage the project is at; when the project will proceed to the next stage; when construction work will commence; the reasons for the delay to date; the actions which are being taken to ensure that no further undue delay occurs; and if she will make a statement on the matter. [28899/06]

Minister for Education and Science (Ms Hanafin): The schools to which the Deputy refers have agreed to amalgamate into a single girls' school, to cater for a long term projected enrolment of 700 pupils.

Amalgamation is dependent on the availability of suitable accommodation and a decision has been taken to provide a new school on a new site. The Property Management Section of the OPW, which acts on behalf of my Department in relation to site acquisitions generally, are considering a number of site proposals with the intention of acquiring a suitable site to facilitate the development of a new school building. Due to the commercial sensitivities of site acquisitions, it is not proposed at this stage to identify specific sites being considered.

As soon as the site issue is finalised, the building project required to deliver the appropriate accommodation will be considered in the context of the School Building and Modernisation Programme 2006 – 2010.

The project has been assigned a Band 1.4 rating by my Department and this will positively influence the timescale for delivery of the project.

1287. **Mr. McHugh** asked the Minister for Education and Science the position regarding the provision of a school (details supplied) in County Galway; the manner in which it is proposed to provide the accommodation; the stage the project is at; when the project will proceed to the next

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stage; when construction work will commence; the reasons for the delay to date; the actions which are being taken to ensure that no further undue delay occurs; and if she will make a statement on the matter. [28900/06]

Minister for Education and Science (Ms Hanafin): The schools to which the Deputy refers have agreed to amalgamate into a single boys' school, to cater for a long term projected enrolment of 700 pupils.

Amalgamation is dependent on the availability of suitable accommodation and a decision has been taken to provide a new school on a new site. The Patron of the proposed amalgamated school has offered to provide a site to accommodate the new school and communications are ongoing with the Patron in this regard.

As soon as the site issue is finalised, the building project required to deliver the appropriate accommodation will be considered in the context of the School Building and Modernisation Programme 2006 – 2010.

As a result of the proposed amalgamation, the project has been assigned a Band 1.4 rating by my Department and this will positively influence the timescale for delivery of the project.

1288. **Mr. McHugh** asked the Minister for Education and Science the position in relation to a project (details supplied) in County Galway; and if she will make a statement on the matter. [28901/06]

Minister for Education and Science (Ms Hanafin): Following a detailed assessment of the school's long term accommodation needs, a decision was taken to provide a new six classroom school. In order to facilitate this development, the Office of Public Works, which acts on behalf of my Department in relation to site acquisition, is at an advanced stage of the acquisition of land adjacent to the existing site.

When the site acquisition process is finalised, the school building project will be considered in the context of the School Building and Modernisation Programme 2006-2010.

School Transport.

1289. **Mr. Ring** asked the Minister for Education and Science the reason a student (details supplied) in County Mayo cannot acquire a term bus pass. [28902/06]

Minister of State at the Department of Education and Science (Miss de Valera): The pupils referred to by the Deputy in the details supplied are eligible for catchment boundary transport. Bus Éireann and the Transport Liaison Officer have advised that these pupils have purchased tickets and are availing of a school transport service.

1290. **Mr. Ring** asked the Minister for Education and Science if a school transportation route (details supplied) will be changed back to its original route in County Mayo. [28903/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department requested a report from Bus Éireann on the case referred to by the Deputy, in the details supplied. The information furnished in the report indicated that the pupils are availing of a service within the guidelines of the School Transport Scheme. Furthermore, the Transport Liaison Officer for County Mayo has advised that these children are picked up in the schoolyard on their homeward journey.

School Curriculum.

1291. **Mr. Carey** asked the Minister for Education and Science if her Department's study of the need for all Irish education in the Ballymun area has been completed; if the outcome has been communicated to the school (details supplied) which is waiting on a decision regarding the provision of permanent premises; and if she will make a statement on the matter. [28925/06]

Minister for Education and Science (Ms Hanafin): The review to which the Deputy refers in nearing completion and contact will be made with the schools concerned as soon as the matter has been finalised.

Schools Amalgamation.

1292. **Mr. Carey** asked the Minister for Education and Science the progress made in amalgamating schools (details supplied) in Dublin 9; and if she will make a statement on the matter. [28926/06]

Minister for Education and Science (Ms Hanafin): The details for the amalgamation of the schools to which the Deputy refers are being finalised. The next step in the process is to carry out a technical inspection of the buildings concerned to determine the scope of works required to facilitate the amalgamation and to accommodate another school in one of the buildings which will be vacated post amalgamation. A date for this visit will be set shortly.

School Accommodation.

1293. **Mr. Carey** asked the Minister for Education and Science the progress made in identifying suitable accommodation for a school (details supplied) in Dublin 9; and if she will make a statement on the matter. [28927/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, it is the Department's intention to permanently accommodate the school to which he refers in a building

which it expects to be vacated post an amalgamation of three other primary schools. To progress this matter, the next step is to carry out a technical inspection of the buildings concerned to determine the scope of works to facilitate both the amalgamation and the school in question. A date for this visit will be set shortly.

Question No. 1294 answered with Question No. 1222.

1295. **Mr. Rabbitte** asked the Minister for Education and Science further to Parliamentary Question No. 745 of 4 July 2006, if she will provide the information previously sought as to whether her attention has been drawn to the accommodation problems in this school and the consequences for children as young as four years of age; if she is in effect instructing the school not to enrol pupils while there are places in other schools in an unspecified neighbourhood; the schools where the spare capacity to which she refers exists; if her attention has been drawn to the fact that the school concerned is the only one within reasonable walking distance and is the local school for a large estate; if her attention has further been drawn to the need to refurbish sub-standard prefab accommodation at the school; if she will reconsider her previous decision in view of the fact that the pupils concerned are already enrolled and have started the school year in the school chosen by their parents; and if she will make a statement on the matter. [28980/06]

1404. **Mr. O'Connor** asked the Minister for Education and Science if she will report on her Department's contacts with a school (details supplied) in Dublin 24 in respect of the need for additional accommodation to cater for the growing local population; and if she will make a statement on the matter. [29774/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1295 and 1404 together.

As previously outlined to the Deputy, it is my Department's policy to ensure that schools in an area can between them cater for all pupils seeking places. This not alone maximises the use of available accommodation in the interest of tax payer expenditure but also ensures that no school is developed to the detriment of another. Schools are expected to implement enrolment policies to underpin this position.

With regard to the school concerned, and consistent with the policy outlined, a decision was taken earlier this year not to provide it with extra accommodation because of the availability of vacant accommodation in schools within a reasonable distance namely: St. Anne's National School and Ard Mhuire National School. This decision still stands. The Department is replacing some substandard accommodation at the school in

question and it awaits quotations from the school authority in this regard to progress the matter.

My Department is aware that there are significant developments planned for the Tallaght area and it is liaising with South Dublin County Council regarding future school requirements for the area on this basis.

In this context, the Department has also requested the school to which the Deputy refers to submit an application for large scale capital investment which will be assessed in the context of the overall need of the area rather than on a piecemeal basis in the interests of meeting the long term needs of the community as a whole.

Schools Building Projects.

1296. **Mr. Kehoe** asked the Minister for Education and Science the number of primary schools here that were sanctioned by her Department to proceed to tender and construction stage in the building programme in the past two years; the amount of money spent by her Department on same; the budget allocated for such works; the number of the above schools which are being constructed; the reasons for the delay with the other schools that have not started to be constructed; and the breakdown of the figures. [28981/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that my Department is delivering a record school building programme which, since 2005, involved giving approval to proceed to tender and construction of over 1,450 building projects in primary schools throughout the country.

In recent years my Department has streamlined the delivery process for school building projects so as to ensure, to the greatest extent possible, that projects can be delivered on a devolved basis without the need for major interaction with my Department. This approach gives school authorities a much greater degree of control over the timescale for the delivery of their projects.

These projects are all funded from my Department's 5 year multi-annual capital envelope which currently amounts to a total of €3.9 billion.

Third Level Fees.

1297. **Mr. Kehoe** asked the Minister for Education and Science her plans to change the system where people's gross incomes only are taken into account when applying for their children to receive a grant to assist them in their third level education; her views on whether this is fair; and her further views on whether this should be changed where it would be based on net means, as is the case concerning medical card applications. [28982/06]

Minister for Education and Science (Ms Hanafin): The assessment of means under my Department's Third Level Student Maintenance

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Grant Schemes is based on gross income from all sources, with specified social welfare and health board payments being excluded from the calculation.

Under the schemes reckonable income is defined as income from

- Employment/Pensions;
- Self Employment/Farming;
- Rent and income from Land/Property;
- Deposit/Investment Accounts;
- Maintenance Arrangements;
- Gifts/Inheritances and Disposal of Assets and Rights;
- Social Welfare in certain circumstances.

I have no plans at present to depart from the above practice in respect of the determination of income.

School Transport.

1298. **Ms Enright** asked the Minister for Education and Science when the review into transport arrangements for a school (details supplied) in County Offaly will be completed; if children concerned will be facilitated with transportation; and if she will make a statement on the matter. [28983/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department requested Bus Éireann to provide a report on this case. The report indicated that the majority of the children concerned are not eligible for transport to the school referred to in the details supplied as they reside in a 'closed school area'. In the case of amalgamations, pupils residing in a 'closed school area' are deemed eligible for transport to the school of amalgamation only.

Question No. 1299 answered with Question No. 1272.

Schools Building Projects.

1300. **Ms Enright** asked the Minister for Education and Science if emergency funding will be made available for the provision of car parking facilities at a primary school (details supplied) in County Offaly; if her attention has been drawn to the fact that a number of serious traffic accidents have taken place outside this school; and if she will make a statement on the matter. [28985/06]

Minister for Education and Science (Ms Hanafin): An official from the School Building Section of my Department contacted the school in question by telephone recently concerning the issues raised by the Deputy. The school authorities were requested to complete and return an application form in respect of funding under the

Emergency Works Scheme to address these issues.

As soon as the completed application form is returned it will be considered as a matter of urgency and the outcome will be notified to the school authorities without delay.

Schools Refurbishment.

1301. **Ms Enright** asked the Minister for Education and Science when a primary school (details supplied) in County Offaly which applied for capital funding for an upgrade of their facilities in 1997 will receive the go-ahead on their application; and if she will make a statement on the matter. [28986/06]

Minister for Education and Science (Ms Hanafin): The School Planning Section of my Department is in receipt of an application for major capital funding from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and has been assigned a Band 2 rating. The school, however, has indicated a preference for progressing its project under the Department's devolved capital funding scheme. Progress on the proposed works will, therefore, be considered in the context of the Small School Scheme for 2007.

Special Educational Needs.

1302. **Mr. Stagg** asked the Minister for Education and Science the best practice in relation to the allocation of special needs assistants to children suffering from Asperger's Syndrome in relation to continuity; her views on whether it is critical that the child retains their SNA for their full period of education in national school, rather than changing the SNA causing serious anxiety to the child (details supplied) involved; and if she will outline policy in this matter. [28987/06]

Minister for Education and Science (Ms Hanafin): School authorities need to take account of Circulars SNA 15/05 and 0059/2006 which deal with contracts of employment and seniority issues for special need assistants. The revised contract has regard to the fact that all newly approved special needs assistant posts are related to the special needs of one or more pupils in respect of whom the posts are sanctioned, and may be utilised by the school having regard to the needs of those pupils and the duties of the post. The practice of issuing child specific contracts ceased at the end of the 2004/05 school year.

I am of the view that it may be beneficial for a child with Asperger's syndrome to retain the same special needs assistant, but it is not necessarily a critical consideration in every case. The best approach might be for the school manage-

ment to prepare and manage change where such is inevitable.

Vocational Education Committees.

1303. **Caoimhghín Ó Caoláin** asked the Minister for Education and Science her legislative plans for the coming Dáil session that will address the issue of vocational education committees having sole responsibility for the administration of all new applications for third level college grants from 2007; will same legislation provide for a new unified scheme; the measures she proposes to introduce to address the anomalies and difficulties experienced by many students, including those no longer in receipt of parental support and not yet 24 years of age or who have attained the age qualification but are living in the home of their parents; and if she will make a statement on the matter. [28988/06]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that in accordance with the commitment in the Agreed Programme for Government I plan to introduce a single unified scheme of maintenance grants for students in higher education with effect from 2007/08 academic year. This will, I believe provide for a more coherent administration system which will facilitate consistency of application, improved client accessibility and ensure the timely delivery of grants to those who need them most.

To effect this requires the introduction of a new statutory basis for the scheme to replace the existing arrangements which involve a mix of statutory and non-statutory administrative schemes. Accordingly the Government has approved the drafting of a new student support Bill which will place all student support schemes on a statutory footing for the first time, including providing for the designation of an appropriate awarding authority and provide the general basis on which grants will be awarded to eligible students.

Education Schemes.

1304. **Mr. Bruton** asked the Minister for Education and Science if approval for home tuition will be issued for a person (details supplied) in Dublin 5. [29017/06]

Minister for Education and Science (Ms Hanafin): I can confirm that an application for home tuition for the pupil referred to by the Deputy is currently being considered. I expect that a decision will issue shortly to the parents concerned.

School Staffing.

1305. **Mr. P. Breen** asked the Minister for Education and Science if she proposes to provide basic rights to long serving substitutes and tem-

porary teachers in the primary school system; and if she will make a statement on the matter. [29026/06]

Minister for Education and Science (Ms Hanafin): It is assumed that the Deputy is referring to unqualified personnel. The recruitment and appointment of teachers to fill vacancies in an individual primary school is a matter for the Board of Management of the school concerned. It is the policy of my Department that unqualified personnel should only be employed in exceptional circumstances and when all avenues for recruiting qualified personnel have been exhausted.

Persons who serve as unqualified temporary or substitute teachers are entitled to holiday pay which is paid by my Department. Payment is made in accordance with the terms of the Organisation of Working Time Act, 1997. The forum for dealing with claims for improvements to the conditions of service for teachers is the Teachers Conciliation Council.

My officials have been engaged in discussions with the education partners, with the guidance of a Facilitator, to consider the implementation of the Protection of Employees (Fixed Term) Act, 2003 in the context of the employment of fixed term workers. These discussions will address the conditions of service, including sick pay, of fixed term teachers. Boards of Management will be advised on the outcome of these discussions when finalised.

Provision exists for the reckoning for pension purposes of substitute service given as a qualified teacher where that service reaches specific thresholds. This provision applies to substitute service given since 1991. The service may be reckoned following appointment to a permanent teaching post and is subject to the payment of appropriate pension contributions. Arrangements are currently being made, following discussions with the INTO and having regard to recent pension reforms, for the reckonability of substitute service given prior to 1991, whether the teacher was qualified or unqualified at the time the service was given. Similarly, it is proposed that service given in a temporary unqualified capacity will also be pensionable. A circular which will set out the detailed arrangements is in course of preparation and it is expected that it will be issued to schools in the coming months.

1306. **Mr. P. Breen** asked the Minister for Education and Science if a special needs assistant will continue at a school (details supplied) in County Clare; and if she will make a statement on the matter. [29027/06]

Minister for Education and Science (Ms Hanafin): I wish to advise the Deputy that my Department has agreed to the retention of special needs assistant support for the child in question

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until the end of October, 2006. The matter will be considered in the interim and a decision will be conveyed to the school authorities as quickly as possible.

Schools Building Projects.

1307. **Mr. English** asked the Minister for Education and Science the target date for the beginning of construction and the opening of a new secondary school (details supplied) in Dublin 15; if she anticipates that the school will be open in time to receive the first students coming from another school (details supplied). [29029/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, my Department is planning the development of a new post primary school in Phibblestown to serve the growing population of the Dublin 15 area. It is intended to progress the provision of the school as a Design Build Project. My Department advertised in the Official Journal of the European Union for design build teams and the short-listing of these teams is currently being undertaken. A project manager has also been appointed to manage the delivery of this project and the site acquisition process is at an advanced stage.

While it is not possible to be definitive at this early stage as to when the new school will open, the target date for delivery is September 2008.

Physical Education Facilities.

1308. **Mr. English** asked the Minister for Education and Science when a planning application will be lodged for a sports hall at a school (details supplied) in Dublin 15; and if she will make a statement on the matter. [29030/06]

Minister for Education and Science (Ms Hanafin): In May 2006, I authorised the PE Hall project for Castleknock Community College to progress through architectural planning and on to tender and construction as soon as all stages of the planning process are complete.

The building project for the project in question is at an early stage of architectural planning. My Department recently received the Design Team's response to queries raised by my Department's technical team following a review of the Stage 1 submission (Site suitability, briefing and site report).

Officials from my Department will shortly arrange a meeting with the School Authorities and the Design Team in order to evaluate the responses received from the Design Team. It is envisaged that unless there are very exceptional circumstances involved, the meeting will be sufficient to authorise the project to progress to the next stage of architectural planning.

Education Schemes.

1309. **Mr. Howlin** asked the Minister for Education and Science her views on whether second level students requiring home tuition for medical reasons are entitled to free education; if her attention has been drawn to the fact that the ASTI rate for provision of home tuition is €43.19 per hour; if her Department's hourly rate of payment for home tuition has been set at €27.12 per hour; the basis of such a rate; if her Department is aware of qualified teachers who will provide home tuition at her Department's rate of pay; if she will make available a list of such teachers; if she will review her Department's hourly rate if teachers can not be recruited at below the ASTI rate for a person (details supplied) in County Wexford; and if she will make a statement on the matter. [29037/06]

Minister for Education and Science (Ms Hanafin): Second-level pupils who are absent from school for a significant period of time for medical reasons may be sanctioned home tuition. I can confirm that the issues raised by the Deputy in relation to the hourly rates that currently apply in respect of home tuition grants are currently being considered by my officials.

When these deliberations have been finalised, a decision will be taken in relation to the appropriate hourly rates to be paid in respect of such grants going forward. This decision will be communicated to all parents/guardians who apply for home tuition in respect of their children, including the person referred to by the Deputy.

Institutes of Technology.

1310. **Mr. O'Shea** asked the Minister for Education and Science when it is proposed to refer the submission of Waterford Institute of Technology in regard to upgrading to university status to the independent group for appraisal; and if she will make a statement on the matter. [29048/06]

Minister for Education and Science (Ms Hanafin): The submission from Waterford Institute of Technology seeking university status remains under consideration by my Department.

There is a very detailed statutory review process required prior to the designation of any new university and there are significant wider issues that need to be considered in progressing that. Wider developments in the overall higher education sector are relevant in that regard. In that context, it is important to take account of very significant recent changes in the overall legislative framework governing Irish higher education, with the passage of the new Institutes of Technology Act 2006 at the end of the last Dail term. This will now bring the institutes of technology under the remit of the Higher Education Authority as part of a unified strategic higher education framework. It also introduces important

new managerial and governance freedoms that will allow institutes to develop their roles.

School Accommodation.

1311. **Mr. McEntee** asked the Minister for Education and Science the number of pupils at second level who are currently accommodated in pre-fabricated or temporary classrooms by county; and if she will make a statement on the matter. [29052/06]

1312. **Mr. McEntee** asked the Minister for Education and Science the number of pupils at primary school level who are currently accommodated in prefabricated or temporary classrooms by county; and if she will make a statement on the matter. [29053/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1311 and 1312 together.

The information sought by the Deputy is not readily available in my Department. However, if the Deputy wishes to request details on a specific school, my officials will provide the required information.

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 and the demands to cater for diversity through the recognition of new Gaelscoileanna and Educate Together schools.

The focus within my Department is to empower schools to resolve their accommodation needs, wherever possible, by way of permanent accommodation. In order to reduce the amount of temporary/prefabricated accommodation at primary level and to upgrade existing facilities, two new initiatives, the Permanent Accommodation Initiative and the Small School Initiative, were launched in 2003 on a pilot basis. The purpose of these initiatives was to allow primary schools to undertake a permanent solution to their classroom accommodation needs and to achieve the best value for money as opposed to the provision of temporary accommodation.

The feedback has in general been very positive, the number of schools participating has increased year on year and many schools are anxious to be included. In order to maintain this momentum I invited 210 schools to participate in these schemes in 2006. This brings to 520 the number of schools invited to participate since 2003. As a result of these schemes the amount spent on the purchase of prefabricated buildings in has been significantly reduced.

Schools Building Projects.

1313. **Mr. Hogan** asked the Minister for Edu-

cation and Science if a decision has been reached in relation to a revised proposal under the devolved grant scheme for school building in respect of a school (details supplied) in County Carlow; and if she will make a statement on the matter. [29055/06]

Minister for Education and Science (Ms Hanafin): The School Planning Section of the Department is in receipt of an application for major capital works from the management authority of the school to which the Deputy refers. The school's application was originally considered under the devolved grant scheme. However the scope of the work needed exceeded the limits of this scheme and in order to meet the needs of the school the application must now be considered under the traditional scheme for major capital works. As such the application has been assessed in accordance with the published prioritisation criteria for large scale projects and was assigned a Band 2 rating. Progress on the proposed works is being considered in the context of the School Building and Modernisation Programme from 2006 onwards.

1314. **Mr. N. O'Keeffe** asked the Minister for Education and Science her views on whether it is necessary for her Department's architect to review plans for the development of a new school (details supplied) in County Cork. [29068/06]

Minister for Education and Science (Ms Hanafin): It is not necessary for my Department's architect to view plans for the development of the school in question. As both the design and construction of the school, as proposed, are being handled directly by the school authority and a private construction firm, without the direct involvement of my Department, it is ultimately a matter for the Board of Management to ensure that they are satisfied that the proposed site and school meet their present and future needs. The school management were however directed to my Department's website which contains Technical Guidance for school building projects.

School Staffing.

1315. **Mr. Durkan** asked the Minister for Education and Science if school placement at a school in County Kildare will be offered to a person (details supplied); and if she will make a statement on the matter. [29093/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform you that the pupil is attending the school of preference referred to by the Deputy.

School Transport.

1316. **Mr. Durkan** asked the Minister for Education and Science the financial assistance which will be offered to a person (details supplied) in

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County Kildare towards school transport costs for their child; and if she will make a statement on the matter. [29094/06]

Minister of State at the Department of Education and Science (Miss de Valera): Under the terms of my Department's Post Primary School Transport Scheme, a pupil is eligible for transport if s/he resides 4.8 kilometres or more from her/his local post primary education centre, that is, the centre serving the catchment area in which s/he lives.

The scheme is not designed to facilitate parents who choose to send their children to a post-primary centre outside of the catchment area in which they reside. In such circumstances, financial assistance is not available towards the cost of private school transport arrangements.

1317. **Mr. Durkan** asked the Minister for Education and Science if she will reinstate school transport for children attending a school in County Kildare due to the increase in children who are attending same and are interested in his service, with particular reference to the need expressed by the children of a person (detail supplied) in County Kildare; and if she will make a statement on the matter. [29095/06]

Minister of State at the Department of Education and Science (Miss de Valera): To be eligible for transport under the terms of the Primary School Transport scheme a child must be living 3.2 kilometres or more and attending their nearest suitable national school as determined by my Department.

According to records in my Department, the family referred to by the Deputy, in the details supplied, is not eligible for transport to the school referred to. If the Deputy wishes to provide my Department with the names and addresses of other pupils offering for school transport to the school in question I will arrange to have each case examined to determine eligibility.

Education Grants.

1318. **Mr. Durkan** asked the Minister for Education and Science when a field trip grant will be awarded to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [29096/06]

Minister for Education and Science (Ms Hanafin): My Department contacted Kildare County Council, the awarding body in this case, and was advised that a cheque issued in June to the College in question for the payment of the field trip. The student referred to by the Deputy should contact her College.

School Enrolments.

1319. **Mr. Durkan** asked the Minister for Edu-

cation and Science if she has received correspondence from a person (details supplied) in County Kildare in relation to school enrolments; her plans to deal with same as a matter of urgency; and if she will make a statement on the matter. [29097/06]

Minister for Education and Science (Ms Hanafin): The School Planning Section of the Department has received correspondence from the person in question in relation to school enrolments in the area concerned. The person concerned has also recently made application for recognition of a new school to the New School Advisory Committee. All current applications for recognition of new schools are under consideration and as soon as a decision has been made the person in question will be notified.

Question No. 1320 answered with Question No. 1285.

School Transport.

1321. **Mr. Kehoe** asked the Minister for Education and Science if a primary school principal can refuse to sign a release form for a child to receive school transport to attend another local school; the options which are available to the parents if this has happened; and if she will make a statement on the matter. [29099/06]

Minister of State at the Department of Education and Science (Miss de Valera): It is a matter for the board of management of the school in question to complete an Evidence of Agreement Form. Where the board of management refuses to do so, it is not the practice for my Department to intervene.

One of my Department's concerns is to protect the interests of small rural schools which may be adversely affected where concessionary fare-paying transport is provided to pupils residing in close proximity to these rural schools in order that they may attend other schools.

1322. **Mr. Carey** asked the Minister for Education and Science if an escort is on duty, at all times, on the bus conveying a pupil to school (details supplied) in Dublin 4. [29100/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department provides funding to the authorities of the school referred in the details supplied to facilitate the employment of an escort on the special school transport service in question. However, my Department understands that difficulties have been encountered in securing the services of an escort to accompany children on the entire bus journey. My Department also understands that the school authorities are in the process of recruiting the services of an escort who will per-

form the full range of duties on the bus in question.

School Buildings.

1323. **Mr. Carey** asked the Minister for Education and Science when her Department proposes to enter into discussions with the patrons of a school (details supplied) in Dublin 11, which is due to close at the end of this school year, regarding discharging its interest in the property and discussing the future use of the school building; and if she will make a statement on the matter. [29101/06]

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 medium to long term educational infrastructural requirements in the area where the school is located. When this review is completed a decision will be taken as to whether or not the leasehold interest in the property concerned should be discharged.

Garda Vetting Services.

1324. **Mr. Carey** asked the Minister for Education and Science if the drivers of all school buses, including those in service prior to the enactment of the legislation, have been put through the Garda vetting system; and if she will make a statement on the matter. [29102/06]

Minister of State at the Department of Education and Science (Miss de Valera): Bus Éireann has informed my Department it is envisaged that formal vetting procedures will come on stream later this year for new school bus drivers and at a later stage for all existing drivers, including Bus Éireann, contractor and taxi drivers engaged under the school transport scheme.

School Transport.

1325. **Mr. Ring** asked the Minister for Education and Science if the school bus service for concession ticket holders for a school (details supplied) in County Mayo will be reinstated. [29104/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department has requested Bus Éireann to furnish a report on the background to the case referred to by the Deputy in the details supplied.

Question No. 1326 answered with Question No. 1285.

Schools Building Projects.

1327. **Mr. N. O'Keefe** asked the Minister for Education and Science her views on approving

funding for an extension to a primary school (details supplied) in County Cork, which has had to hire portacabins and, owing to a substantial pupil number increase, will have to do so again in 2006. [29235/06]

1328. **Mr. N. O'Keefe** asked the Minister for Education and Science the reason a primary school (details supplied) in County Cork was refused a capital grant in 2005/2006. [29236/06]

1329. **Mr. N. O'Keefe** asked the Minister for Education and Science the position regarding an application for a capital grant in respect of a primary school (details supplied) in County Cork. [29237/06]

Minister for Education and Science (Ms Hanafin): I propose to take Question Nos. 1327, 1328 and 1329 together.

In order to address the short term accommodation needs of the school referred to by the Deputy, my Department gave approval to the school authority to rent a portakabin for use as a mainstream classroom earlier this year. My Department is also in receipt of an application for capital funding towards the provision of a permanent extension at the school.

An assessment of projected enrolments, demographic trends and housing developments in the area is under way in order to inform the determination of the long term projected staffing on which the school's long term accommodation needs will be based. When this assessment is completed a decision will then be taken on how best to provide the required accommodation. The project will be then considered in the context of the School Building and Modernisation Programme 2006 -2010.

Pupil-Teacher Ratio.

1330. **Mr. J. Breen** asked the Minister for Education and Science the improvements which have been made to lower the teacher pupil ratio in classrooms in view of the ratio here being above EU recommendation levels; and if she will make a statement on the matter. [29238/06]

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. At the beginning of the current school year there are no less than 4000 extra teachers in our primary schools, compared with 2002. The average class size in our primary schools is 24 and 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

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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 primary schools are staffed on a general rule of at least one classroom teacher for every 28 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 28 children in the school. Next year (2007/2008 school year) this is being reduced to 27 children per classroom teacher.

A further initiative that has been of direct benefit to primary schools has been the change in the criteria for developing schools. 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 many schools. 170 such posts were 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 fell from 16:1 to 13:1 during the period from 1996/97 to 2005/2006. The reduction in the ratio was achieved through the creation of over 2000 additional posts and the retention of over 2100 posts which would otherwise have been lost due to the fall in 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.

Educational Disadvantage.

1331. **Ms Enright** asked the Minister for Education and Science the schools, itemised on a county basis, that received funding under the DEIS programme for the academic year 2005 to 2006; the schools, itemised on a county basis, which will receive funding under the DEIS programme for the academic year 2006 to 2007; and if

she will make a statement on the matter. [29266/06]

Minister for Education and Science (Ms Hanafin): DEIS (Delivering Equality of Opportunity in Schools), the new action plan for educational inclusion will focus on addressing the educational needs of children and young people from disadvantaged communities, from pre-school through second-level education (3 to 18 years). The action plan provides for a standardised system for identifying levels of disadvantage and a new integrated School Support Programme (SSP).

The aim of DEIS is not simply to give additional supports to schools serving the most disadvantaged communities, but rather to help support schools and their communities to achieve equality in terms of educational participation and outcomes in line with national norms. DEIS is designed to ensure that schools serving the most disadvantaged communities benefit from the maximum level of support available. Over the years, no less than 8 separate schemes for disadvantaged primary schools have been put in place. Some schools were benefiting from just one or two of these and others were benefiting from more.

The DEIS initiative is designed to ensure that the most disadvantaged schools benefit from a comprehensive package of supports, while ensuring that others continue to get support in line with the level of disadvantage among their pupils. As a result of the identification process, 840 schools were invited to participate in the new School Support Programme. These comprised 640 primary schools (320 urban/town schools and 320 rural schools) and 200 second-level schools.

The documents below list all 833 schools who accepted the invitation to participate in the new Programme. The schools are listed on a county basis as requested by the Deputy. These documents are also published on my Department's website. An additional 40 schools are currently being added to the overall number arising from the recent appeals process and the complete listing will be available on my Department's website shortly.

Lists of primary schools in the School Support Programme (SSP) under the DEIS action plan for educational inclusion.

Roll No.	Urban	School Name	Address 1	Address 2	Address 3	Address 4	County
17326B	Urban	S N Naomh Feidhlim	Cavan	Co Cavan			Cavan
19559L	Urban	Christ Ri	Cloughleigh	Ennis	Co Clare		Clare
05940D	Urban	Scoil Ursula	Blackrock	Co Cork			Cork
14198D	Urban	Naomh Eoin Easpal	Mayfield	Co Cork			Cork
16680O	Urban	Scoil Colmcille	Blarney St	Cork			Cork
17024I	Urban	Scoil Na Croise Naofa	Mahon	Cork			Cork
18154D	Urban	S N Padraig Naofa	Dillons Cross	Cork			Cork
18217B	Urban	Scoil Padre Pio N S	Churchfield	Cork City			Cork
18587L	Urban	Scoil Mhuire Banrion	Mayfield	Cork			Cork
18786R	Urban	Scoil Iosagain	Farranree	Cork			Cork
19426P	Urban	S N Mharcius B	An Gleann	Corcaigh			Cork
19427R	Urban	S N Bhreanndain C	An Ghleann	Corcaigh			Cork
19714U	Urban	Mhuire Ar Chnoc Haoine	Knocknaheeny	Cork			Cork
19909M	Urban	Gaelscoil Peig Sayers	C/O Na Piarasigh C.L.G.	Parklands	Corcaigh		Cork
20036J	Urban	North Presentation Primary School	Gerald Griffin Street	Cork City.			Cork
20140E	Urban	Scoil Mhuire Fatima	North Monastery	Cork			Cork
19438W	Urban	Scoil Colmcille Senior	Wyattville	Ballybrack	Co Dublin		Dublin
19641T	Urban	St Colmcille Jun NS	Wyattville	Ballybrack	Co Dublin		Dublin
19840C	Urban	Holy Family School	Dunedin Park	Monkstown	Co Dublin		Dublin
20218P	Urban	Archbishop Mc Quaid NS	Loughlinstown	Dún Laoghaire			Dublin
00752A	Urban	Central Senior Mxd N S	Marlboro St	Dublin 1			Dublin 01
01795A	Urban	Central Infs School	Marlboro St	Dublin 1			Dublin 01
11776C	Urban	St Laurence O Toole Junior Boys	Seville Place	Dublin 1			Dublin 01
12448N	Urban	Gardiner Street Convent	Gardiner Street	Dublin 1			Dublin 01
15056L	Urban	S N San Vinseann Cailin	North William St	Dublin 1			Dublin 01
15816I	Urban	St Vincents Inf Boys	North William Street	Dublin 1			Dublin 01
17110B	Urban	Naomh Lorcan O Tuathail	Pias Seibhil	Baile Atha Cliath 1			Dublin 01
17881G	Urban	Scoil Ui Chonail	Nth Richmond Street	Dublin 1			Dublin 01

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Lists of primary schools in the School Support Programme (SSP) under the DEIS action plan for educational inclusion—contd.

Roll No.	Urban	School Name	Address 1	Address 2	Address 3	Address 4	County
19831B	Urban	Scoil Chaoimhin	Sraid Mhaoibhríde	Baile Atha Cliath 1	Off Dorset Street	Dublin 7	Dublin 01
19895E	Urban	Scoil Mhuir S Iosaf	St Marys Place	Plas Mhuire			Dublin 01
19946S	Urban	Rutland Street N S	Lower Rutland Street	Dublin 1			Dublin 01
20228S	Urban	St Laurence O Toole Girls School	49 Seville Place	Dublin 1			Dublin 01
11578V	Urban	City Quay Boys N S	City Quay	Dublin 2			Dublin 02
19896G	Urban	Scoil Caitriona Na Mbraithre	Baggot St	Dublin 2			Dublin 02
19981U	Urban	St Marys N S	Windsor Ave	Fairview	Dublin 3		Dublin 03
03917V	Urban	Naomh Padraig Boys	Cambridge Road	Ringsend	Dublin 4		Dublin 04
17732M	Urban	Scoil Chiarain	Ascal Ui Choileain	Domhnach Cairne	Baile Atha Cliath 5		Dublin 05
18968A	Urban	St Malachys B N S	Edenmore	Raheny	Dublin 5		Dublin 05
19297H	Urban	Cromcastle Green B N S	Kilmore Rd West	Artane	Dublin 5		Dublin 05
19298J	Urban	Scoil Nais Ide Cailini	Kilmore Road West	Artane	Dublin 5		Dublin 05
19440J	Urban	St Marys NS	Grange Pk View	Raheny	Dublin 5		Dublin 05
19935N	Urban	Scoil Eoin	Greendale Road	Dublin 5			Dublin 05
05933G	Urban	Georges Hill Convent	Georges Hill	Dublin 7			Dublin 07
09932B	Urban	Stanhope St Convent	Stanhope Street	Dublin 7			Dublin 07
16695E	Urban	Scoil Na Mbrathar	North Brunswick Street	Dublin 7			Dublin 07
16988T	Urban	Christ The King B N S	Cabra	Dublin 7			Dublin 07
17464N	Urban	Fionnbarra Naofa	Cabra West	Dublin 7			Dublin 07
17465P	Urban	Dominican Convent Girls	Cabra	Dublin 7			Dublin 07
17466R	Urban	St Catherine's Infant School	Cabra	Dublin 7			Dublin 07
20005V	Urban	Scoil Plas Mhuire	St Marys Place	Dorset Street	Dublin 7		Dublin 07
20035H	Urban	St Gabriels N S	Cowper Street	Dublin 7			Dublin 07
00743W	Urban	Mater Dei Primary School	Basin Lane	James Street	Dublin 8		Dublin 08
07546J	Urban	Goldenbridge Convent	Goldenbridge	Inchicore	Dublin 8		Dublin 08
13611D	Urban	Presentation Convent NS	Warrenmount	Dublin 8			Dublin 08
14556D	Urban	St Endas Primary School	St Endas Primary School	Whitefriar St	Dublin 8		Dublin 08
16786H	Urban	St Brigids Convent N S	The Coombe	Dublin 8			Dublin 08
16799Q	Urban	St Michaels C B S	Inchicore	Dublin 8			Dublin 08
18477E	Urban	Scoil Na Mbrathar	Francis Street	Dublin 8			Dublin 08

Lists of primary schools in the School Support Programme (SSP) under the DEIS action plan for educational inclusion—*contd.*

Roll No.	Urban	School Name	Address 1	Address 2	Address 3	Address 4	County
18519R	Urban	Scoil Seamus C B S	James Street	Dublin 8	Dublin 8		Dublin 08
19933J	Urban	Scoil Treasa Naofa	Petrie Road	Donore Avenue			Dublin 08
20104A	Urban	St Audoens NS	Cook Street	Dublin 8			Dublin 08
18910P	Urban	Bantiarna Na Mbuanna B	Baile Munna	Dublin 9			Dublin 09
18911R	Urban	Bantiarna Na Mbuanna G	Baile Munna	Dublin 9			Dublin 09
19242F	Urban	Our Lady Of Victories Infant N S	Ballymun Road	Dublin 9			Dublin 09
19302U	Urban	SN Na Maighdine Muire B	Ballymun	Dublin 9			Dublin 09
19303W	Urban	Na Maighdine Mhuire	Virgin Mary	Girls National School	Ballymun	Dublin 9	Dublin 09
18341C	Urban	SN Louise De Marillac C	Drumfin Rd	Ballyfermot	Dublin 10		Dublin 10
18342E	Urban	SN Louise De Marillac	Ballyfermot	Dublin 10			Dublin 10
18585H	Urban	SN Bannion Na Naingeanl	Ballyfermot	Dublin 10			Dublin 10
18843D	Urban	Bannion Na N-Aingal 2	Ballyfermot Upper	Dublin 10			Dublin 10
19661C	Urban	St Gabriels NS	Dominican Campus	Ballyfermot	Dublin 10		Dublin 10
19662E	Urban	St Michaels NS	Dominican Convent	Ballyfermot	Dublin 10		Dublin 10
19663G	Urban	St Raphaels NS	Dominican Convent	Ballyfermot	Dublin 10		Dublin 10
19766Q	Urban	Scoil Iosagain/Mhuire	Mount La Salle	Ballyfermot	Dublin 10		Dublin 10
19767S	Urban	Scoil Mhuire/Seosamh	Mount La Salle	Ballyfermot	Dublin 10		Dublin 10
20139T	Urban	Inchicore NS	Sarsfield Road	Inchicore	Dublin 10		Dublin 10
18137D	Urban	S N Naomh Feargal	Finglas West	Dublin 11			Dublin 11
19015R	Urban	St Josephs G N S	Barry Avenue	Finglas West	Dublin 11		Dublin 11
19197D	Urban	St Kevins B N S	Barry Avenue	Finglas North-West	Dublin 11		Dublin 11
19208F	Urban	Holy Spirit B N S	Silloge Rd	Baile Munna	Atha Cliath 11		Dublin 11
19209H	Urban	SN An Spioraid Naiomh C	Sillogue Rd	Ballymun	Dublin 11		Dublin 11
19431I	Urban	St Josephs Jnr	Balcarris	Ballymun	Dublin 11		Dublin 11
19546C	Urban	St Oliver Plunkett N S	St Oliver Plunkett NS	St Helenas Drive	Finglas	Dublin 11	Dublin 11
19583I	Urban	St Josephs Senior N S	St Josephs Senior NS	Balcarris	Ballymun	Dublin 11	Dublin 11
19619D	Urban	St Malachys NS	Rivermount	Finglas	Dublin 11		Dublin 11
19929S	Urban	St Brigids Senior Girls	Finglas West	Dublin 11			Dublin 11
16964F	Urban	Scoil Mhuire Ogh 1	Loreto College	Crumlin Rd	Dublin 12		Dublin 12
17603B	Urban	Scoil Iosagain	Aughavannagh Road	Crumlin	Dublin 12		Dublin 12
17683C	Urban	Muire Og 2 Loreto Con	Crumlin Road	Dublin 12			Dublin 12

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Lists of primary schools in the School Support Programme (SSP) under the DEIS action plan for educational inclusion—*contd.*

Roll No.	Urban	School Name	Address 1	Address 2	Address 3	Address 4	County
18386B	Urban	Marist National School	Clogher Road	Crumlin	Dublin 12		Dublin 12
19764M	Urban	Our Lady Of Wayside N S	Bluebell	Inchicore	Dublin 12		Dublin 12
19889J	Urban	Scoil Colm	Armagh Road	Crumlin	Dublin 12		Dublin 12
20014W	Urban	St Agnes N S	Armagh Road	Crumlin	Dublin 12		Dublin 12
19545A	Urban	Corduff N S	Corduff	Blanchardstown	Dublin 15		Dublin 15
19605P	Urban	Scoil Naís Mhuire Sois	Blakestown	Mulhuddart	Dublin 15		Dublin 15
19636D	Urban	St Patricks Senior School	Corduff	Blanchardstown	Dublin 15		Dublin 15
19643A	Urban	St Philips Senior N S	Mountview	Clonsilla	Dublin 15		Dublin 15
19694R	Urban	Scoil Mhuire Sin	Blakestown	Mulhuddart	Dublin 15		Dublin 15
19850F	Urban	Ladyswell N S	Ladyswell	Mulhuddart	Dublin 15		Dublin 15
19490B	Urban	Scoil Mhuire	Ballyboden	Dublin 16			Dublin 16
17104G	Urban	St Francis Junior National School	Priorswood	Dublin 17			Dublin 17
19454U	Urban	Darndale NS Junior	Our Lady Immac Jun NS	Darndale	Malahide Road	Dublin 17	Dublin 17
19524P	Urban	Our Lady Immac Sen N S	Our Lady Immac Sen NS	Darndale	Dublin 17		Dublin 17
19668Q	Urban	St Francis Senior N S	Priorswood	Dublin 17			Dublin 17
19913D	Urban	St Josephs NS	Macroom Road	Bonnybrook	Dublin 17		Dublin 17
19509T	Urban	Scoil Nano Nagle	Bawnoge	Clondalkin	Dublin 22		Dublin 22
19510E	Urban	Talbot Senior NS	Bawnoge	Clondalkin	Dublin 22		Dublin 22
19569O	Urban	Neillstown N S	St Peter Apostle NS	Neillstown	Clondalkin	Dublin 22	Dublin 22
19575J	Urban	St Marys Junior N S	Rowlagh	Clondalkin	Dublin 22	Dublin 22	Dublin 22
19642V	Urban	St Peter Apostle Sen NS	Neillstown	Clondalkin	Dublin 22		Dublin 22
19647I	Urban	St Marys Sen N S	Rowlagh	Clondalkin	Dublin 22		Dublin 22
19707A	Urban	St Ronans N S	Deansrath	Clondalkin	Dublin 22		Dublin 22
19743E	Urban	St Bernadettes Junior N S	Quarryvale	Clondalkin	Dublin 22		Dublin 22
19785U	Urban	St Bernadettes Senior N S	Quarryvale	Clondalkin	Dublin 22		Dublin 22
19464A	Urban	SN Naomh Colmcille	Homelawns	Tallaght	Dublin 24		Dublin 24
19543T	Urban	Scoil N An Croi Ro Naofa	Killinarden	Tallaght	Dublin 24		Dublin 24
19577N	Urban	Scoil Iosa	Scoil Naís Iosa	Tymon North	Tallaght	Dublin 24	Dublin 24
19613O	Urban	Scoil Cnoc Mhuire Sin	Knockmore Ave	Killinarden	Tallaght	Dublin 24	Dublin 24
19652B	Urban	An Chroi Ro Naofa Sois	Killinarden	Tallaght	Dublin 24		Dublin 24

Lists of primary schools in the School Support Programme (SSP) under the DEIS action plan for educational inclusion—*contd.*

Roll No.	Urban	School Name	Address 1	Address 2	Address 3	Address 4	County
19702N	Urban	St Thomas Junior N S	Jobstown	Tallaght	Dublin 24		Dublin 24
19765O	Urban	St Thomas Senior N S	Jobstown	Tallaght	Dublin 24		Dublin 24
19775R	Urban	Scoil Cnoc Mhuire Junior	Knockmore Ave	Kilnarden	Tallaght	Dublin 24	Dublin 24
19782O	Urban	St Brigids N S	Brookfield	Tallaght	Dublin 24		Dublin 24
19834H	Urban	St Aidans NS	Brookfield	Tallaght	Dublin 24		Dublin 24
19872P	Urban	Scoil Chaitlin Maude	Cnoc Mhuire	Tamhlacht	Baile Atha Cliath 24		Dublin 24
20173T	Urban	St Annes Primary School	Fettercairn	Tallaght	Dublin 24		Dublin 24
01013N	Urban	Scoil Croi Iosa	Presentation Road	Galway			Galway
04515G	Urban	Scoil An Linbh Iosa	St Francis St	Galway			Galway
12250P	Urban	Scoil Mhuire Primary Sch	Dublin Rd	Tuam	Co Galway		Galway
16943U	Urban	Niochlas N S	An Cladaich	An Gaillimh			Galway
17782E	Urban	S N Bride Naofa	Sean Tallamh	Gaillimh			Galway
19225F	Urban	Scoil Michil Naofa	Baile Ban	Gaillimh			Galway
20042E	Urban	Scoil An Chroi Naofa	Ballinasloe	Co Galway			Galway
16635J	Urban	Curragh Camp B N S	Curragh Camp	Co Kildare			Galway
16636L	Urban	Curragh Camp G N S	Curragh Camp	Co Kildare			Kildare
19747M	Urban	Scoil Bhride NS	Portlaoise	Co Laois			Kildare
00570R	Urban	Mhuire Naofa Cailini	Mhuire Naofa	Limerick			Laois
06936R	Urban	St JohNS Convent	Cathedral Place	Limerick City			Limerick
15320C	Urban	St Michaels NS	Cbs Grounds	Sexton Street			Limerick
16715H	Urban	St John The Baptist Boys N S	Downey Street	Pennywell	Limerick		Limerick
16910F	Urban	Scoil Iosagain	Straid Seasnain	Limerick			Limerick
17445J	Urban	Scoil Lile Naofa	Kileely	Limerick			Limerick
17737W	Urban	Our Lady Queen Of Peace School	Janesboro	Limerick			Limerick
17941V	Urban	St Munchins G N S	Ballynanty	Limerick			Limerick
17942A	Urban	Scoil Mhainchin Buach	Bothar Siolbroin	Limerick			Limerick
18177P	Urban	Scoil Aine Naofa	Rath Caola	Co Luimni			Limerick
19372S	Urban	South Hill N S	South Hill	Limerick			Limerick
19667O	Urban	Our Lady Of Lourdes N S	Rosbrien	Limerick			Limerick

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Lists of primary schools in the School Support Programme (SSP) under the DEIS action plan for educational inclusion—contd.

Roll No.	Urban	School Name	Address 1	Address 2	Address 3	Address 4	County
19830W	Urban	Corpus Christi N S	Moyross	Limerick			Limerick
19931F	Urban	Gaelscoil Sheoirse	Clancy	An Cnoc Theas	Luimneach		Limerick
20018H	Urban	Maria King Presentation Primary	Sexton Street	Limerick			Limerick
20184B	Urban	Galvone NS	Kennedy Park	Limerick City			Limerick
20185D	Urban	St Marys Boys NS	Island Road	Limerick			Limerick
00856M	Urban	Scoil Naomh Micheal	Longford	Co Longford			Longford
18178R	Urban	St Josephs Convent	Longford	Co Longford			Longford
20101R	Urban	The Sacred Heart Primary N.S.	Granard	Co Longford			Longford
14651U	Urban	Castletown Rd Convent	Castletown Rd	Dundalk	Co Louth		Louth
16469S	Urban	St Nicholas Monastery NS	Philip Street	Dundalk	Co Louth		Louth
19246N	Urban	S N An Tslanaitheora B	Ard Easmuinn	Dundalk	Co Louth		Louth
19247P	Urban	S N An Tslanaitheora C	Ard Easmuinn	Dun Dealgan	Co Louth		Louth
19479N	Urban	Rathmullan N S	Rathmullen	Drogheda	Co Louth		Louth
19673J	Urban	St Josephs N S	Avenue Road	Dundalk	Co Louth		Louth
19678T	Urban	St Pauls Senior NS	Rathmullen	Drogheda	Co Louth		Louth
20163Q	Urban	S.N Eoin Baisite	Fatima	Castletown	Dundalk	Co Louth	Louth
05215W	Urban	S N Croi Iosa	Ballina	Co Mayo			Mayo
17201E	Urban	Iosagain Buachaillí Nai	Clochar Na Trocaire	Beal An Atha	Co Mhuigheo		Mayo
18506I	Urban	S N Naomh Padraig B	Ballina	Co Mayo			Mayo
19713S	Urban	Arden Boys NS	Arden View	Tullamore	Co Offaly		Offaly
19910U	Urban	Sligo Project School	Abbey Quarter	Sligo			Sligo
18345K	Urban	S N Iosef Naofa	Cor An Bhile	Roscrea	Co Tipperary		Tipperary
19645E	Urban	St Oliver Plunketts NS	Heywood Rd	Clonmel	Co Tipperary		Tipperary
19511G	Urban	St Saviours NS	Ballybeg	Waterford City			Waterford
07722D	Urban	St Peters N S Snr	Athlone	Co Westmeath			Westmeath
16639R	Urban	SN Deaghan O Ceallaigh	Athlone	Co Westmeath			Westmeath
18405C	Urban	S N Phoil Naofa	Athlone	Co Westmeath			Westmeath
08221J	Urban	St Senans National Sch	Templeshannon	Enniscorthy	Co Wexford		Wexford
19739N	Urban	Scoil Mhuire Coolcotts	Scoil Mhuire	Coolcotts	Co Wexford		Wexford
18464S	Urban	Naomh Peadar N S	Bray	Co Wicklow			Wicklow

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Roll No.	Name	Address 1	Address 2	Address 3	County
70420R	Carlow Vocational School	Kilkenny Road		Carlow	Carlow
70430U	Vocational School Muine Beag	Muine Bheag		Carlow	Carlow
70360C	St. Mogue's College	Bawnboy		Co Cavan	Cavan
70380I	Cavan Vocational School	Coothehill Rd		Cavan	Cavan
70830N	Ennis Community College	Ennis		Co Clare	Clare
91448K	Kilrush Community School	Kilrush		Co Clare	Clare
62530F	North Monastery Secondary School	Our Lady's Mount	North Monastery Road	Cork	Cork
62540I	Deerpark C.B.S.	St. Patrick's Road		Cork	Cork
70910L	St. Brogan's College	Kilbrogan	Bandon	Co Cork	Cork
70970G	Cobh Community College	Carrignafoy	Cobh	Co Cork	Cork
70990M	Coláiste an Chraoibhin	Duntaheen Road	Fermoy	Co Cork	Cork
71020G	Davis College	Annabella	Mallow	Co Cork	Cork
71030I	McEgan College	Macroom		Co Cork	Cork
71040M	St. Fanahan's College	Mitchelstown		Co Cork	Cork
71050P	St. Colman's Community College	Youghal Road	Midleton	Co Cork	Cork
71080B	Mannix College	Charleville		Co Cork	Cork
71090E	Rossa College	Skibbereen		Co Cork	Cork
71123Q	Terence Mac Swiney Community College	Hollyhill	Knocknaheeny	Cork	Cork
76067L	Colaiste Pobail Naomh Mhuire	Cill na Mullach		Co Cork	Cork
91397T	Bishopstown Community School	Bishopstown		Co Cork	Cork
91400F	Mayfield Community School	Old Youghal Road		Cork	Cork
62621I	North Presentation	Farranree		Cork City	Cork City
62650P	Ursuline Secondary School	Blackrock		Cork City	Cork City
62730N	St. Patrick's College	Gardiner's Hill		Cork City	Cork City
71110H	Nagle Community College	Mahon		Cork City	Cork City
62770C	Scoil Mhuire	St. Oran's Road	Buncrana	Co Donegal	Donegal
71140Q	Crana College	Crana Road	Buncrana	Co Donegal	Donegal
71200I	Letterkenny Vocational School	Windyhall	Letterkenny	Co Donegal	Donegal
71220O	Mulroy College	Milford		Co Donegal	Donegal
71230R	Deele College	Raphoe		Co Donegal	Donegal

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List of post primary schools in the School support programme (SSP) under the DEIS action plan for educational inclusion—contd.

Roll No.	Name	Address 1	Address 2	Address 3	County
71240U	Vocational School	Main Street	Stranorlar	Co Donegal	Donegal
71242B	Gairm Scoil Chú Uladh	Béal an Átha Móir		Co Dhun na nGall	Donegal
71244F	Gairmscoil Mhic Diarmada	An Leadhgarbh		Co Dhun na nGall	Donegal
76084L	Moville Community College	Carrownaff	Moville	Co Donegal	Donegal
81011L	The Royal and Prior School	Raphoe		Co Donegal	Donegal
91406R	Carndonagh Community School	Carndonagh		Co Donegal	Donegal
91407T	Rosses Community School	Dungloe		Co Donegal	Donegal
60440R	O'Connell School	North Richmond Street		Dublin 1	Dublin 01
60853T	Mount Carmel Secondary School	Kings Inn Street		Dublin 1	Dublin 01
76077O	Larkin Community College	1 Champions Avenue		Dublin 1	Dublin 01
60490J	C.B.S. Westland Row	Westland Row		Dublin 2	Dublin 02
60390F	St Josephs C.B.S.	Merville Ave	Fairview	Dublin 3	Dublin 03
70250S	Marino College	14-20 Marino Mart	Fairview	Dublin 3	Dublin 03
60500J	Marian College	Ballsbridge		Dublin 4	Dublin 04
70200D	Technical Institute	Cambridge Road	Ringsend	Dublin 4	Dublin 04
60471F	St. David's C.B.S.	Malahide Road	Artane	Dublin 5	Dublin 05
60550B	Chanel College	Coolock		Dublin 5	Dublin 05
60871V	Mercy College Coolock	St Brendans Drive	Coolock	Dublin 5	Dublin 05
60430O	St Pauls C.B.S.	Christian Brothers	North Brunswick Street	Dublin 7	Dublin 07
60843Q	St Josephs Secondary School	Stanhope St		Dublin 7	Dublin 07
70150O	Coláiste Éanna	Kilkieran Road	Cabra	Dublin 7	Dublin 07
60410I	C.B.S. James Street	James's Street		Dublin 8	Dublin 08
60470D	Christian Brothers	Synge St		Dublin 8	Dublin 08
60792C	Presentation College	Warrenmount		Dublin 8	Dublin 08
60872A	Mercy Secondary School	Goldenbridge	Inchicore	Dublin 8	Dublin 08
60400F	St Vincents C.B.S.	Glasnevin		Dublin 9	Dublin 09
70310K	Plunkett College	Swords Road	Whitehall	Dublin 9	Dublin 09
70321P	Margaret Aylward Community College	The Thatch Road	Whitehall	Dublin 9	Dublin 09
81017A	Trinity Comprehensive School	Ballymun Road	Ballymun	Dublin 9	Dublin 09
91344V	Rosmini Community School	Grace Park Road	Drumcondra	Dublin 9	Dublin 09

List of post primary schools in the School support programme (SSP) under the DEIS action plan for educational inclusion—contd.

Roll No.	Name	Address 1	Address 2	Address 3	County
60510M	St Johns College De La Salle	Le Fanu Rd	Ballyfermot	Dublin 10	Dublin 10
60720A	Saint Dominic's Secondary School	Ballyfermot		Dublin 10	Dublin 10
60732H	Caritas College	Drumfinn Road	Ballyfermot	Dublin 10	Dublin 10
70240P	Kylemore College	Kylemore Road	Ballyfermot	Dublin 10	Dublin 10
60511O	Beneavin De La Salle College	Beneavin Road	Finglas	Dublin 11	Dublin 11
60571J	Patrician College	Deanstown Ave	Finglas West	Dublin 11	Dublin 11
60741I	St Michaels Secondary School	Wellmount Road	Finglas	Dublin 11	Dublin 11
60852R	Mater Christi	Cappagh	Finglas	Dublin 11	Dublin 11
70180A	Coláiste Eoin	Cappagh Road	Finglas	Dublin 11	Dublin 11
60800V	Loreto College	Crumlin Road		Dublin 12	Dublin 12
60841M	Rosary College	Armagh Road	Crumlin	Dublin 12	Dublin 12
60990G	Meanscoil Chroimghlinne	314/318 Crumlin Road	Crumlin	Dublin 12	Dublin 12
60991I	Our Lady Of Mercy Secondary School	Mourne Road	Drinnagh	Dublin 12	Dublin 12
70130I	Greenhills College	Limekiln Avenue	Greenhills	Dublin 12	Dublin 12
70160R	St. Kevins College	Clogher Road	Crumlin	Dublin 12	Dublin 12
70020B	Grange Community College	Grange Road	Donaghmede	Dublin 13	Dublin 13
91318U	The Donahies Community School	Streamville Road		Dublin 13	Dublin 13
70081V	Riversdale Community College	Blanchardstown Rd North		Dublin 15	Dublin 15
91316Q	Blakesstown Community School	Blanchardstown		Dublin 15	Dublin 15
91305L	Ballinteer Community School	Ballinteer		Dublin 16	Dublin 16
91343T	St. Tiernan's Community School	Parkvale	Ballyly	Dublin 16	Dublin 16
70330Q	Coláiste Dhúlaigh	Barryscourt Road	Coolock	Dublin 17	Dublin 17
60262T	St Laurence College	Loughlinstown		Dublin 18	Dublin 18
91302F	Phobailscóil Iosolde	Palmerstown		Dublin 20	Dublin 20
70040H	Deansrath Community College	New Nangor Road	Clondalkin	Dublin 22	Dublin 22
70041J	Collinstown Park Community College	Neilstown Rd.	Clondalkin	Dublin 22	Dublin 22
70042L	St. Kevin's Community College	Fonthill Road	Clondalkin	Dublin 22	Dublin 22
70141N	Jobstown Community College	Jobstown	Tallaght	Dublin 24	Dublin 24
91335U	Tallaght Community School	Balrothery	Tallaght	Dublin 24	Dublin 24
91337B	Killinarden Community School	Killinarden	Tallaght	Dublin 24	Dublin 24

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List of post primary schools in the School support programme (SSP) under the DEIS action plan for educational inclusion—contd.

Roll No.	Name	Address 1	Address 2	Address 3	County
91338D	St Aidan's Community School	Brookfield	Tallaght	Dublin 24	Dublin 24
60343T	St Joseph's Secondary School	Convent Lane	Rush	Co Dublin	Dublin County
70010V	Balbriggan Community College	Pine Ridge	Balbriggan	Co Dublin	Dublin County
70120F	St Finians Community College	Swords		Co Dublin	Dublin County
91310E	Cabinteely Community School	Cabinteely		Co Dublin	Dublin County
91330K	Holy Child Community School	Pearse St	Sallynoggin	Co Dublin	Dublin County
63000E	Presentation Secondary School	Presentation Rd		Galway	Galway
63060W	Scoil Aine	Mainistir Na Coille Moire	Kylemore	Co Galway	Galway
63140U	St Patrick's College	Dublin Road	Tuam	Co Galway	Galway
71250A	Colaiste Cholmcille	Indreabhán		Co na Gaillimhe	Galway
71380N	Gairmscoil na bPiarsach	Ros Muc		Co na Gaillimhe	Galway
71390Q	Tuam Vocational School	Tuam		Co Galway	Galway
71400Q	Galway Community College	Wellpark		Galway	Galway
81012N	Scoil Chuimsitheach Chiaráin	An Cheathrú Rua		Co na Gaillimhe	Galway
91411K	Scoil Phobail Mhic Dara	Carna		Co na Gaillimhe	Galway
91412M	Scoil Phobail	Clifden		Co Galway	Galway
70450D	Killarney Community College	New Road	Killarney	Co Kerry	Kerry
70460G	Community College	Killorglin		Co Kerry	Kerry
70500P	Listowel Community College	Listowel		Co Kerry	Kerry
70540E	Causeway Comprehensive School	Causeway		Co Kerry	Kerry
70550H	Tralee Community College	Clash	Tralee	Co Kerry	Kerry
61700W	St Joseph's Academy	Kildare Town		Co Kildare	Kildare
61702D	St Pauls Secondary School	Monasterevin		Co Kildare	Kildare
70650L	Athy Community College	Athy		Co Kildare	Kildare
70660O	Curragh Post-Primary School	McSwiney Road	Curragh	Co Kildare	Kildare
70680U	St Conleth's Vocational School	Station Road	Newbridge	Co Kildare	Kildare
70690A	Vocational School /	Kildare College of Further Studies		Kildare Town	Kildare
70710D	St Patrick's Community College	Limerick Road	Naas	Co Kildare	Kildare
70720G	St Farnan's Post Primary School	Prosperous	Naas	Co Kildare	Kildare
70730J	Ardscioil Rath Iomgháin	Rathangan		Co Kildare	Kildare

List of post primary schools in the School support programme (SSP) under the DEIS action plan for educational inclusion—contd.

Roll No.	Name	Address 1	Address 2	Address 3	County
70590T	Duise College	Graignamanagh		Co Kilkenny	Kilkenny
70600T	Coláiste Mhuire	Johnstown		Co Kilkenny	Kilkenny
70610W	City Vocational School	New Street		Kilkenny	Kilkenny
70620C	Coláiste Cois Siúire	Mooncoin		Co Kilkenny	Kilkenny
70640I	Grennan College	Ladywell St	Thomastown	Co Kilkenny	Kilkenny
71490U	St. Aengus Post-Primary	Limerick Road	Mountrath	Co Laois	Laois
71510A	Portlaoise Vocational School	Railway Street	Portlaoise	Co Laois	Laois
64200R	Colaiste Mhichil	Sexton Street		Limerick	Limerick
64250J	Presentation Secondary School	Sexton Street		Limerick	Limerick
64280S	Salesian Secondary School	Fernbank		Limerick	Limerick
64290V	Ardcoil Mhuire	Corbally		Limerick	Limerick
71790J	Desmond College	Gortboy	Newcastle West	Co Limerick	Limerick
71810M	Coláiste Pobail Mhichil	Cappamore		Limerick	Limerick
71840V	Colaiste Chiarain	Croom		Co Limerick	Limerick
71870H	Abbeyfeale Vocational School	Abbeyfeale		Co Limerick	Limerick
71920T	St Nessar's Community College	Moylish Park		Co Limerick	Limerick
76070A	Coláiste Íóasef	Kilmallock		Limerick	Limerick
91446G	St Endas Community School	Kilmallock Rd		Co Limerick	Limerick
71690F	Ballymahon Vocational School	Ballymahon		Co Longford	Longford
71710I	Ardcoil Phadraig	Granard		Co Longford	Longford
71720L	Lanesboro Community College	Lanesboro		Co Longford	Longford
71730O	Templemichael College	Templemichael		Longford	Longford
71750U	Bush Post Primary School	Riverstown		Co Louth	Louth
71761C	St Oliver's Community College	Rathmullen		Co Louth	Louth
71770D	Ó Fiach College	Dublin Road	Dundalk	Co Louth	Louth
71780G	Scoil Uí Mhuiri	Barn Road	Dunleer	Co Louth	Louth
91441T	Ardee Community School	Ardee		Co Louth	Louth
64690O	Scoil Muire Agus Padraig	Swinford		Co Mayo	Mayo
72020L	Moyne College	Ballina		Co Mayo	Mayo
72050U	St. Brendan's College	Belmullet		Co Mayo	Mayo

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List of post primary schools in the School support programme (SSP) under the DEIS action plan for educational inclusion—contd.

Roll No.	Name	Address 1	Address 2	Address 3	County
72100J	St. Tiernan's College	Crossmolina		Co Mayo	Mayo
72140V	Colaiste Chomain	Rosport		Co Mayo	Mayo
72160E	Vocational School	Westport		Co Mayo	Mayo
71970L	St. Fintinas Post Primary School	Longwood	Enfield	Co Meath	Meath
71980O	O'Carolan College	Nobber		Co Meath	Meath
72010I	Beaufort College	Trim Rd	Navan	Co Meath	Meath
72171J	Largy College	Clones		Co Monaghan	Monaghan
72180K	Inver College	Carrickmacross		Co Monaghan	Monaghan
72190N	Castleblayney College	Dublin Road	Castleblayney	Co Monaghan	Monaghan
72210Q	Beech Hill College	Monaghan		Co Monaghan	Monaghan
72530L	Ard Scoil Chiarain Naofa	Frederick St	Clara	Co Offaly	Offaly
72540O	Oaklands Community College	Sr. Senan Avenue	Edenderry	Co Offaly	Offaly
72560U	Tullamore College	Riverside	Tullamore	Co Offaly	Offaly
72290R	Roscommon Vocational School	Lisnamult		Roscommon Town	Roscommon
72300R	Corran College	Ballymote		Co Sligo	Sligo
72320A	Colaiste Iascaigh	Easkey		Co Sligo	Sligo
72340G	Gurteen Vocational School	Gurteen		Co Sligo	Sligo
72360M	Ballinmode College	Ballinmode		Co Sligo	Sligo
65350S	Patrician Presentation	Rocklow Rd	Fethard	Co Tipperary	Tipperary
72400V	Vocational School	Carrick-On-Suir		Co Tipperary	Tipperary
72420E	Clonmel Vocational School	Clonmel		Co Tipperary	Tipperary
72430H	Scoil Ruain	Killenaule		Co Tipperary	Tipperary
72450N	St Joseph's College	Newport		Co Tipperary	Tipperary
72480W	St. Alibe's School	Rosanna Road	Tipperary Town	Co Tipperary	Tipperary
72490C	Vocational School	Castlemeadows	Thurles	Co Tipperary	Tipperary
64930I	C.B.S. Mount Sion	Barrack Street		Waterford	Waterford
64970U	Presentation Secondary School	Waterford		Waterford	Waterford
72220T	Colaiste Chathail Naofa	Youghal Rd	Dungarvan	Waterford	Waterford
72241E	St Paul's Community College	Browne's Road		Waterford	Waterford
76066J	Meánscoil San Níoclás	Rinn O gCuanach		Co Port Lairge	Waterford

List of post primary schools in the School support programme (SSP) under the DEIS action plan for educational inclusion—contd.

Roll No.	Name	Address 1	Address 2	Address 3	County
63191O	St. Aloysius College	The Park	Athlone	Co. Westmeath	Westmeath
71420W	Castlepollard Community College	Castlepollard		Co. Westmeath	Westmeath
71430C	Columba College	Killucan		Co. Westmeath	Westmeath
71450I	Mullingar Community College	Millmount Road	Mullingar	Co. Westmeath	Westmeath
71600B	Coláiste Abbain	Adamstown		Co. Wexford	Wexford
71610E	Bridgetown Vocational College	Bridgetown		Co. Wexford	Wexford
71620H	Vocational College Bunclody	Bunclody		Co. Wexford	Wexford
71630K	Vocational School	Enniscorthy		Co. Wexford	Wexford
71650Q	Kilmuckridge Vocational College	Kilmuckridge		Co. Wexford	Wexford
71660T	New Ross Vocational College	New Ross		Co. Wexford	Wexford
71680C	Wexford Vocational College	Westgate		Co. Wexford	Wexford
91431Q	Ramsgrange Community School	Ramsgrange		Co. Wexford	Wexford
70740M	Arklow Community College	Coolgreaney Rd	Arklow	Co. Wicklow	Wicklow
70770V	St. Thomas' Community College	Novara Avenue	Bray	Co. Wicklow	Wicklow
70800E	St. Kevin's Community College	Dunlavin		Co. Wicklow	Wicklow
70810H	Avondale Community College	Rathdrum		Co. Wicklow	Wicklow
70820K	Abbey Community College	Wicklow Town		Co. Wicklow	Wicklow
91376L	St. Killian's Community School	Ballywaltrim		Co. Wicklow	Wicklow

Special Educational Needs.

1332. **Mr. Connaughton** asked the Minister for Education and Science the reason a person (details supplied) in County Galway is not entitled to a greater number of resource teaching hours in view of the fact that they have been diagnosed with verbal apraxia; if her attention has been to the fact that a psychologist has asserted that the person needs five hours of resource teaching per week and constant speech and language therapy; and if she will make a statement on the matter. [29269/06]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, the National Council for Special Education (NCSE) has been operational since 1st January 2005, and is responsible for processing applications for special educational needs supports through its network of Special Educational Needs Organisers (SENOs).

I can confirm that an application for 5 hours resource teaching support for the pupil in question was considered by the local SENO. I can confirm that 3 hours resource teaching support and access to a full time shared special needs assistant in line with my Department's criteria has been sanctioned by the local SENO for the pupil referred to by the Deputy.

The NCSE will review decisions previously taken in relation to such cases on foot of a request from the school or parents/guardians, when accompanied by relevant additional information, which may not have been to hand at the time of the decision. The NCSE has outlined this process in its Circular 01/05 which issued to all primary schools.

The responsibility for the provision of speech and language therapy is a matter for my colleague, the Minister for Health and Children.

Education Schemes.

1333. **Mr. Ring** asked the Minister for Education and Science if she will investigate the reason no response issued from her to correspondence dated 5 July 2006. [29283/06]

Minister for Education and Science (Ms Hanafin): I regret the delay in responding to the Deputy's correspondence and I can confirm that a response will issue very shortly. The Deputy will be aware that forty hours tuition under the July Provision Scheme was approved for the child in question for 2006.

Census of Population.

1334. **Ms C. Murphy** asked the Minister for Education and Science if figures released by the Central Statistics Office in July 2006 via the Census 2006 Preliminary Report will be used by her Department for any reason; if so, what the figures

will be used for; and if she will make a statement on the matter. [29302/06]

Minister for Education and Science (Ms Hanafin): My Department makes extensive use of data from the Census of Population for a variety of purposes including long-term projections of enrolment at national and local level. The Preliminary Census results for 2006 are also of use in identifying, early on, broad trends in total population by country and local area. However, the final results to be published from 2007 onwards will provide more precise information in relation to specific age-groups at local level.

Specifically, the following Sections make use of Preliminary Census data: Statistics Section in tracking overall population changes; The Commission on School Accommodation who use Census data to analyse population trends and distributions by county, town and electoral divisions in areas under its remit; and The School Planning Section in estimating likely enrolment and provision needs at local area level.

It should be borne in mind that Census data do not provide a completely precise guide to future enrolment patterns in any particular locality. Given the time lag involved from Census date to publication of detailed results by area and age as well as uncertainties about trends in enrolment across area boundaries, care is needed in making detailed projections into the future for any specific locality.

Schools Amalgamation.

1335. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science if she will meet with a group of parents regarding the proposed amalgamation of a school (details supplied) in County Kerry; when this meeting will take place; and if she will make a statement on the matter. [29313/06]

Minister for Education and Science (Ms Hanafin): Agreement was reached some years ago, between the authority of the school referred to by the Deputy and the authorities of two other schools in the area to amalgamate. A new school to provide accommodation for the amalgamated school is currently under construction to cater for a mainstream staffing of P+8.

I have recently received a request to meet representatives of the Board of Management of the school referred to. As the final decision on amalgamation of schools rests with the Patron of those schools, subject only to my approval, it would be more appropriate for the Board to take the matter up with the Patron in this instance.

Psychological Service.

1336. **Mr. Kehoe** asked the Minister for Education and Science if her attention has been drawn to the fact that many primary schools here

have had their National Education Psychological Service withdrawn this academic year; the number of schools affected by this decision; the breakdown per county; if the embargo on recruiting additional psychologists will be lifted in the near future; and if she will make a statement on the matter. [29325/06]

1352. **Mr. Durkan** asked the Minister for Education and Science the extent to which educational psychologists have been made available to primary and second level schools; the full extent of the requirements as set out by parents, teachers and school authorities; when she expects to meet requirement in full; and if she will make a statement on the matter. [29489/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1336 and 1352 together.

It is important for me as Minister for Education and Science to reiterate at the outset of this answer that all primary and post primary schools have access to psychological assessments either directly through the National Educational Psychological Service (NEPS) or through the Scheme for Commissioning Psychological Assessments (SCPA), 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.

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. NEPS also provides a service to children with visual impairment irrespective of the schools which they attend. The assignment of schools to psychologists in my Department's National Educational Psychological Service is subject to change for a variety of reasons, particularly at the beginning of each school year. A number of factors are taken into account and these include the desirability of providing a direct NEPS service to the majority of schools identified in the DEIS policy, the retirement and the resignation of psychologists and other management considerations.

Four psychologists from NEPS have been assigned to the recently established National Behaviour Support Service. These psychologists will be replaced from the current recruitment panel by the end of this year. Four newly appointed psychologists have been appointed in September to the Mid West region and one other to the South East region. These psychologists will be assigned to schools following an induction period of two months. A number of other appointments will be made as soon as possible. The range of coverage for schools in the school year 2006/2007 with a direct service from NEPS will be available in November.

School Curriculum.

1337. **Mr. Connolly** asked the Minister for Education and Science if the resources and facilities will be provided to schools to ensure a minimum of two and a half hours physical education in first and second level schools in view of the heart disease rate of 54 per thousand population, exactly twice the European average of 27 per 1000 population; and if she will make a statement on the matter. [29331/06]

Minister for Education and Science (Ms Hanafin): Our schools promote, support and encourage physical exercise in a range of ways.

The subject Social, Personal and Health Education (SPHE) is part of the core curriculum for all pupils in primary schools and in the junior cycle of second level schools. The SPHE curriculum offers particular opportunities, in an age-appropriate way, to foster the personal development, health and well-being of the individual. It includes such issues as nutrition, and the importance of exercise and healthy lifestyles.

Physical education is also part of the curriculum and plays a key role not just in giving students an opportunity to exercise during the school day but also in encouraging a positive attitude towards physical activity.

At primary level, Physical Education is one of seven curriculum areas within the revised Primary School Curriculum which was introduced in 1999. A minimum of one hour of physical education per week is recommended for all primary school pupils.

In accordance with the Rules and Programme for Secondary Schools, all second level schools should provide Physical Education as part of the curriculum. The programme that each school delivers should be based on the Department's approved syllabuses and the teaching hours should be registered on the school timetable. The syllabuses have been developed on the basis of a time allocation of two hours per week.

The Physical Education curricula at both primary and second level have been developed on the understanding that facilities available to schools vary. Consequently, they offer a level of flexibility that allows each individual school to

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design a programme that can be delivered using the resources and supports available to it.

Apart from the formal curricula, schools can take a range of measures to encourage physical activity among students during the school day and many provide extensive, broad-based programmes of co-curricular physical activities that are highly rewarding for both pupils and teachers alike. In particular, schools play a major role in nurturing and promoting the involvement of students in sporting activities in the wider community. Sports organisations such as the Gaelic Athletic Association, Basketball Ireland, the Football Association of Ireland provide extensive opportunities for such participation.

There are no plans to extend the length of time for PE in schools. This is not feasible in terms of the range of curricular options which must be facilitated, or the industrial relations and cost implications. Together, the above initiatives ensure that children not only get opportunities to exercise at school but also learn about balanced nutrition and making good food choices. Schools are playing their part in the battle to tackle childhood obesity. However, it should be remembered that children only spend 20% of their time at school and that a healthy home environment is vital to ensuring that they do not suffer from obesity.

School Transport.

1338. **Mr. McCormack** asked the Minister for Education and Science the situation regarding the provision of school transport to pupils in a school outside their catchment area, where a number of school subjects are not available to these pupils in the school within their catchment area; if those pupils are entitled to school transport to the next nearest school where these subjects are available to them but which is outside their catchment area; and if she will make a statement on the matter. [29332/06]

Minister of State at the Department of Education and Science (Miss de Valera): Under the terms of my Department's Post Primary School Transport Scheme, a pupil is eligible for transport if s/he resides 4.8 kilometres or more from her/his local post primary education centre, that is, the centre serving the catchment area in which s/he lives. Pupils who are eligible for transport to the education centre in the catchment area in which they reside may avail of 'catchment boundary' transport to an education centre in another catchment area provided spare seats are available on the school bus. Eligibility for school transport is not determined by way of subject choice.

Departmental Properties.

1339. **Mr. Bruton** asked the Minister for Education and Science her views on correspondence

she received (details supplied) regarding the intended use for a site at Rathcoole, County Dublin; if, in her response, she will deal with the queries that have been made from landowners in the adjacent property; and if she will make a statement on the matter. [29340/06]

Minister for Education and Science (Ms Hanafin): The contents of correspondence to which the Deputy refers is under consideration in the Department's Building Section. It will be responded to as quickly as possible.

Legislative Programme.

1340. **Ms Shortall** asked the Minister for Education and Science the statutory instruments, including reference numbers signed by her under the Children's Act 2001; and if she will make a statement on the matter. [29366/06]

Minister for Education and Science (Ms Hanafin): The Children Act 2001 (Part 11) (Commencement) Order 2003 (SI No. 527 of 2003) brought Part 11 of the Children Act 2001 into operation on 7 November 2003. This established the Special Residential Services Board on a statutory basis. The order was signed by Minister of State at the Department of Health and Children, Mr Brian Lenihan TD, following the signed consent of the Minister for Education and Science at the time, Noel Dempsey TD.

Mr Dempsey, as Minister for Education and Science, also signed the Children Act 2001 (Section 159(1)) (Commencement) Order 2003 (SI No. 741 of 2003) which commenced section 159(1) of the Act for the purpose of allowing 3 representatives of children detention schools to be appointed to the Special Residential Services Board.

Departmental Expenditure.

1341. **Ms O. Mitchell** asked the Minister for Education and Science her views on the OECD report which shows Ireland's percentage of GDP spent on secondary level education to be higher only than the Slovak Republic. [29391/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, given the distinctive structure of the Irish economy and specifically, the comparatively high proportion of our GDP that is expatriated as profits of foreign direct investment enterprises, Gross Domestic Product (GDP) is not a good indicator of the relative resources available in the case of Ireland. For example, the difference in magnitude between Ireland's GDP and Gross National Income (GNI) was 18% in 2003. This means that standardised expenditure data for Ireland would be higher if GNI (or GNP) were used instead of GDP. For most OECD countries, however, the difference between GDP and GNI is negligible and the vast majority of other countries are quite

happy to continue using GDP to standardise international data on expenditure. Department of Education and Science expenditure on education in Ireland in 2003, the reference year used in the latest 'Education at a Glance' report, represented 4.9% of Gross National Income. This increased to 5.2% in 2005 (provisional).

The Deputy should also note that spending by my Department on second level education increased by 17% between 2003 and 2005. In 2005 €2.7 billion was spent on second-level education, up from €2.3 billion in 2003 and €1.25 billion in 1997. This Government has dramatically increased investment in education in recent years. However, it is simplistic to just say that increasing spending will result in better outcomes as evidenced by the relatively poor educational outcomes of some high spending countries. What we all wish to see is the resources targeted towards education being used to best advantage at all levels.

Special Educational Needs.

1342. **Mr. Deasy** asked the Minister for Education and Science the additional teaching hours available to a profoundly deaf student (details supplied) to assist them in their leaving certificate year; and if concessions are given to them regarding the number of points required to enter third level education. [29393/06]

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 including children with hearing impairment. 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 1,820 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 533 whole time equivalent learning support teachers and approximately 1,319 whole time equivalent special needs assistants (SNA's) in our second level schools.

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;
- 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 SENOs 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 the case of the school referred to by the Deputy, an additional allocation of 3.74 teaching posts and 3 special needs assistant posts has been granted to cater for the special educational needs of its pupils including the needs of the pupil in question.

Pupils with disabilities are encouraged to indicate this on their CAO application form. The sole purpose of this is to allow Higher Educational Institutes to consider, in consultation with the pupil, any specific support needs the pupil may have. Some Higher Education Institutes may also take account of such disabilities of specific learning difficulties in considering the provision of special admission procedures. 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

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benefit in ensuring that all children with special educational needs receive the support they require.

Schools Building Projects.

1343. **Mr. Deasy** asked the Minister for Education and Science when she expects to grant approval for the provision of a new school building for a school (details supplied) in County Waterford to accommodate the growing population of the school; and if she will make a statement on the matter. [29409/06]

Minister for Education and Science (Ms Hanafin): The School Planning Section of the Department is in receipt of an application for major capital works from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale projects and was assigned a Band 2 rating. A request has issued to the local inspector seeking updated information on projected enrolments. As soon as this information is received the School Planning Section will be in contact with the management authority of the school to progress the project.

State Examinations.

1344. **Mr. Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 465 of 20 June 2006, her plans to introduce physical education as an examination subject at leaving certificate level; and if she will make a statement on the matter. [29451/06]

Minister for Education and Science (Ms Hanafin): In accordance with the Rules and Programme for Secondary Schools, all second level schools should offer Physical Education as part of the curriculum. The programme should be based on the Department's approved syllabuses and teaching hours should be registered on the school timetable. The syllabuses in Physical Education have been developed on the basis of a time allocation of two hours per week. The phasing in of a revised Physical Education syllabus (non-examination) at Junior Cycle level commenced in September 2003. The Junior Cycle Physical Education Support Service has been in place since then to support teachers in the implementation of this syllabus. It is not possible at this time to set a timescale for the introduction of Physical Education as an examination subject.

Schools Funding.

1345. **Mr. Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 491 of 20 June 2006, the steps she is taking to address the issue of equity in relation to funding for voluntary second level schools; her

plans to improve the funding position of these schools; and if she will make a statement on the matter. [29454/06]

Minister for Education and Science (Ms Hanafin): Significant improvements in the level of funding for voluntary secondary schools have been made in recent years. In addition to the increases in the standard per capita grant that now stands at €298 per pupil from January last, voluntary secondary schools have benefitted additionally by the introduction of grants under the School Services Support initiative. The standard support services grant that was increased to €107 from January 2006, has been enhanced in the case of voluntary secondary schools by a further €10 per pupil since January 2006 bringing the overall grant for such schools to €159 per pupil. This enhanced grant of €52 per pupil is paid in addition to the range of equalisation grants of up to €15,554 (€44.44 per pupil) per annum that have also been approved for voluntary secondary schools. Schools have considerable discretion as to how this funding is best utilised in the interests of their pupils and schools. My approach has clearly shown my commitment to improving further the funding position of second level schools in the light of available resources and to addressing the issue of equity highlighted by the voluntary school sector.

Legislative Programme.

1346. **Ms Shortall** asked the Minister for Education and Science the Sections and sub-Sections of the Children's Act 2001 coming under the remit of her Department that have not commenced; and the date for their commencement. [29455/06]

Minister for Education and Science (Ms Hanafin): Part 10 of the Children Act 2001 relates to the governance and operation of children detention schools. Section 159(1) of the Act has been commenced for the purpose of allowing 3 representatives of children detention schools to be appointed to the Special Residential Services Board. However, the remaining provisions of Part 10 of the Act have not been commenced.

As the Deputy will be aware, following on from the recommendations contained in the Youth Justice Report published last year, it was decided to transfer responsibility for these institutions from my Department to the Department of Justice, Equality and Law Reform, other than in the case St Joseph's in Clonmel which is to transfer to the Health Services Executive. Responsibility for educational provision in the institutions will be conferred on the relevant vocational education committee. Parts 12 and 13 of the Criminal Justice Act 2006 have given effect to this and made substantial amendments to the Children Act 2001. It is envisaged that this transfer of responsibility will be effected through

the commencement of the 2001 provisions, as amended by the 2006 Act, in the near future.

Schools Building Projects.

1347. **Mr. Wall** asked the Minister for Education and Science when progress will be made in the construction of the new community college in Athy; and if she will make a statement on the matter. [29456/06]

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. This School was one of the twenty five schools that I announced in April of this year to go to tender and construction. A full Design Team has been appointed to bring the proposed building project through the various stages of architectural planning. In April of this year a letter issued to the VEC Authorities giving approval to carry out a draft stage 2 (Outline sketch scheme with costings) submission. When this information is received my Department will be in further contact with the VEC Authorities as to how best to further progress this project.

Schools Amalgamation.

1348. **Mr. Wall** asked the Minister for Education and Science the position in relation to the amalgamation of two secondary schools (details supplied) in County Kildare; and if she will make a statement on the matter. [29457/06]

Minister for Education and Science (Ms Hanafin): The amalgamation of the schools to which the Deputy refers is due to take place with effect from September 2007. A large scale building project is currently on site to facilitate this development.

Schools Refurbishment.

1349. **Mr. Wall** asked the Minister for Education and Science further to Parliamentary Questions Nos. 483 and 484 of 7 February 2006, the position in relation to discussions with the school regarding a possible rationalisation or re-configuration of primary educational facilities in the area where the schools are located; the stage the discussions are at; the agreements which have been reached; if the school will be given a new school building; and if she will make a statement on the matter. [29458/06]

Minister for Education and Science (Ms Hanafin): I wish to inform the Deputy that discussions are on-going with the school authorities of Scoil Padraig, Athy in relation to a possible rationalisation/re-configuration of primary educational facilities in the area concerned. I can assure the Deputy that the Department will take every step to ensure that the discussions referred to will be concluded as quickly as possible so that

a solution can be applied to the accommodation needs of the school in question.

Vocational Training Opportunities Scheme.

1350. **Mr. Ring** asked the Minister for Education and Science if she will instruct the vocational educational committees to increase childcare grants to VTOS participants to a more reasonable level in view of the fact that the grant amount is making VTOS courses prohibitive for lone parents with young children; and if she will make a statement on the matter. [29471/06]

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. One of these further education programmes is the Vocational Training Opportunities Scheme (VTOS). The other programmes are Youthreach and Senior Traveller Training.

The amount of grant that each VEC receives is determined by reference to the number of students it has enrolled on these programmes who require childcare assistance 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; or
- the purchase of places in existing community or commercial creches. This is subject to payment of a maximum of €63.50 per week per child for a full-day session, with pro-rata adjustments for sessions of lesser duration; or — the payment of child-minders, 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 provision for 2006 is €5.69m.

Pupil-Teacher Ratio.

1351. **Mr. Durkan** asked the Minister for Education and Science if she will review enrolment

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policy in respect of primary schools in County Kildare which in areas of population growth militates against an improvement in pupil/teachers ratios; and if she will make a statement on the matter. [29488/06]

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.

It is the responsibility of the managerial authorities of schools that are not in a position to admit all pupils seeking entry to implement an enrolment policy in accordance with the Education Act. In this regard a board of management may find it necessary to restrict enrolment to children from a particular area or a particular age group or, occasionally, on the basis of some other criterion. In formulating an admissions policy a school must, however, ensure it is lawful. In particular, it must act in accordance with section 7 of the Equal Status Act 2000 which, subject to very limited exceptions, prohibits schools from discriminating against people in relation to a number of matters including the admission or the terms or conditions of admission of a person as a student to the school.

As the Deputy will be aware, major improvements have been made in staffing at primary level in recent years. At the beginning of the current school year there are no less than 4000 extra teachers in our primary schools compared with 2002. The average class size in our primary schools is 24, but there is now one teacher for 17 pupils at primary level — including resource teachers etc. 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 priority areas of disadvantage and special education and also under a reduction in the mainstream staffing schedule.

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.

Question No. 1352 answered with Question No. 1336.

Bullying In Schools.

1353. **Mr. Durkan** asked the Minister for Education and Science her plans, to combat alleged increased incidents of school bullying; if she has received indications of bullying of pupils or students by their peers or 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 will address the issue in the near future; and if she will make a statement on the matter. [29490/06]

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 current 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.

Schools Accommodation.

1354. **Mr. Durkan** asked the Minister for Education and Science to indicate the extent to which progress has been achieved in relation to alleviation of accommodation requirements at a school (details supplied) in County Kildare; if the means have been identified to permanently resolve this

issue; and if she will make a statement on the matter. [29491/06]

Minister for Education and Science (Ms Hanafin): The School Planning Section of the Department has received an application for major capital funding from the management authorities of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale projects. Progress on the proposed works is being considered in the context of the School Building and Modernisation Programme from 2007 onwards.

1355. **Mr. Durkan** asked the Minister for Education and Science the extent to which progress has been achieved in relation to alleviation of accommodation requirements at a school (details supplied) in County Kildare; if the means have been identified to permanently resolve this issue; and if she will make a statement on the matter. [29492/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that the school in question received approval from the Department to proceed with the rental of pre-fabricated accommodation to cater for its needs this September. To cater for its long term needs, the school was recently requested to update its application for large scale capital investment. It is intended to examine the needs of all primary schools in the town concerned in tandem as soon as similar updated application forms are received from the relevant schools which will provide long-term enrolment projections and a local Inspector’s report.

School Staffing.

1356. **Mr. Durkan** asked the Minister for Education and Science if she expects to be in a position to increase teaching staff numbers at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [29493/06]

Minister for Education and Science (Ms Hanafin): 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. 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 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 speci-

[Ms Hanafin.]

fied figure. If the specified figure is not achieved on 30th September, sanction for the post is withdrawn. Application(s) for an additional post(s) under developing school criteria must be submitted on or before 10 October, 2006.

The enrolment of the school referred to by the Deputy on 30th September 2005 was 248 pupils, which warrants a staffing of a Principal and 9 mainstream staff teachers for the 2006/2007 school year. To ensure transparency and openness in the system an independent Appeals Board is now in place to decide on any mainstream staffing appeals. The criteria under which an appeal can be made are set out in Primary Circular 0024/2006, which is available on my Department's website. The closing date for receipt of appeals for the next Appeals Board meeting is 18th October 2006.

1357. **Mr. Durkan** asked the Minister for Education and Science when teaching staff numbers will be matched with requirements at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [29494/06]

Minister for Education and Science (Ms Hanafin): 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. 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 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. Application(s) for an additional post(s) under developing school criteria must be submitted on or before 10 October, 2006.

The enrolment of the school referred to by the Deputy on 30th September 2005 was 187 pupils, which warrants a staffing of a Principal and 7 mainstream staff teachers for the 2006/2007 school year. To ensure transparency and openness in the system an independent Appeals Board is now in place to decide on any mainstream staffing appeals. The criteria under which an appeal can be made are set out in Primary Circular 0024/2006, which is available on my Department's website. The closing date for receipt of appeals for the next Appeals Board meeting is 18th October 2006.

Schools Building Projects.

1358. **Mr. Durkan** asked the Minister for Education and Science the progress to date in regard to an application for extra facilities at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [29495/06]

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. This School was one of the sixty two schools that I announced in January of this year to start the architectural planning process. A full Design Team has been appointed to bring the proposed building project through the various stages of architectural planning. County Kildare VEC has allocated a three acre site from within the twenty acre Pipers Hill Campus for the School in question. It is expected that the Piper's Hill site will be transferred into the ownership of County Kildare VEC in the near future. The proposed new school consists of an area of 2215 sq.m.

In September of this year a letter issued to the School Authorities and the Consultant Architects on the project giving approval to carry out a combined stage 1/2 (Outline sketch scheme with costings) submission. When this information is received in my Department, my Department will be in further contact with the school Authorities and the Design Team as to how best to further progress this project.

1359. **Mr. Durkan** asked the Minister for Education and Science the position in regard to the acquisition of site and provision of new school at a site (details supplied) in County Kildare; when the project will proceed; the time frame involved; and if she will make a statement on the matter. [29496/06]

1426. **Mr. Stagg** asked the Minister for Education and Science if a design team has been appointed for a school (details supplied) in County Kildare, in view of the fact that the contract documents for the site for the new school were signed on 3 July 2006. [29989/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1359 and 1426 together.

I am pleased to be able to inform the Deputies that a site has recently been acquired for the provision of a new building for the school in question. Progress on the building project is now being considered in the context of the School Building and Modernisation Programme from 2007 onwards.

1360. **Mr. Durkan** asked the Minister for Education and Science the position in relation to the provision of permanent facilities required at a school (details supplied) in County Kildare; the

time frame for the implementation of same; and if she will make a statement on the matter. [29497/06]

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. This School was one of sixty two schools that I announced in January of this year to start the architectural planning process. A full Design Team has been appointed to bring the proposed building project through the various stages of architectural planning.

In July of this year following an information seminar held in my Department's offices in Tullamore, the Architect for the School in question was furnished with the relevant drawings and asked to forward a stage 3 submission (Detailed Plans / costs) to my Department for approval. When this information is received my Department will be in further contact with the school Authorities and the Design Team as to how best to further progress this project.

1361. **Mr. Durkan** asked the Minister for Education and Science the time-frame for the completion of extra facilities at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [29498/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that on 14 March 2006 my Department gave devolved authority for the project in question to proceed to Planning Permission and preparation of tender documentation. My Department is currently awaiting confirmation from the school that they have completed this process.

1362. **Mr. Durkan** asked the Minister for Education and Science the progress in respect of the provision of the permanent facilities required at a school (details supplied) in County Kildare; the time-frame for completion of same; and if she will make a statement on the matter. [29499/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction of the new building for the school in question is underway. It is envisaged that the building will be ready for occupation in September 2007.

1363. **Mr. Durkan** asked the Minister for Education and Science the progress in regard to the provision of extra facilities required at a school (details supplied) in County Kildare; if she expects the project to advance in the current year; and if she will make a statement on the matter. [29500/06]

Minister for Education and Science (Ms Hanafin): The process of appointing a design team to the proposed building project at the

school referred to by the Deputy has commenced. On behalf of the Client, the School Board of Management, my School Building Section published the advertisement seeking the relevant consultancy services on the public procurement portal, *www.etenders.gov.ie*, on 15 August last. The closing date for receipt of expressions of interest under this EU procurement process is 12 noon on Monday 9th October 2006 and all submissions are returning to the Board of Management who will conduct the assessment of those submissions. As soon as the Board of Management has completed the assessment exercise, and the School Building Section has ratified their recommendations, the architectural planning phase of the project will begin.

1364. **Mr. Durkan** asked the Minister for Education and Science the progress to date regarding 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. [29501/06]

Minister for Education and Science (Ms Hanafin): Major works to the roofs of the school in question are underway and should be completed in the next 4/5 weeks. In addition the school authorities applied for emergency works funding to carry out repairs to the Sports hall. Approval for these works was given on 17th August last.

School Staffing.

1365. **Mr. Durkan** asked the Minister for Education and Science the steps she has taken to improve the pupil/teacher ratio in the most affected schools in County Kildare; and if she will make a statement on the matter. [29502/06]

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. At the beginning of the current school year there are no less than 4000 extra teachers in our primary schools, compared with 2002. The average class size in our primary schools is 24 and there is now one teacher for 17 pupils at primary level.

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.

[Ms Hanafin.]

As you know all primary schools are staffed on a general rule of at least one classroom teacher for every 28 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 28 children in the school. Next year (2007/2008 school year) this is being reduced to 27 children per classroom teacher.

A further initiative that has been of direct benefit to primary schools has been the change in the criteria for developing schools. 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 many schools. 170 such posts were 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 fell from 16:1 to 13:1 during the period from 1996/97 to 2005/2006. The reduction in the ratio was achieved through the creation of over 2000 additional posts and the retention of over 2100 posts which would otherwise have been lost due to the fall in 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.

School Accommodation.

1366. **Mr. Durkan** asked the Minister for Education and Science the action she has taken or 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, various county development plans and school authorities; and if she will make a statement on the matter. [29503/06]

Minister for Education and Science (Ms Hanafin): The process of assessing the need for new or additional educational facilities at primary or post-primary level in any given area entails consideration of all relevant factors, including enrolment and demographic trends, housing developments and the capacity of existing schools to meet the demand for places. Liaison with existing schools is also an important part of the process, as the school authorities would usually alert my Department where, in their view, the need for additional accommodation is anticipated. In this way, every effort is made to ensure that there is adequate existing provision, or that timely arrangements are made to extend capacity or provide new infrastructure where necessary.

Over and above the statutory consultation provisions in relation to draft area development

plans, the Department has in recent years worked to strengthen contacts with local authorities to enable informed decisions to be made in planning future educational provision. It's obvious that plans for new schools must be backed up by a significant structural programme and that the most urgent schools feature in a capital programme. To achieve this, each application for capital funding is measured against published prioritisation criteria. Under the criteria, projects in rapidly developing areas, such as Co. Kildare, are assigned a band 1 priority rating which is the highest priority possible. This is clear evidence of my Department's commitment to ensuring that the needs of rapidly developing areas are met as quickly as possible.

To underpin the prioritisation criteria, standard/generic designs have been developed by Building Section for 8 and 16-classroom schools to fast track delivery. Use of these designs essentially means that the time spent on the traditional early stages of architectural planning has been removed and now, once a site has been acquired and is suitable, the plan can be submitted for planning permission after site orientation has been carried out. Where a Generic Repeat Design is not suitable due to site restrictions, School Building Section can use the Design and Build approach to effect a fast delivery.

My Department is also working proactively with some local authorities to explore the possibility of the development of school provision in tandem with the development of community facilities. This enhanced cooperation has the effect of minimising the Department's land requirements and thus reducing site costs while at the same time providing local communities with new schools with enhanced facilities.

Under the provisions of the Strategic Development Zones (SDZ) it is generally the position that sites must be reserved for schools and that the schools must be developed commensurate with housing and other developments such as community facilities. This approach ensures that schools are delivered commensurate with housing developments and it one that should be considered for replication by local authorities up and down the country.

The Department has recently adopted an area based approach to school planning where, through a public consultation process involving all interested parties, a blueprint for schools' development in an area for a 10 year timeframe is set out. The draft should be ready to go for public consultation in a matter of weeks. The purpose of this new approach to school planning is to ensure that, in future, the provision of school infrastructure will be decided only after a transparent consultation process. In this regard, parents, trustees, sponsors of prospective new schools and all interested parties in the locality will have the opportunity to have their voices heard in the process.

As the Deputy will be aware, major improvements have been made in staffing at both primary and post-primary level in recent years. At the beginning of the current school year there are no less than 4000 extra teachers in our primary schools, compared with 2002. The average class size in our primary schools 24 and there is now one teacher for 17 pupils at primary level. 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 the Deputy knows all primary schools are staffed on a general rule of at least one classroom teacher for every 28 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 28 children in the school. Next year (2007/2008 school year) this is being reduced to 27 children per classroom teacher.

A further initiative that has been of direct benefit to primary schools has been the change in the criteria for developing schools. 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 many schools. 170 such posts were 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 fell from 16:1 to 13:1 during the period from 1996/97 to 2005/2006. The reduction in the ratio was achieved through the creation of over 2000 additional posts and the retention of over 2100 posts which would otherwise have been lost due to the fall in 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.

1367. **Mr. Durkan** asked the Minister for Education and Science the position in relation to developments relating to full occupational capacity at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [29618/06]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware the new school to which he refers opened in September 2005. The school was given approval to enrol two Jun-

ior Infant Classes per year and, when fully occupied, will operate as a two-stream 16-classroom school. 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 authority has been given approval to enrol three junior infants classes for the 2006/07 school year only, on the grounds that this will not impact negatively on the other schools in question. Approval has also been given to enrol an additional 40 pupils up the classes that could not obtain places in other schools in the area. Pupils moving into the area in the course of the school year can also enrol in the school on the same basis.

Special Educational Needs.

1368. **Mr. Durkan** asked the Minister for Education and Science the progress over the summer period regarding the opening of the special autism unit at a school (details supplied) in County Kildare, which was completed in 2003; the proposals she has to address the issue at an early date in an effort to resolve matters; and if she will make a statement on the matter. [29619/06]

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 a staffing allocation of 2 full time teachers and 4 special needs assistants.

Officials from my Department, the National Council for Special Education (NCSE) and the Health Services Executive (HSE) met with members of the Board of Management of the school on 22nd June 2006 in order to progress the opening of the unit and, since that date, the HSE has been in further contact with the school authorities. The NCSE is continuing to liaise with the school on an ongoing basis in order to progress the situation.

Schools Building Projects.

1369. **Mr. Durkan** asked the Minister for Education and Science the progress to date regarding the provision of extra facilities at a school (details supplied) in County Kildare; if tender documentation has been received and approved; the likely time-frame for same; and if she will make a statement on the matter. [29620/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that on 10 April 2006 my Department gave devolved authority for the project in question to proceed to Planning Permission and preparation of tender documentation. My Department is currently awaiting confirmation from the school that they have completed this process.

1370. **Mr. Durkan** asked the Minister for Education and Science the progress to date regarding the provision of extra facilities at a school (details supplied) in County Kildare; if relevant documentation required under stage 3 has been received and approved by her department; the likely time-frame for same; and if she will make a statement on the matter. [29621/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform 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. As the Board of Management are the Client in this instance, responsibility for setting a time frame for the receipt of the stage 3 submission lies with them.

1371. **Mr. Durkan** asked the Minister for Education and Science the position regarding building project commenced in May at a school (details supplied) County Kildare; if all funding has been drawn down; the likely time-frame for completion; and if she will make a statement on the matter. [29622/06]

Minister for Education and Science (Ms Hanafin): As part of the expansion of the devolved scheme for primary school building works, a grant of €250,000 was sanctioned in 2005 to enable the management authorities of the school in question to provide additional accommodation. The project commenced in May of this year and 70% of the grant has been paid to the school. It is expected that the project will be completed by the end of the year and the remaining 30% of the grant will then be issued to the school.

1372. **Mr. Durkan** asked the Minister for Education and Science the progress to date regarding the provision of extra facilities at a school (details supplied) in County Kildare; if relevant documentation required under stage 3 has been received and approved by her Department; the likely time-frame for same; and if she will make a statement on the matter. [29623/06]

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. As the Board of Management are the Client in this instance, responsibility for setting a time frame for the receipt of the stage 3 submission lies with them.

1373. **Mr. Durkan** asked the Minister for Education and Science the progress to date regarding the provision of extra facilities at a school (details supplied) in County Kildare; if relevant documentation required under stage 3 has been received and approved by her Department; the likely time-frame for same; and if she will make a statement on the matter. [29624/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform 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. As the Board of Management are the Client in this instance, responsibility for setting a time frame for the receipt of the stage 3 submission lies with them.

1374. **Mr. Durkan** asked the Minister for Education and Science the progress over the summer period regarding the future and location of a school (details supplied) in County Kildare; her plans to progress this matter over the next 6 months; and if she will make a statement on the matter. [29625/06]

Minister for Education and Science (Ms Hanafin): The management authority of the school in question, Co. Kildare Vocational Education Committee, is currently progressing plans to re-locate the school and extend capacity to 1000 pupils. In September of 2006, the VEC authorities notified my Department that the site had just received full planning permission for the education campus and, assuming that the VEC do not have to go to An Bord Pleanála, then when the statutory period of five weeks elapses it will be legally transferred immediately to Kildare VEC authorities.

1375. **Mr. Durkan** asked the Minister for Education and Science the progress over the summer period regarding the provision of the new school (details supplied) in County Kildare, if all matters relating to site acquisition, planning and any other procedures associated with such a project have been addressed; the likely commencement date of building works; her plans to progress this matter over the next 6 months; and if she will make a statement on the matter. [29626/06]

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 was requested to source a site for a new national school in Kill. Agreement has been reached, subject to contract, on the acquisition of a site for a new school at Kill, Co. Kildare. Draft contracts have been exchanged but the conveying process is delayed by the vendor, pending the outcome of a planning application.

School Accommodation.

1376. **Mr. Lowry** asked the Minister for Education and Science the number of prefabs currently in use by primary schools and post-primary schools in County Tipperary; and the number of learners who are being taught in prefabs in the primary, secondary, adult and further education sectors. [29627/06]

Minister for Education and Science (Ms Hanafin): The information sought by the Deputy is not readily available in my Department. However, if the Deputy wishes to request details on a specific school, my officials will provide the required information. 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 and the demands to cater for diversity through the recognition of new Gaelscoileanna and Educate Together schools.

The focus within my Department is to empower schools to resolve their accommodation needs, wherever possible, by way of permanent accommodation. In order to reduce the amount of temporary/prefabricated accommodation at primary level and to upgrade existing facilities, two new initiatives, the Permanent Accommodation Initiative and the Small School Initiative, were launched in 2003 on a pilot basis. The purpose of these initiatives was to allow primary schools to undertake a permanent solution to their classroom accommodation needs and to achieve the best value for money as opposed to the provision of temporary accommodation.

The feedback has in general been very positive, the number of schools participating has increased year on year and many schools are anxious to be included. In order to maintain this momentum I invited 210 schools to participate in these schemes in 2006. This brings to 520 the number of schools invited to participate schemes since 2003. As a result of these schemes the amount spent on the purchase of prefabricated buildings in has been significantly reduced.

School Transport.

1377. **Mr. Lowry** asked the Minister for Education and Science her views on exempting students with individual medical cards from charges associated with school bus tickets; the

number of students whose parents hold a medical card in each county availing of a school bus ticket; the number of individual students who were refused a free ticket due to their parents not holding a medical card; the costs of such a change; and if she will make a statement on the matter. [29628/06]

Minister of State at the Department of Education and Science (Miss de Valera): I have no plans to exempt students with individual medical cards from paying charges associated with school bus tickets. The statistical information requested by the Deputy is not available.

Adult Education.

1378. **Mr. Lowry** asked the Minister for Education and Science her views on substantially increasing the financial supports available to adults returning to education, in view of the fact that many fourth level university education courses have fees ranging from €10,000 to €30,000 per annum; and if she will make a statement on the matter. [29629/06]

Minister for Education and Science (Ms Hanafin): Under my Department's Free Fees Initiative the Exchequer meets the tuition fees of eligible students who are attending approved full-time undergraduate courses in the State. The Free Fees Initiative does not extend to postgraduate study in Ireland, however if a candidate qualifies for the means-tested maintenance grant he/she could have their fees paid up to the maximum fee limit of €5,730, for the 2006/07 academic year.

Under the terms of my Department's Third Level Maintenance Grant Schemes, which are administered on behalf of the Department by the Local Authorities and the Vocational Education Committees, the position is that, generally speaking, students who are entering approved courses for the first time are eligible for grants where they satisfy the relevant conditions as to residence, means, nationality and previous academic attainment. An approved course for the purpose of the Schemes means a full-time undergraduate course of not less than two years duration and full time postgraduate course of not less than one year's duration pursued in an approved institution.

In relation to the value of the grant, the practice in recent years has been to increase the level of maintenance grants annually at least in line with inflation as per the consumer price index. The reference period currently used is the increase in the period to December of the year prior to the relevant academic year. An increase of 3% rather than the 2.5% in the December to December period was approved in respect of the ordinary rates of maintenance for 2006/07 academic year.

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The Special Rates of Maintenance Grant, usually referred to as “top-up” grants, payable to disadvantaged grant holders, were introduced with effect from the 2000/01 academic year. The higher, non-adjacent special rate of maintenance is based on the maximum personal rate of Social Welfare Unemployment Assistance. An increase of 22.5% in the ‘top-up’ maintenance grant for 2006/07. Students qualifying for the higher non-adjacent rate of grant will receive €5,970 in the 2006/07 academic year. The higher non-adjacent rate of maintenance grant is payable to all eligible mature students.

I have no plans at present to depart from the current practice.

Section 473A, Taxes Consolidation Act, 1997, provides tax relief, at the standard rate of tax, for tuition fees paid in respect of approved courses at approved colleges of higher education including certain approved undergraduate and postgraduate courses in E.U. Member States and in non EU countries. Further details and conditions in relation to this tax relief are available from local Tax Offices or alternatively from Revenue’s Internet site at www.revenue.ie.

Schools Building Projects.

1379. **Mr. Durkan** asked the Minister for Education and Science the position on an extension project at a school (details supplied) in County Kildare; if the school authorities have responded to her Department’s development control plan report; her plans to progress this matter in the next 6 months; and if she will make a statement on the matter. [29630/06]

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 2005 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 outreach 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.

1380. **Mr. Durkan** asked the Minister for Education and Science the position on an application for major capital funding by the management authority of a school (details supplied) in County Kildare; if she expects to be in a position to respond favourably to this request in the near future; the likely time-frame for implementation of funding for this school; and if she will make a statement on the matter. [29631/06]

1381. **Mr. Durkan** asked the Minister for Education and Science the position on an application for major capital funding by the management authority of a school (details supplied) in County Kildare; if she expects to be in a position to respond favourably to this request in the near future; the likely time-frame for implementation of funding for this school; and if she will make a statement on the matter. [29632/06]

1382. **Mr. Durkan** asked the Minister for Education and Science the position on an application for major capital funding by the management authority of a school (details supplied) in County Kildare; if she expects to be in a position to respond favourably to this request in the near future; the likely time-frame for implementation of funding for this school; and if she will make a statement on the matter. [29633/06]

1383. **Mr. Durkan** asked the Minister for Education and Science the position on an application for major capital funding by the management authority of a school (details supplied) in County Kildare; if she expects to be in a position to respond favourably to this request in the near future; the likely time-frame for implementation of funding for this school; and if she will make a statement on the matter. [29634/06]

1384. **Mr. Durkan** asked the Minister for Education and Science the position on an application for major capital funding by the management authority of a school (details supplied) in County Kildare; if she expects to be in a position to respond favourably to this request in the near future; the likely time-frame for implementation of funding for this school; and if she will make a statement on the matter. [29635/06]

1428. **Mr. Stagg** asked the Minister for Education and Science if a design team is to be appointed for the required extension to a school (details supplied) in County Kildare. [29995/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1380 to 1384, inclusive, and 1428 together.

The School Planning Section of my Department has received applications for major capital funding from the management authorities of the schools to which the Deputies refer. The applications have been assessed in accordance with the

published prioritisation criteria for large scale projects. Progress on the proposed works is being considered in the context of the School Building and Modernisation Programme from 2007 onwards.

Higher Education Grants.

1385. **Mr. Perry** asked the Minister for Education and Science the reason a person (details supplied) cannot apply for the higher education grant; if her attention has been drawn to the circumstances as outlined; if she will agree to approve the application; and if she will make a statement on the matter. [29653/06]

Minister for Education and Science (Ms Hanafin): Part-time courses are not approved courses under the terms of the Maintenance Grant Schemes.

Any extension of the student support schemes to part-time studies would have significant cost implications. I have no plans at present to extend the grant schemes to include part-time students.

Pupil-Teacher Ratio.

1386. **Mr. Allen** asked the Minister for Education and Science her views on the situation where there are 36 students in a class at a school (details supplied) in County Cork; and the steps she proposes to take on this unacceptable situation; and if she will make a statement on the matter. [29662/06]

Minister for Education and Science (Ms Hanafin): 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. 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 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. Application(s) for an additional post(s) under developing school criteria must be submitted on or before 10 October, 2006.

The enrolment of the school referred to by the Deputy on 30th September 2005 was 428 pupils, which warrants a staffing of a Principal and 15 mainstream staff teachers for the 2006/2007 school year. The school also has the services of 2 disadvantaged concessionary posts, 3 learning

support posts, 1 home school liaison post and 1 temporary post for non national pupils.

The assignment of pupils and the allocation of teachers to classes is a matter for the school authorities. In this particular case, the Deputy may wish to know that there are 6 classes with less than twenty pupils, 5 classes with 21 to 23 pupils and 4 classes with 25 to 26 pupils.

To ensure transparency and openness in the system an independent Appeals Board is now in place to decide on any mainstream staffing appeals. The criteria under which an appeal can be made are set out in Primary Circular 0024/2006, which is available on my Department's website. The closing date for receipt of appeals for the next Appeals Board meeting is 18th October 2006.

Special Educational Needs.

1387. **Dr. Cowley** asked the Minister for Education and Science her views on the situation where her Department is using millions of taxpayer's money fighting parents in the courts who are trying to access services for their children with autism; and if she will make a statement on the matter. [29663/06]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware of the enormous progress made over the past number of years in relation to increasing the number of teachers and other supports in our schools which are specifically dedicated to providing education for children with special educational needs. I wish to assure the Deputy that I am most anxious that all children, including children with autistic spectrum disorders, receive an education appropriate to their needs. It is in recognition of this that my Department currently provides the following facilities for the education of children with autism:

- 159 Special Classes for children with autism, attached to special and mainstream schools
- 15 pre-school classes
- 5 Special classes for children with Asperger's Syndrome
- 12 Stand-Alone facilities providing an Applied Behavioural Analysis (ABA) specific methodology.

I can confirm that I will continue to prioritise the issue of special needs education and, in co-operation with the National Council for Special Education, ensure that all children with special needs are adequately resourced.

The litigation the Deputy refers to is brought not by the State but by parents seeking a particular form of provision for their child. The State makes every effort to reach an accommodation with parents while having regard to their genuine concerns and wishes, Government policy, the best

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interests of the child and the expert advice available to it. In the last 6 years, only 3 cases have gone as far as being ruled upon by the Courts, all of which the State successfully defended. A 4th case is currently awaiting judgement.

To date in 2006 my Department has spent a total of approximately €454,680 on legal costs and settlements associated with court cases relating to educational provision for children with special needs compared to a total of approximately €1.6 million in 2005, €5.64 million in 2004 and €4.3 million in 2003. I wish to assure the Deputy that my Department is not complacent in dealing with these cases and it attempts, whenever possible, to reduce the potential for litigation and the levels of legal costs where litigation arises. Quite often, however, the issue of the plaintiff's legal costs become a barrier to reaching a settled compromise.

The number of cases taken against the State is showing a downward trend and I believe that the establishment of the National Council for Special Education will further assist the reduction in litigation in providing through its special educational needs organisers, a more focused and local response to individual needs. In addition, with the staged implementation of the Education for Persons with Special Educational Needs Act 2004, parents who believe their child's needs are not being met will have a process of mediation and appeals open to them. These are likely to prove more appropriate, and less costly, forums in the future than pursuing these matters through the courts.

Schools Refurbishment.

1388. **Mr. Nolan** asked the Minister for Education and Science when will she sanction funding applied for by a school (details supplied) in County Carlow for the installation of a sewerage supply system; and if she will make a statement on the matter. [29664/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that funding for the installation of a sewerage supply system for the school in question was sanctioned by my Department on 13th of July 2006.

Education Provision.

1389. **Mr. McEntee** asked the Minister for Education and Science when the Plan for Educational Provision for the East Meath/North Dublin/South Louth area will be published; and if she will make a statement on the matter. [29665/06]

Minister for Education and Science (Ms Hanafin): The Plan for Education Provision for the East Meath/North Dublin/South Louth area is currently being revised in the School Planning Section of the Department to take into account

the preliminary Census figures published recently.

The Draft Plan should be ready to go for public consultation in a matter of weeks.

Schools Building Projects.

1390. **Mr. Nolan** asked the Minister for Education and Science when funding will be made available for the provision of four extra classrooms to a school (details supplied) in County Carlow; and if she will make a statement on the matter. [29666/06]

Minister for Education and Science (Ms Hanafin): The School Planning Section of the Department is in receipt of an application for major capital works from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale projects and was assigned a Band 2 rating. Progress on the proposed works is being considered in the context of the School Building and Modernisation Programme from 2006 onwards.

School Evaluations.

1391. **Mr. Ring** asked the Minister for Education and Science if she will conduct an independent inquiry of a school (details supplied) in County Mayo on the problems that currently exist there. [29734/06]

1392. **Mr. Ring** asked the Minister for Education and Science when the manager's report of a primary school (details supplied) in County Mayo is being given to her; if the report has been submitted to date; if she will be making a comment on that report; when the report will be made public; and if she will make a statement on the matter. [29735/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1391 and 1392 together.

Under the provisions of the Education Act, 1998, the Board of Management is the body charged with the direct governance of a school. In general, the Board has the responsibility to ensure that the school operates efficiently and effectively and also has responsibilities in relation to the action of its employees. The Board must manage the staff in the school and intervene when it considers necessary to resolve matters relating to the actions of its employees. The Board of Management is the employer and has similar powers to any other employer.

With regard to the specific case referred to by the Deputy, the Patron of the school dissolved the Board of Management in March, 2006 and, with my approval, appointed a single manager to manage the school for a period of six months in accordance with the relevant provisions of the

Education Act, 1998. I am aware that, since his appointment, the single manager has been making strenuous efforts to address the difficulties at the school.

The Patron has recently requested my approval for an extension of six months to the term of office of the single manager. Before reaching a decision on the Patron's proposal, I have requested a report from the single manager on the situation in the school. I expect to receive that report shortly.

I am sure the Deputy will appreciate that, pending receipt and consideration of the report, I am not in a position to comment further at this stage.

Higher Education Grants.

1393. **Mr. Durkan** asked the Minister for Education and Science if a review can be undertaken in the application for an educational grant in the name of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [29736/06]

Minister for Education and Science (Ms Hanafin): The three Third Level Student Support Schemes, administered by the Local Authorities and the Vocational Education Committees on behalf of my Department, offer financial assistance to eligible students attending approved third level courses. Students entering approved courses for the first time are, generally speaking, eligible for grants where they satisfy the relevant conditions as to age, residence, means and nationality. Under the terms of the Schemes grants may only be awarded where the reckonable income is below the prescribed income limits.

Under the means test provisions, the reckonable income for candidates other than Independent Mature Student is gross income from all sources of the candidate and his/her parents or guardians where applicable. Certain specified Social Welfare and Health Board payments are exempt in the calculation. The reckonable income limit in respect of this academic year 2006/07 for the full maintenance grant where the number of dependent children is less than 4, which is the position with the candidate mentioned by the Deputy, is €37,365. Candidates who do not qualify for a full maintenance grant could qualify for a part maintenance grant (75%) in respect of which the income limit is €39,695. The income limits to qualify for a 50% grant and a 25% grant are €42,030 and €44,365 respectively. The full Student Service Charge/Registration fee is also payable, where the reckonable income does not exceed €46,700.

Staff in Kildare VEC have confirmed to my Department that this candidate's reckonable income exceeds the reckonable income limits for 2006/07 academic year.

1394. **Mr. Stanton** asked the Minister for Education and Science the reason the higher education grant application forms are not made available on line in a downloadable form; if she will ensure that these forms are made available on line in future years so that they can be downloaded; and if she will make a statement on the matter. [29737/06]

Minister for Education and Science (Ms Hanafin): The application forms and notes are available for information purposes on the Department's website. The matter of making these forms available on-line in a downloadable form is currently under active consideration within the Department, in consultation with the awarding bodies.

Question No. 1395 answered with Question No. 1285.

Vocational Training Opportunities Scheme.

1396. **Mr. Ring** asked the Minister for Education and Science if she will review the VTOS training bonus requirements to include time spent on FAS programmes as counting towards the twelve month eligibility requirements for the weekly VTOS training bonus of €31.80; and if she will make a statement on the matter. [29739/06]

Minister of State for the Department of Education and Science (Miss de Valera): The Vocational Training Opportunities Scheme (VTOS) provides full-time second-chance education and training opportunities for unemployed adults who are at least 21 years of age and in receipt of specific social welfare payments for at least six months (156 days) directly prior to the course commencement date. The scheme is funded by my Department and operated through the 33 Vocational Education Committees (VECs).

A training bonus of €31.80 per week is paid to students who have been in receipt of their social welfare payment for at least 12 months (312) directly before joining VTOS. The bonus was introduced as an incentive to encourage greater participation of long-term unemployed people to join education and training programmes. Time spent on FÁS does not count towards this eligibility requirement. I have no plans to change the eligibility requirements for this bonus at the present time.

Scéim Tógála Scoile.

1397. D'fhiafraigh **Mr. O'Shea** den Aire Oideachais agus Eolaíochta cén dul chun cinn atá déanta maidir leis an iarratas ó Ghaelscoil Philib Barún, Trá Mhór, Contae Phort Láirge, ar fhoirgneamh buan (sonraí tugtha); agus an ndéanfaidh sí ráiteas ina dtaobh [29740/06]

Minister for Education and Science (Ms Hanafin): Tá Rannóg Phleanála Scoileanna mo Roinne tar éis iarratas a fháil ar oibreacha móra caipitil ón údarás bainistíochta sa scoil dá dtagrann an Teachta. Measúnaíodh an t-iarratas de réir na gcrítéar tosaíochta a foilsíodh do thionscadail ar scála mór agus sannadh rátáil Bhandá a 2 dó. Iarradh faisnéis nuashonraithe ón gcigire áitiúil i dtaobh rollachán réamheasta. Chomh luath agus a fhaightear an fhaisnéis seo beidh an Rannóg Phleanála Scoileanna i dteagmháil le húdarás bainistíochta na scoile chun an tionscadal a chur chun cinn.

Special Educational Needs.

1398. **Mr. Gogarty** asked the Minister for Education and Science the reason speech therapy services have not been provided for all students requiring it at a centre (details supplied) for two years; the plans in place to ensure that existing and recently graduated students are given access to the services at a later date; and if she will make a statement on the matter. [29768/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, the provision of therapy services is a matter for the Health Services Executive (HSE) and funding is provided to the HSE for such purposes. Consequently, the information requested by the Deputy is not available in my Department.

1399. **Mr. Neville** asked the Minister for Education and Science when a special needs assistant will be provided for a person (details supplied) in County Limerick. [29769/06]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, the National Council for Special Education (NCSE) has been operational since 1st January 2005, and is responsible for processing applications for special educational needs (SEN) supports through its network of Special Educational Needs Organisers (SENOs).

The NCSE has advised that the local SENO has not as yet received a formal application for SEN supports from the school. I am informed, however, that the school authorities have been in contact with the local SENO and are in the process of making an application.

Adult Education.

1400. **Mr. Bruton** asked the Minister for Education and Science her plans for the development of the further education sector; the recommendations in the McIver Report which have been implemented and those which remain to be implemented; and if she has decided on an implementation strategy for the remaining recommendations. [29770/06]

Minister of State for the Department of Education and Science (Miss de Valera): Government commitment to the PLC sector, by reference to the resources applied in teachers' pay, non-pay running costs, student support and certification costs, is very significant.

We have increased the number of PLC places by 60% since 1996/97. Indeed, the number of PLC places approved for 2005/2006 is up by more than 1,600 on the 2004/05 level. The number of approved places in the sector now stands at 30,188.

We also extended the provision of maintenance grants to PLC students with effect from September 1998. The PLC maintenance grant scheme operates on the same basis as in higher education. There were nearly 8,000 PLC grant holders in 2005 and they received some €23 million in direct support. Tuition fees for PLC courses are also waived.

PLC students are included in the calculation of non-pay budgets issued to schools in respect of running costs. A supplementary non-pay grant towards running costs specifically for PLC schools is also payable. This amounted to €5.5 million in 2005.

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.

The recently published "Towards 2016: Ten Year Framework Social Partnership Agreement 2006-2015" has noted that 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 the subject of further negotiations 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. Student numbers will be subject to audit on an ongoing basis. The scope for rationalisation of provision will also be examined having due regard to ensuring appropriate provision on a geographic basis and the necessary critical mass for delivery of a quality education service.

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.

Vocational Training Opportunities Scheme.

1401. **Mr. N. O’Keeffe** asked the Minister for Education and Science the position regarding a student (details supplied) who has paid privately for third level education in 2000/01 and obtained a certificate at that time and has now enrolled in a VTOS course and has been advised that they cannot qualify for grant — aid as they have already participated in a VTEC course, even though they never received grant aid at the time. [29771/06]

Minister of State for the Department of Education and Science (Miss de Valera): The Vocational Training Opportunities Scheme (VTOS) provides full-time second-chance education and training opportunities for unemployed adults who are in receipt of specified social welfare payments for at least six months (156) days. The scheme is funded by my Department and operated through the 33 Vocational Education Committees (VECs).

The Vocational Education Committee (VEC) in question has advised that the person named in the question has enrolled for a Post Leaving Certificate Programme (PLC). As this VEC has a maximum of 60 VTOS places to offer this year, priority is given to students with the lowest educational attainment. The person in question may wish to contact the Department of Social & Family Affairs to see if she is eligible to pursue her PLC course under the Back to Education Allowance Scheme (BTEA).

Candidates who are entering approved PLC courses for the first time can apply for a means tested maintenance grant. Candidates are ineligible if they already hold a FETAC level 5 qualification, FETAC Level 6 qualification or a third-level qualification at Level 6 or higher (or their equivalents). However, notwithstanding this condition, candidates who already hold a qualification no higher than FETAC Level 5 and are now pursuing a course that offers progression may be deemed eligible for grant aid.

Physical Education Facilities.

1402. **Mr. O’Connor** asked the Minister for Education and Science the progress being made to ensure that the physical education facilities at a school (details supplied) are opened to the public; and if she will make a statement on the matter. [29772/06]

Minister for Education and Science (Ms Hanafin): My Department has provided funding in excess of €34m for the construction of nine dual use halls with enhanced facilities, attached to post-primary schools. Eight of the halls, including the hall referred to by the Deputy, are in Dublin and one is in Cork.

The halls in question have been built as part of a joint programme to develop community sports facilities in drugs task force areas. I recently

announced that part of the funding for educational disadvantage under the Dormant Accounts Fund, 2006, is being made available for the development of the community use of these dual use PE halls. Discussions between my Department and the school authorities in question are ongoing, with a view to facilitating community usage of the hall at an early date.

Schools Building Projects.

1403. **Mr. O’Connor** asked the Minister for Education and Science if she will report on contacts with South Dublin County Council in respect of the need for new school accommodation in the Tallaght Region arising from the continued housing accommodation development in the area; and if she will make a statement on the matter. [29773/06]

Minister for Education and Science (Ms Hanafin): The process of assessing the need for new or additional educational facilities at primary and post-primary level in any given area entails consideration of all relevant factors, including enrolment and demographic trends, housing developments and the capacity of existing schools to meet the demand for school places. Officials of my Departments School Planning Section meet on a regular basis with the Planning Department of South Dublin County Council with a view to identifying the need for additional educational provision and reserving sites for schools, where required. As part of this process, my Department has received details from South Dublin County Council with regards to the proposed new Tallaght town centre, and in particular, details regarding the scale of development and its possible implications for the population of Tallaght. A study of current capacity in existing primary and post-primary schools was also undertaken in the Department and arising from this, a submission has been made on estimated school site and school requirements for inclusion in the local area plan. My Department has requested that two sites be reserved for the provision for four additional primary schools. Owing to the level of spare capacity in existing Post-Primary schools in the area, my Department is not proposing additional post-primary provision at this time.

Question No. 1404 answered with Question No. 1295.

Higher Education Grants.

1405. **Mr. Perry** asked the Minister for Education and Science if she will make a favourable decision on a person’s (details supplied) higher education grant in view of their circumstances; and if she will make a statement on the matter. [29795/06]

Minister for Education and Science (Ms Hanafin): The Higher Education Grant Schemes

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operate under the Local Authorities (Higher Education Grants) Acts, 1968 to 1992. Under the terms of these Acts a mature student is defined as a person of not less than 23 years of age on the 1st of January of the year of entry to their third level course. Under the terms of the Higher Education Grants Schemes, mature students are categorised as either independent mature students or mature students dependent on parents. An independent mature student is defined to mean a mature student who was not ordinarily resident at home with his or her parents from the October preceding their entry to an approved course. Independent mature students are assessed without reference to either their parents' income or address.

My Department understands that the student in question has been resident in America from August 2004 to April 2006. Accordingly, she is ineligible under the terms of the Higher Education Grant Scheme to be assessed as an independent mature candidate or a dependent mature candidate as she fails to meet the residency requirement.

Clause 4.1.1 of the Higher Education Grant Scheme states that the candidate's parents or guardians, or in the case of an independent mature candidate, the candidate herself/himself, shall be ordinarily resident in the administrative area of the Local Authority from 1 October 2005.

Question No. 1406 answered with Question No. 1285.

School Accommodation.

1407. **Mr. Costello** asked the Minister for Education and Science the reason parents are obliged to queue for days and nights outside a school (details supplied) in County Dublin at the beginning of every school year to ensure that their children get a school place; the number of new schools that are required in the Dublin and Leinster area; the steps she will take to address the shortage of school places; and if she will make a statement on the matter. [29808/06]

Minister for Education and Science (Ms Hanafin): Officials in the School Planning Section of my Department have not been made aware of any shortage of places in post-primary provision in Swords.

My Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking second level places. This may result in pupils not obtaining a place in the school of their first choice.

Swords is an area of population growth and while there may be a demand in future years for additional provision at post primary level, the Department is satisfied that, between them, the four existing post primary schools has adequate provision to cater for current demand. There is,

therefore, no obligation on patents to queue for school places, this is done as a matter of choice — a point which has been reflected in media coverage.

Officials in the School Planning Section of my Department are carrying out a review of educational needs in the North Dublin/East Meath/South Louth area (including Swords) by way of a Draft Area Development Plan. The need for additional future post primary provision in Swords is being considered in this context.

The Draft Plan is nearing completion and will be published shortly. Following this, a public consultation process will be conducted by the Commission on School Accommodation. The process will culminate in a final Area Development Plan which will provide a blueprint for educational infrastructure in the area for the next decade including the need or otherwise to provide additional post primary school provision in Swords.

The school referred to by the Deputy has an application with my Department for major capital funding. The application, which is for ancillary accommodation and not to increase the capacity of the school, has been assessed in accordance with the published prioritisation criteria for large scale building projects and progress on the project will be considered in the context of the overall educational plan for the Swords area.

Pupil-Teacher Ratio.

1408. **Mr. Costello** asked the Minister for Education and Science the number of students at junior and senior cycle in secondary schools in classes of 30 or over; the numbers at junior and senior cycle in classes of 25 or over; and if she will make a statement on the matter. [29809/06]

Minister for Education and Science (Ms Hanafin): The specific information requested in relation to class size at post primary is not readily available within my Department. However, in relation to teacher allocations for second level schools the following is the general position.

Allocations are approved by my Department on an annual basis in accordance with generally applied rules relating to recognised pupil enrolment. In general a ratio of 18:1 is applied in respect of recognised pupils on established Junior Certificate, Leaving Certificate, repeat Leaving Certificate and Transition Year Programmes and a ratio of 16:1 is applied in respect of recognised pupils on the Leaving Certificate Vocational Programme, Post leaving Cert courses and Leaving Cert Applied.

Each school management authority is required to organise its curriculum, teaching time-table and subject options having regard to pupils' needs within the limits of its approved teacher allocation. Significant improvements have been made in the pupil teacher ratio at post primary level in recent years. The ratio has fallen from 16:1 in the

1996/97 school year to 13:1 in the 2005/06 school year.

The rules for allocating teaching posts provide that where a school management authority is unable to meet essential curricular commitments, my Department will consider applications for additional short term support.

An independent Appeals Committee is available to school authorities who wish to appeal the adequacy of their teacher allocation.

Question No. 1409 answered with Question No. 1285.

School Accommodation.

1410. **Ms Enright** asked the Minister for Education and Science the number of empty or available classrooms currently available at all primary and secondary schools; if she will provide this information on a county basis; and if she will make a statement on the matter. [29931/06]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is not readily available.

In-service Training.

1411. **Ms Enright** asked the Minister for Education and Science the amount expended on in-service training for teachers of mathematics at leaving certificate level for each year since 2000; the number of teachers of mathematics at leaving certificate level who received in-service training for each year since 2000; the number of teachers of mathematics at leaving certificate level for each year since 2000; and if she will make a statement on the matter. [29932/06]

1412. **Ms Enright** asked the Minister for Education and Science the amount expended on in-service training for teachers of physics at leaving certificate level for each year since 2000; the number of teachers of physics at leaving certificate level who received in-service training for each year since 2000; the number of teachers of physics at leaving certificate level for each year since 2000; and if she will make a statement on the matter. [29933/06]

1413. **Ms Enright** asked the Minister for Education and Science the amount expended on in-service training for teachers of physics and chemistry at leaving certificate level for each year since 2000; the number of teachers of physics and chemistry at leaving certificate level who received in-service training for each year since 2000; the number of teachers of physics and chemistry at leaving certificate level for each year since 2000; and if she will make a statement on the matter. [29934/06]

1414. **Ms Enright** asked the Minister for Education and Science the amount expended on in-service training for teachers of chemistry at leaving certificate level for each year since 2000; the number of teachers of chemistry at leaving certificate level who received in-service training for each year since 2000; the number of teachers of chemistry at leaving certificate level for each year since 2000; and if she will make a statement on the matter. [29935/06]

1415. **Ms Enright** asked the Minister for Education and Science the amount expended on in-service training for teachers of biology at leaving certificate level for each year since 2000; the number of teachers of biology at leaving certificate level who received in-service training for each year since 2000; the number of teachers of biology at leaving certificate level for each year since 2000; and if she will make a statement on the matter. [29936/06]

1416. **Ms Enright** asked the Minister for Education and Science the amount expended on in-service training for teachers of science at junior certificate level for each year since 2000; the number of teachers of science at junior certificate level who received in-service training for each year since 2000; the number of teachers of science at junior certificate level for each year since 2000; and if she will make a statement on the matter. [29937/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1411 to 1416, inclusive, together.

In-service training has been provided in recent years to support the introduction of new curricula in Junior Certificate Science and in Leaving Certificate Physics, Chemistry and Biology. The number of teachers who received training and amount of money expended on such training are included in the attached table. In relation to the expenditure, it should be noted that the table includes the direct costs of providing training which excludes the salaries of teachers seconded from schools to work on these in-service programmes. It is not possible to provide this information within the time-scale for the Deputy's questions but this information can be provided by my officials at a later stage directly to the Deputy if she requires it.

The statistics provided in respect of Physics, Chemistry and Biology refer in some cases to multiple in-service events held during the relevant year. The intensive phase of the Physics and Chemistry support programmes concluded in August 2003 at which time they came under the auspices of the SLSS (Second Level Support Service). The intensive phase of Biology was completed in August of 2004.

Rather than having separate training, all teachers of Physics/Chemistry are invited to

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attend the in-service programmes for both Physics and Chemistry.

As the Deputy will be aware, I have asked the National Council for Curriculum and Assessment to make proposals to me as a matter of priority for reform of the senior cycle Mathematics curriculum. Curricular changes in senior cycle Mathematics will be supported by in-service training. In-service training has been provided for Junior Certificate Maths.

Telecommunications Services.

1417. **Ms Enright** asked the Minister for Education and Science the number of primary and secondary schools with broadband connection, itemised on a county basis; the amount expended on bringing broadband to primary and secondary schools for each year since 2000; and if she will make a statement on the matter. [29938/06]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that my Department is engaged in the roll-out of broadband internet connectivity to all recognised primary and post-primary schools. This project is being undertaken in partnership with industry following the establishment of a three year €18m joint Government — IBEC/TIF (Telecommunications and Internet Federation) Fund to provide local broadband connectivity to schools. The broadband connectivity is being provided via a Schools National Broadband Network supported by HEAnet, which will provide managed Internet access, email, security controls, content filtering and other services designed to enhance the educational process. A Broadband Support Service Desk has also been established to assist schools with advice and information relating to the roll-out and ongoing use of their broadband connectivity within the schools network. The total cost of the project for the three year period will be in the region of 30m.

Following a public tendering process, contracts were finalised in 2005 with six Service Providers for the provision of local access connectivity to 3,925 schools and with a further Provider for the installation of a broadband router at school level where appropriate. The count of the number of schools countenanced under this arrangement has since been amended to take into account the effect of a number of school closures, amalgamations and new opening and stands currently at 3,936. As of Friday 22nd September last some 3,684 of these schools were fully installed with broadband under this process, some 50 others had a partial installation in place. Of the remainder, some 19 schools, as yet to be accommodated under the programme, had a locally organised broadband connection. In addition to the above some 72 school have been provided with broadband connectivity separately by my Department under two pilot projects.

A full breakdown of schools with broadband connectivity by county is appended for the Deputy's information.

Expenditure on the Schools Broadband Programme commenced in 2004 and the year-year breakdown to date on the overall provision of local connectivity, schools routers, the National Network and Service Desk is as follows:

2004 — €1.036m
 2005 — €6.675m
 2006 — €7.082m (to date).

Computerisation Programme.

1418. **Ms Enright** asked the Minister for Education and Science the level of funding available to primary and secondary schools for the purchase of information technology equipment; the amount allocated to schools for the purchase of IT equipment for each year since 2000; and if she will make a statement on the matter. [29939/06]

Minister for Education and Science (Ms Hanafin): The ICT in Schools Programme commenced in 1998 following the publication of Schools IT 2000. The objective of the Programme is to ensure that all students have the opportunity to achieve computer literacy and to acquire the necessary skills for participation in the Information Society. By the end of last year, over €170m was invested in the Programme since its commencement including some €114m in Capital supports. In terms of support to schools for the purchase of IT equipment and the development of their infrastructure (capital), almost €80m has been expended in capital grants direct to schools in the years 2000 to 2005, as follows:

2000 — €2.6 million
 2001 — €26.7 million
 2002 — €23.3 million
 2003 — €6.2 million
 2004 — €18.7 million
 2005 — €2.3 million.

A further €7.1m has been expended in indirect school infrastructural support on Innovative Projects, Training and Broadband support costs.

The major focus for my Department under the ICT in Schools Programme at the moment is the roll-out of broadband connectivity to all recognised schools. This project is being undertaken in partnership with industry, following the establishment of a three year €18m joint Government /IBEC — TIF (Telecommunications and Internet Federation) Fund to fund local connectivity at school level. The broadband connectivity is being provided via a Schools National Broadband Network supported by HEAnet, in order to provide managed Internet access, email, security controls and content filtering. A broadband support

service is being managed by the National Centre for Technology in Education (NCTE) to assist schools with advice and information relating to the roll-out and ongoing use of their broadband connectivity within the schools network. The overall costs of the Schools Broadband Access Programme, including the initial set-up and ongoing costs over the three years, are in the region of €30m.

My Department is currently examining the future priorities for the ICT in Schools Programme. This work is being complemented by a census of ICT infrastructure which was undertaken by the NCTE and by an evaluation of the Impact of ICT on Teaching and Learning which my Department's Inspectorate is currently conducting.

School Enrolments.

1419. **Mr. Stanton** asked the Minister for Education and Science the number of pupils who enrolled in junior infants in ordinary classes in September in the years 2003, 2004 and 2005 respectively; the breakdown of the ages of the pupils concerned; and if she will make a statement on the matter. [29964/06]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is included in the table.

Enrolment has been increasing at primary level since 2001 in response to increased numbers of births since the mid-1990s as well as increases in inward migration. My Department will continue to monitor trends in enrolment at national and local level and associated demographic changes.

Enrolments in Junior Infants Classes by Age

Age	2003	2004	2005
	Total Pupils	Total Pupils	Total Pupils
3	8	14	0
4	25,065	24,689	25,424
5	31,278	31,217	32,254
6	665	671	776
7	36	28	29
8	2	1	1
Total	57,054	56,620	58,484

Schools Building Projects.

1420. **Mr. Stagg** asked the Minister for Education and Science if a design team has been appointed for the required extension to a school (details supplied) in County Kildare; and the status of the architectural planning phase. [29979/06]

Minister for Education and Science (Ms Hanafin): The process of appointing a design team to the proposed building project at the school referred to by the Deputy has commenced.

On behalf of the Client, the School Board of Management, my School Building Section published the advertisement seeking the relevant consultancy services on the public procurement portal, *www.etenders.gov.ie*, on 15 August last. The closing date for receipt of expressions of interest under this EU procurement process is 12 noon on Monday 9th October 2006 and all submissions are returning to the Board of Management who will conduct the assessment of those submissions.

As soon as the Board of Management has completed the assessment exercise, and the School Building Section has ratified their recommendations, the architectural planning phase of the project will begin.

1421. **Mr. Stagg** asked the Minister for Education and Science if the architectural planning phase of a school (details supplied) in County Kildare has been completed; and when this project will go to tender. [29980/06]

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. This school was one of sixty two that I announced in January of this year to start the architectural planning process of their building project.

A full Design Team has been appointed to bring the proposed building project through the various stages of architectural planning.

In July of this year following an information seminar held in my Department's offices in Tullamore, the Architect for the School in question was furnished with the relevant drawings and asked to forward a stage 3 submission (Detailed Plans/costs) to my Department for approval.

When this information is received my Department will be in further contact with the school Authorities and the Design Team as to how best to further progress this project.

1422. **Mr. Stagg** asked the Minister for Education and Science if the architectural planning phase of a school (details supplied) in County Kildare has been completed; and when this project will go to tender. [29981/06]

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. This School was one of the sixty two schools that I announced in January of this year to start the architectural planning process.

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A full Design Team has been appointed to bring the proposed building project through the various stages of architectural planning.

Kildare VEC has allocated a three acre site from within the twenty acre Piper's Hill Campus for the School in question. It is expected that the Piper's Hill site will be transferred to the ownership of Kildare VEC in the near future.

The proposed new school consists of an area of 2215m². In September of this year a letter issued to the School Authorities and the Consultant Architects on the project giving approval to carry out a combined stage 1/2 (Outline sketch scheme with costings) submission. When this information is received in my Department, officials will be in further contact with the school Authorities and the Design Team as to how best to further progress this project.

Progression of projects to tender and construction will be considered in the context of the 2006 to 2010 Schools Building and Modernisation programme.

Psychological Service.

1423. **Mr. Stagg** asked the Minister for Education and Science if the current recruitment process for educational psychologists has been completed; and the number of educational psychologists that will be assigned to schools in County Kildare. [29982/06]

Minister for Education and Science (Ms Hanafin): All primary and post primary schools in Co Kildare have access to psychological assessments either directly through the National Educational Psychological Service (NEPS) or through the Scheme for Commissioning Psychological Assessments (SCPA) that is administered by NEPS and full details of which are available on my Department's website.

In addition, NEPS provides a service to every school in the event of a critical incident regardless of whether the school already has a dedicated service from a NEPS psychologist. Also in relation to all schools, NEPS processes applications for Reasonable Accommodations in Certificate Examinations and responds to queries and requests for assessments in relation to individual children from other sections of my Department and from the specialist agencies.

The Public Appointments Service 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. My Department has recently appointed 7 psychologists, 4 of whom have been appointed to the Mid West region, 1 to the South East region and 2 to the South West area of the Eastern region. The recruitment pro-

cess will continue in the next few months and priority for a direct service from NEPS in each region will be given to schools designated under the DEIS policy.

A full account of service to schools from NEPS will be available in November.

School Staffing.

1424. **Mr. Stagg** asked the Minister for Education and Science the national schools which appealed their mainstream staffing levels for the 2006/2007 school year; the criteria under which they appealed; and the outcome of their appeal. [29983/06]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is provided in the tables.

The Primary Staffing Appeal Board have met on two occasions so far for the 2006-2007 school year, on 25th May 2006 and 11th July 2006. The third and final meeting of the Board for the 2006-2007 school year will take place on the 26th October 2006.

The provisions of the staffing schedule as published in Primary Circular 0023/2006 shall apply unless the Appeal Board determines that a departure is warranted. The Appeal Board may only determine that a departure is warranted in the circumstances outlined below.

Where a departure from the staffing schedule is warranted to meet exceptional accommodation difficulties such as schools operating on a split site for a period following amalgamation or prior to the provision of a permanent building. (Criterion 1)

Where the Board is satisfied on the basis of verifiable evidence that the required pupil numbers were enrolled in September or October, but, due to circumstances outside the control of the school, were not enrolled on the 30th September. However, for staffing purposes, a pupil can be included in the enrolment of only one school in any school year. (Criterion 2)

Where the Board considers that, in relation to the granting of a post under the developing school criterion, the projected pupil numbers required to retain the post were enrolled or are likely to be enrolled by December, but due to circumstances outside the control of the school, were not enrolled as expected on 30 September of the new school year. (Criterion 3)

A post allocated by the Board under this criterion will be sanctioned on a provisional basis subject to confirmation of the required enrolment being achieved by December of the new school year. For staffing purposes, a pupil can be included in the enrolment of only one school in any school year.

The above provisions are outlined in Circular 0024/2006 which issued to all primary schools.

Appeals Board Meeting of 25 May 2006			Roll No	Name & Address of School	
Roll No	Name & Address of School				
			12068D	Our Lady of Mercy NS Kells, Co. Meath	Granted
17965M	<i>Criteria 1</i> St. Bridgets N.S. Ardaghy, Omeath, Co. Louth	Refused	17494W	Rathmore NS Rathmore, Athboy, Co. Meath	Granted
20054L	Scoil Eoghain Moville, Co. Donegal	Refused	20124G	St. Mary's N.S. Edgeworthstown Co. Longford	Granted
12938H	Tavneena N.S. Charlestown, Co. Mayo	Refused	14300O	Killasonna NS Granard, Co. Longford	Refused
13404V	Scoil Mhuire Gan Smal New Inn, Cashel, Co. Tipperary	Refused	17535K	Fenor N.S. Fenor, Co. Waterford	Refused
17848I	Glenville N.S. Co. Cork	Refused	11714D	Bansha N.S. Kilkee, Co. Clare	Refused
20080M	Gaeliscoil an Inbhir Mhoir Co. Wicklow	Refused	16673R	Cushinstown NS Foulksmills, Co. Wexford	Refused
15307K	Dalystown NS Mullingar, Co. Westmeath	Refused	19653D	San Carlo Junior NS Leixlip, Co. Kildare	Refused
13944H	St. Attracta's NS Kilnactigue, Aclare, Co. Sligo	Refused	18198A	Padraig Naofa NS Avoca, Co. Wicklow	Refused
16130C	St. Joseph's NS Killennummery, Dromahair, Co. Leitrim.	Refused	19988L	St. Mary's Primary School Baldoyle, Dublin 13	Refused
19374W	Jesus & Mary Primary School Our Lady's Grove, Goatstown, Dublin 14	Refused	18406E	Scoil Phroinsias Naofa Clara, Co. Offaly	Refused
17812K	St. Mary's N.S. Parnell Avenue, Enniscorthy, Co. Wexford	Refused	15562D	Clough NS Ballacolla, Portlaoise, Co. Laois	Refused
20193C	Scoil Mocheallóg Kilmallock, Co. Limerick	Refused	20127M	S.N. na Maighdine Mhuire Newmarket-on-Fergus Co. Clare	Refused
	<i>Criteria 2</i>		19400U	Glenageary & Killiney NS Killiney Road, Co. Dublin	Refused
19000E	Scoil an Spioraid Naoimh © Curraheen Rd, Bishopstown Cork	Refused	09915B	<i>Criteria 3</i> Martinstown NS Kilmallock, Co. Limerick	Refused
16938E	Tinryland N.S. Carlow	Granted		<i>Outside Criteria</i>	
07054L	Scoil Naomh Brid Culleens, Killala Rd. Ballina Co. Mayo	Refused	05164I	Scoil Cholmcille Oilean Thoraigh, An Bun Beag Letterkenny, Co. Donegal	Refused
19911W	St. Patrick's Central N.S. Kilmaine, Claremorris Co. Mayo	Refused	17657B	Ladyswell Boys N.S. Thomastown, Co. Kilkenny	Refused
16410I	Ballinderry N.S. Cummer, Tuam, Co. Galway	Refused	08316U	Newtown N.S. Newtown, Solohead, Co. Tipperary	Refused
19478L	Holy Family G.N.S. Carlow	Refused	11409V	Ballyconnell Central N.S Church St, Ballyconnell Co. Cavan	Refused
17780A	St. Mary's N.S. Ballyhaise, Co. Cavan	Refused	16836T	St. Brigids N.S. Glenmakee, Carndonagh, Co. Donegal	Refused
18055B	SN Mhuire Ballymore Eustace, Naas, Co. Kildare	Refused	16202B	Castleblaney Convent N.S. Castleblaney Co. Monaghan	Refused

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Roll No	Name & Address of School	
17253A	Boys N.S. Castlecomer, Co. Kilkenny	Refused
06044D	Kilcooley N.S. Loughrea, Co. Galway	Refused
18560O	Scoil Baile Nua B Tuam, Co. Galway	Refused
19488O	St. Feichin's N.S. Attymass, Ballina, Co. Mayo	Refused
19830W	Corpus Christi Primary School Moyross, Limerick	Refused
18133S	St. Fintan's NS Mayglass, Bridgetown, Co. Wexford	Refused
14516O	Fealeview NS Abbeyfeale, Co. Limerick	Refused

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Roll No	Name & Address of School	
	<i>Criteria 1</i>	
16655P (18A)	St. Nicholas Primary School Longwood, Co. Meath	Granted
19809I (22A)	Abbeycartron N.S. Elphin, Co. Roscommon	Refused
20142I (19A)	Scoil Iosa N.S. Ballyhaunis, Co. Mayo	Refused
14075K (16A)	S.N. Molua Ardagh, Co. Limerick	Refused
20026G (02A)	Gaelscoil an Cabhain Railway Rd., Cavan	Refused
11675T (10A)	Annagh Boys N.S. Ballyglunin, Tuam, Co. Galway	Refused
20193C (16A)	Scoil Mocheallog Kilmallock, Co. Limerick (Appealed to the Board in May 2006 & appeal was turned down)	Refused
20216L (18A)	Scoil Oilibhear Naofa Bettystown, Co. Meath	Refused
	<i>Criteria 3</i>	
19381T (09B)	Rathmore N.S. Baltimore, Skibbereen Co. Cork	Refused
	<i>Outside Criteria</i>	
20133H (16A)	Dean Cussen N.S. Bruff, Co. Limerick	Refused
14300O (14A)	Killasonna N.S. Granard, Co. Longford (Appealed to the Board in May 2006 & appeal was turned down)	Refused

Roll No	Name & Address of School	
15502I (02A)	Killinkere N.S. Virginia, Co. Cavan	Refused
08143P (02A)	Scoil Mhuire Swanlinbar, Co. Cavan	Refused
13742S (04A)	Convent N.S. Rathmore, Co. Kerry	Refused

Schools Building Projects.

1425. **Mr. Stagg** asked the Minister for Education and Science if she has concluded the examination of the long term enrolment needs of a school (details supplied) in County Kildare; if the school is to be a 16 classroom school or 24 classroom school; if her Department is capable of applying for planning permission for the new school in tandem with the current application for a residential development currently before Kildare County Council, which includes the new school site. [29985/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that provision of a new 32-classroom school has been agreed with my officials and the school authorities of the school in question.

Progress on the proposed works is being considered in the context of the School Building and Modernisation Programme from 2007 onwards.

Question No. 1426 answered with Question No. 1359.

School Enrolments.

1427. **Mr. Stagg** asked the Minister for Education and Science if, further to Parliamentary Question No. 656 of 6 July 2006, she will request schools to provide the number of pupils in each class for junior infants, senior infants, first and second classes in their schools, to assess if the Government is meeting its target. [29992/06]

Minister for Education and Science (Ms Hanafin): Data are not collected by my Department on age and class together. However, data are already collected by Standard in the case of each National School.

Question No. 1428 answered with Question No. 1380.

Special Educational Needs.

1429. **Mr. Stagg** asked the Minister for Education and Science if the implementation report in relation to commencing the relevant sections of the Education for Persons with Special Educational Needs Act 2004, which covers the provision of mandatory educational plans for pupils with special educational needs, has been received;

and the action she will take to implement the sections of the Act. [29996/06]

Minister for Education and Science (Ms Hanafin): I expect to receive the implementation report in relation to commencing the relevant section of the Education for Persons with Special Educational Needs Act, 2004, relating to the education plan process before 1st October 2006.

I can assure the Deputy that I am anxious to implement all sections of the Act as soon as practicable and I look forward to receiving the views of the National Council for Special Education on this matter.

School Enrolments.

1430. **Mr. Stagg** asked the Minister for Education and Science the present enrolment in a school (details supplied) in County Kildare; the numbers of pupils in each class in the school; the numbers of teachers in the school; and the classes they are teaching. [30007/06]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is provided in the annual census of primary schools. The reference date for the provision by schools of this information is the 30th September of the school year in question.

As the details for the current school year have not been provided, I am not in a position to provide the information to the Deputy.

1431. **Mr. Stagg** asked the Minister for Education and Science the number of section 29 appeals against refusal of enrolment which were lodged in relation to a school (details supplied) in County Kildare in 2006; the number of successful appeals; and the number of unsuccessful appeals. [30008/06]

Minister for Education and Science (Ms Hanafin): A total of 7 appeals, under section 29 of the Education Act, were dealt with in 2006 in relation to refusals to enrol by the school referred to by the Deputy.

One of these appeals was withdrawn by the appellant before it came to hearing. Of the 6 appeals which went to hearing 5 were upheld in favour of the appellant and one was not upheld.

School Accommodation.

1432. **Mr. Durkan** asked the Minister for Education and Science the position in relation to the need for the provision of three extra classrooms in 2006 and five extra classrooms in 2007 for the school going children of the Laytown and Bettystown areas; her plans in this regard; the time-frame for the implementation of same; and if she will make a statement on the matter. [30011/06]

Minister for Education and Science (Ms Hanafin): My Department approved the pro-

vision of 5 temporary classrooms to cater for additional primary school pupils in the Laytown and Bettystown area for September 2006. Unfortunately because of problems with objections to the planning permission for the temporary accommodation the school authorities were unable to have the temporary accommodation in place for the start of the school year.

However the entire Junior Infant intake is now accommodated in a combination of prefabricated accommodation on the senior school site and in the senior schools GP room. The senior GP room can be vacated by the mid-term break if there are no objections to An Bord Pleanála for the installation of further prefabricated accommodation on the site.

With regard to the schools needs for additional classrooms for 2007 the Department has taken over from the Patron with regard to acquiring the necessary permanent site for the Junior School with a view to concluding the acquisition as quickly as possible to move the delivery of the permanent structure forward. It would be the Department's intention to relocate the Junior School to temporary accommodation on the new site for 2007.

Higher Education Grants.

1433. **Mr. Boyle** asked the Minister for Education and Science the reason residence in Northern Ireland is considered a disqualification in applying for student support grants; and if this policy is being reconsidered. [30104/06]

Minister for Education and Science (Ms Hanafin): Under the terms of my Department's four Student Maintenance Grant Schemes, grants are payable to candidates pursuing approved full-time courses who meet prescribed conditions, including those pertaining to nationality, residency, means, age and previous academic attainment.

Under the residency requirement a candidate's parents, or in the case of an independent mature candidate, the candidate herself/himself, must have been resident in the State from the 1st October of the year prior to entry on an approved course.

I have no plans at present to change the residency requirement to include residence of Northern Ireland.

Home Schooling.

1434. **Mr. Boyle** asked the Minister for Education and Science the way in which continuity in home tutoring will be maintained following changes in criteria she made in recent months. [30115/06]

Minister for Education and Science (Ms Hanafin): The home tuition scheme provides funding to parents to provide education at home

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for children who, for a variety of reasons such as chronic illness, are unable to attend school. The scheme was extended in recent years to facilitate tuition for pupils awaiting a suitable educational placement.

As the tuition takes place outside of the school supervision, the Deputy will appreciate the need to ensure that tuition providers are appropriately qualified to give education to the children concerned. The usual requirement is a fully qualified teacher. However other qualifications are acceptable depending on the individual needs of the child.

Nominated tuition providers with qualifications other than teaching qualifications have been accepted for the first school term this year to allow time to establish the suitability of the range of qualifications submitted. As the process progresses the parents concerned will be informed of the decision which will result in approval for subsequent terms of the nominated tuition provider or direction to recruit a tuition provider with suitable qualifications. It is important to stress that the allocation of tuition hours under the scheme is not at issue in the context of the review of qualifications in this regard.

Schools Building Projects.

1435. **Mr. Boyle** asked the Minister for Education and Science the level of progress regarding the provision of a new primary school development in Passage West, County Cork. [30128/06]

Minister for Education and Science (Ms Hanafin): A site has been acquired for the development of a new primary school in Passage West which will accommodate the amalgamated boys and girls schools.

An assessment of projected enrolment trends, demographic trends and housing developments in the area was carried out in order to inform the determination of the long term projected staffing on which the school's accommodation needs will be based. This has been finalised and notified to the school the school authorities.

The building project required to deliver the new school building is being considered in the context of the School Building and Modernisation Programme 2006 -2010.

1436. **Mr. Boyle** asked the Minister for Education and Science the level of progress regarding the provision of a new primary school development in Rochestown, County Cork. [30129/06]

Minister for Education and Science (Ms Hanafin): My Department acknowledges the need for a new primary school in the Rochestown area of Cork. A site has been reserved by the local authority and officials of my Department are engaged in the acquisition of the site. A time-

frame for the delivery of a new school has not yet been determined.

1437. **Mr. Boyle** asked the Minister for Education and Science level of progress regarding the provision of a new primary school development in Ballygarvan, County Cork. [30130/06]

Minister for Education and Science (Ms Hanafin): The Office of Public Works, which acts on behalf of my Department in relation to acquiring sites generally, is engaged in the acquisition of a site to facilitate the development of the school in question. Due to the commercial sensitivities of site acquisitions, it is not proposed at this stage to identify specific sites being considered.

When the site acquisition is finalised the building project required to delivery the new school building will be considered in the context of the School Building and Modernization Programme 2006-2010.

School Accommodation.

1438. **Mr. Boyle** asked the Minister for Education and Science if she will provide information regarding the accommodation situation at a school (details supplied) in County Cork. [30133/06]

Minister for Education and Science (Ms Hanafin): An application for capital funding towards the provision of an extension at the school has been received from the school referred to by the Deputy.

An assessment of projected enrolment trends, demographic trends and housing developments in the area was carried out in order to inform the determination of the long term projected staffing on which the school's accommodation needs will be based. This has been finalised and notified to the school the school authorities.

The building project required to deliver the new school building is being considered in the context of the School Building and Modernisation Programme 2006-2010.

1439. **Mr. Boyle** asked the Minister for Education and Science the number and location of prefabricated buildings in Cork City and County schools; and the number of such buildings that are currently leased. [30135/06]

Minister for Education and Science (Ms Hanafin): The information sought by the Deputy is not readily available in my Department. However, if the Deputy wishes to request details on a specific school, my officials will provide the required information.

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 and the demands to cater for diversity through the recognition of new Gaelscoileanna and Educate Together schools.

The focus within my Department is to empower schools to resolve their accommodation needs, wherever possible, by way of permanent accommodation. In order to reduce the amount of temporary/prefabricated accommodation at primary level and to upgrade existing facilities, two new initiatives, the Permanent Accommodation Initiative and the Small School Initiative, were launched in 2003 on a pilot basis. The purpose of these initiatives was to allow primary schools to undertake a permanent solution to their classroom accommodation needs and to achieve the best value for money as opposed to the provision of temporary accommodation.

The feedback has in general been very positive, the number of schools participating has increased year on year and many schools are anxious to be included. In order to maintain this momentum I invited 210 schools to participate in these schemes in 2006. This brings to 520 the number of schools invited to participate since 2003.

As a result of these schemes the amount spent on the purchase of prefabricated buildings in has been significantly reduced.

Schools Building Projects.

1440. **Mr. Crawford** asked the Minister for Education and Science the progress towards the provision of the extension to a school (details supplied); her views on whether this is an acceptable situation; when the funds will be available for building; and if she will make a statement on the matter. [30144/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that the process of appointing a design team to the proposed building project at the school in question is now complete.

Following on from the competitive procurement process, the Vocational Education Committee (VEC) referred their consultancy recommendations to my Department on 11 September last. A response, ratifying those recommendations issued to the VEC the following day. That response also set out the steps to be followed by the VEC and their design team in order to propel their project forward through the initial design phases.

The VEC is the Client for this project and, as such, the speed of delivery of the project to tender and construction is ultimately a matter for that body and their design team to manage efficiently. In that context, funding for this, and all other large-scale projects, will be considered in the context of the 2006 to 2010 Schools Building and Modernisation programme.

School Catchment Areas.

1441. **Mr. Deasy** asked the Minister for Education and Science the number of applications for modifications to school catchment boundaries she has received from educational interests in each county for the past two years; the number of modifications to boundaries that have resulted from such applications; the criteria used in determining changes to boundaries; if she will carry out a comprehensive review of catchment boundaries; and if she will make a statement on the matter. [30145/06]

Minister of State at the Department of Education and Science (Miss de Valera): The statistical information requested by the Deputy is not readily available.

Reviews of specific catchment boundaries may be carried out 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 country wide review of catchment boundaries.

School Transport.

1442. **Ms Enright** asked the Minister for Education and Science if she has received a full report in relation to a school transport arrangement for a person (details supplied) in County Tipperary following a reply from her Department of 11 August 2006; and if she will make a statement on the matter. [30146/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department has received an initial report from Bus Éireann regarding the transport arrangements for the children referred to by the Deputy in the details supplied. My Department has sought clarification on a number of issues and will revert to the family when further information is received.

School Enrolments.

1443. **Ms Enright** asked the Minister for Education and Science if she will intervene on behalf of a person (details supplied) in County Laois who is unable to obtain a place in first class in primary school; and if she will make a statement on the matter. [30147/06]

Minister for Education and Science (Ms Hanafin): The compulsory school starting age in a National School is 6 years of age and Rule 64 (1) of the Rules for National Schools provides that a child must be at least 4 years of age before she/he may be enrolled in a National School. Children of compulsory school-going age must have a place in a National School and overall there are more than enough places available.

[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.

It is the responsibility of the managerial authorities of schools that are not in a position to admit all pupils seeking entry to implement an enrolment policy in accordance with the Education Act. In this regard a board of management may find it necessary to restrict enrolment to children from a particular area or a particular age group or, occasionally, on the basis of some other criterion.

Where a board of management refuses to enrol a student in a school the parent of the student or, where the student has reached 18 years of age, the student themselves, following the conclusion of any appeal procedures at school level, has a statutory entitlement under section 29 of the Education Act, 1998 to appeal that decision to the Secretary General of the Department of Education and Science.

Under the appeal process, a committee is established to hear the appeal. Oral hearings are conducted with a minimum of formality. In most cases appeals must be dealt within 30 days. Where appropriate, the Secretary General may give whatever directions to the board of management that are considered necessary to remedy the matter complained of.

I have requested my officials to forward a list of the primary schools in the area concerned directly to the parent in question.

School Transport.

1444. **Ms Enright** asked the Minister for Education and Science the reason school transport on a concessionary only basis has been granted to a family (details supplied) in County Kerry; if her attention has been drawn to the fact that a service road has been used in measuring the distance to the school despite the fact the local authority has classed this road not for full public use; if her further attention has been drawn to the fact that the Gaeltacht school is the nearest to this family; if her further attention has been drawn to the fact that there is no transport available to a school (details supplied); if she will review this position; and if she will make a statement on the matter. [30148/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department has requested Bus Éireann to review the situation in relation to the provision of school transport to the school mentioned in the details

provided. When this report is received the family in question will be notified.

Defence Forces Recruitment.

1445. **Mr. O'Shea** asked the Minister for Defence his proposals to reduce the height restriction for female Defence Forces recruits; and if he will make a statement on the matter. [28342/06]

Minister for Defence (Mr. O'Dea): On 2 July, 2006 I announced in Government Buildings that I have reduced the minimum 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%.

Pension Provisions.

1446. **Ms Shortall** asked the Minister for Defence the reasons for the continued delay in awarding pension increases, including one third of the national wage agreement and 25 per cent of the total benchmarking award, due to Defence Forces retirees as and from 1 December 2005, and as promised in an information booklet issued to them by his Department in 2005; and when these awards will be made. [28698/06]

Minister for Defence (Mr. O'Dea): I understand that this question relates to pension increases due to retired civilian employees of my Department. I should explain that the Office of the Paymaster General, Department of Finance, is responsible, upon the receipt from my Department of the pension rate in each particular case, for the payment of pensions to retired employees. Over the past number of months, my Department has undertaken a review of the rates of pension paid to retired civilian employees. The need for the review arose because of a circular issued by the Department of Finance outlining a revised formula for the calculation of pension rates. This is a time-consuming process, where the level of pension awarded to each retired civilian employee has to be re-calculated.

To ensure that this major undertaking was completed as soon as possible, additional staff were assigned for a number of months to work on a dedicated basis in this area. In many cases, the review has resulted in increased levels of pension being awarded to the retired employees. In addition, the opportunity has been taken to apply the benefits of any outstanding pay agreements to the levels of pension. At this stage, the review of a majority of the cases has been completed and the revised rates for the pensioners concerned have been notified to the Office of the Paymaster

General for payment. It is anticipated that the review of the pension rates awarded to the remaining pensioners will be completed shortly.

Hearing Impairment Claims.

1447. **Mr. McGuinness** asked the Minister for Defence the status of a claim relating to army deafness for a person (details supplied) in County Kilkenny; and if he will make a statement on the matter. [28836/06]

Minister for Defence (Mr. O'Dea): My Department received notice on 25th August 1997 of intention to institute legal proceedings in respect of hearing loss from solicitors representing a person of the same name and date of birth as the named person. However our records show a different address, albeit in the same locality.

There is no record of anything further having been received in my Department since that time. The legal representatives of the named person would therefore be best placed to advise on the current status.

Census of Population.

1448. **Ms C. Murphy** asked the Minister for Defence if figures released by the Central Statistics Office in July 2006 via the Census 2006 Preliminary Report will be used by his Department for any reason; if so, what the figures will be used for; and if he will make a statement on the matter. [29301/06]

Minister for Defence (Mr. O'Dea): My Department has no requirement to use the figures released by the Central Statistics Office in July 2006 at this time.

Decentralisation Programme.

1449. **Mr. Wall** asked the Minister for Defence the position regarding the decentralisation of his Department to Newbridge; if the land has been acquired; the number of officials that have agreed to the decentralisation; if the number is sufficient to ensue the effective operation of his Department; and if he will make a statement on the matter. [29386/06]

Minister for Defence (Mr. O'Dea): The Government Decision on decentralisation, announced by the Minister for Finance in his Budget statement on 3 December 2003, provides for the transfer of all of my Department's Dublin based civil service staff to Newbridge, Co. Kildare. The number of staff to be relocated to Newbridge is 200.

A total of 357 personnel, of which 60 are from within the Department, have opted to move to Newbridge. An additional 28 staff from outside my Department have been assigned to this Department for the purpose of relocating to Newbridge. The Government decision also pro-

vides for the transfer of 300 Defence Forces Headquarters staff to the Curragh, Co Kildare.

The O.P.W. is in advanced negotiations with Kildare County Council in relation to the acquisition of a site in Newbridge.

As my Department is oversubscribed, there will be a sufficient number of officials to ensure the ongoing effective operation of the Department.

1450. **Mr. Wall** asked the Minister for Defence the position regarding the decentralisation of the Army head office to the Curragh; the timescale involved for same; and if he will make a statement on the matter. [29387/06]

Minister for Defence (Mr. O'Dea): The Government decision on decentralisation provides for the transfer of 300 Defence Forces Headquarters staff to the Curragh, Co. Kildare.

The brief for the new Defence Forces Headquarters building has been finalised and preliminary topographical and site investigations have been completed. The Office of Public Works is finalising the outline design currently, to enable the project to be sent to tender. It is expected that the necessary planning notification will be submitted to Kildare County Council before the end of 2006, with works commencing as soon as possible thereafter.

Defence Forces Strength.

1451. **Mr. Wall** asked the Minister for Defence the present strength of the Defence Forces; the number of women in the Defence Forces; the number of new recruits recruited in the past year; and if he will make a statement on the matter. [29388/06]

Minister for Defence (Mr. O'Dea): The strength of the Permanent Defence Force, as of 31st August 2006, was 10,382 personnel, of whom 545 were women. In the year up to 1st September 2006, a total of 324 recruits have been inducted to the Permanent Defence Force.

The strength of the Reserve Defence Force (Army Reserve and Naval Service Reserve) as of 30th June 2006 (the last date for which composite figures are currently available) was 9,568, of whom 2,500 were women.

Representative Organisations.

1452. **Mr. Wall** asked the Minister for Defence the number of organisations that his Department recognises as being representatives of retired personnel of the Defence Forces; if an organisation outside of the established ones can seek such recognition; and if he will make a statement on the matter. [29389/06]

Minister for Defence (Mr. O'Dea): The two principal organisations officially recognized by my Department and the Defence Forces as being

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representatives of retired Defence Forces personnel are: the Organisation of National Ex-Servicemen and Women Teo. (ONET), which represents all ranks of retired Defence Forces personnel and provides support such as sheltered accommodation for ex-service personnel; and the Irish United Nations Veterans Association (IUNVA), which represents all retired military personnel who have served on United Nations duty overseas and celebrates all United Nations commemorative occasions. Her Excellency, An tUachtarán is patron of ONET.

A third organisation, the Association of Retired Commissioned Officers (ARCO), which represents retired commissioned Officers countrywide, although not officially recognised, is very active in supporting the Cadet School as well as other activities.

These organisations have proven themselves to be responsible in their dealings with the Defence Forces, the Department of Defence and other Government Departments and represent their members in a very capable manner. The official recognition of a limited number of organisations greatly facilitates the two-way flow of information between ex-servicemen and women on the one hand and the Department of Defence and the Defence Forces on the other, and prevents needless overlap and duplication.

I have sought the views of the Defence Forces, and the position is that it is considered inadvisable to afford official recognition to a multiplicity of local/regional/specialist organisations as this would create difficulties that would be detrimental to all concerned in the longer term.

I understand from the military authorities that, notwithstanding this, ONET is willing to discuss the affiliation of any other organisations who may wish to represent ex-service personnel from specific geographical areas, or from special service categories or groups. Affiliation would ease the interaction between those being represented and the Department and the Defence Forces, while also allowing the affiliating organization to benefit from the vast experience of ONET.

The existence of a large number of organisations operating independently would be detrimental to maintaining coherent and effective contacts with the Department and Defence Forces over time. A system of affiliation would allow organisations to pursue their own specific aims within the overall ambit of ONET in a more effective manner, using the experience of that umbrella organisation. This course of action has been recommended to a number of organizations that have previously requested official recognition. It is not intended to change this policy.

Defence Forces Property.

1453. **Mr. Wall** asked the Minister for Defence the position of the taking in charge of Orchard PR Curragh by Kildare County Council; the date

of same; the work that his Department intends to complete before the take over in regard to repairs to roads, lighting and paths; and if he will make a statement on the matter. [29390/06]

Minister for Defence (Mr. O'Dea): Kildare County Council has advised that the roads, foot-paths and services at Orchard Park will have to be brought up to the required standard before they will be taken in charge. In this regard, it is intended that officers of my Department will meet with Kildare County Council in the near future to discuss the range of issues involved

1454. **Mr. Boyle** asked the Minister for Defence if his Department's property at Crosshaven, County Cork has been disposed of. [30134/06]

Minister for Defence (Mr. O'Dea): Fort Camden, Crosshaven, comprising 41 acres approximately, has been disposed of by my Department to Cork County Council for amenity purposes. It is expected that the legal formalities attendant on the transfer of the property will shortly be completed. The former Coastguard Station, Crosshaven, is vested in the Minister for Finance. The disposal of that property, which comprises 3.5 acres approximately and includes four houses formerly used as married quarters for members of the Defence Forces, is being undertaken by the Office of Public Works.

Rental Accommodation.

1455. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government the number of candidates who are currently being assessed, or have been assessed with a view to participating in the rental accommodation scheme; the number of these candidates in each county; the number of candidates who are to be accommodated using this scheme by the end of 2006; the number he anticipates will be accommodated under the scheme by the end of 2007; and if he will make a statement on the matter. [29320/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): To date 11,494 cases have been assessed for transfer to the Rental Accommodation Scheme (RAS) as detailed in the following table.

It is projected that by the end of 2006, 5,000 households with a long-term housing need will have transferred from rent supplement to accommodation provided by local authorities, either to RAS, or to some other type of social housing. The aim is that by the end of 2007 a total of 10,000 cases will have been accommodated under the scheme.

Table: Number of cases assessed for RAS

Local Authorities(Housing)	Nos of Cases Assessed
Carlow Co Cl.	50
Cavan Co.Cl.	0
Clare Co Cl.	193
Cork City & Co Cls	1094
Donegal Co Cl	420
Dublin City Cl	3134
South Dublin Co. Cl.	1402
Fingal Co Co	350
Dún Laoghaire -Rathdown	57
Galway Co Cl	N/A
Galway City Cl	392
Kerry Co Co	85
Kildare Co Cl	N/A
Kilkenny Co Co	182
Laois Co Co	40
Leitrim Co Cl.	8
Limerick City Cl	309
Limerick Co Cl	N/A
Longford Co Cl.	105
Louth Co Cl	380
Mayo Co Cl	76
Meath Co Cl	25
Monaghan Co Co	59
Offaly Co Cl	471
Roscommon Co.Cl	30
Sligo Co Cl.	220
North Tipperary Co Cl.	159
South Tipperary Co. Cl.	1327
Waterford Co Cl	N/A
Waterford City	436
Westmeath Co. Cl.	350
Wexford Co Cl	120
Wicklow Co Cl	20
Total	11,494

Water Safety.

1456. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the procedure to obtain funding for the provision of safety life buoys that are provided adjacent to rivers, canals and lakes; and if he will make a statement on the matter. [29906/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Ring buoys are provided at rivers, canals and lakes by a number of agencies including local authorities. The financing of their provision is a matter appropriate to each individual agency or authority concerned. At the request of the relevant agencies, Irish Water Safety undertakes risk assessments at waterways, both inland and coastal, and advises

on appropriate safety measures which would include the provision of ring buoys.

Unfortunately, ring buoys are often vandalised or stolen. This can lead directly to loss of life and I would appeal to all concerned to respect this vital equipment and ask the general public to report any missing or lost ring buoys.

Water and Sewerage Schemes.

1457. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government when his Department will send the final agreement for the Kiltimagh sewerage scheme, County Mayo, to Mayo County Council; when the residents of this east Mayo town can expect this scheme; and if he will make a statement on the matter. [30307/06]

1476. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government when will final approval be given in relation to a sewerage scheme (details supplied) in County Mayo. [28604/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1476 and 1457 together.

The Kiltimagh Sewerage Scheme is approved for construction in my Department's Water Services Investment Programme 2005-2007.

Mayo County Council's Contract Documents for the scheme are under examination in my Department and are being dealt with as quickly as possible. Approval of the Contract Documents will allow the Council to invite tenders for the construction of the scheme.

Environmental Policy.

1458. **Mr. Allen** asked the Minister for the Environment, Heritage and Local Government if he proposes to introduce a grant scheme to allow local authorities to put in wood pallet burners in local authority housing; and, if so, when they will be available; and if there is a grant scheme at the present time for local authority tenants. [28215/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): There are no proposals at present to introduce a grant scheme for any particular type of alternative energy provision for social housing. A number of pilot projects, including some involving the use of wood pellets, have been supported by the Department and are underway at present. When these are completed and the results assessed, decisions will be made on the future direction of policy in this area.

Departmental Records.

1459. **Mr. Bruton** asked the Minister for the Environment, Heritage and Local Government

[Mr. Bruton.]

the way in which a discrepancy arose in the figures which he published for housing completions in 2005; the length of time this source of inaccuracy has been present; and the changes he is making for future methods of calculation. [28326/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Since the early 1970's my Department has used the number of new residential unit connections by the ESB as a proxy for the number of house completions. This series reflects the number of homes completed and available, and does not reflect any work-in-progress. No discrepancy or source of inaccuracy has been found in completion figures in 2005, nor is there any need to change the method of calculation for the future.

An issue that has arisen in relation to the data, is the use of house completions as a measure of residential construction activity. I am aware that these data are used by economists, and the Central Statistics Office, as a measure of the level of activity and value added from housing construction. In April 2006, the CSO contacted my officials to query the data published for 2005 as they considered that growth in construction employment suggested that the level of residential construction activity should be higher than the house completion data indicated (albeit that 2005 was a further record year for house completions with almost 81,000 units completed).

On foot of enquiries to the ESB, it emerged that the ESB had experienced longer delays in meeting the demand for connections than in previous years. The ESB estimated that there was a higher level of work-in-progress than usual, of about 5,200 units over the course of 2005, which we have been advised was cleared during the course of the first half 2006. These units were not completed and not available, and could not be counted as house completions, but the information was relevant in looking at trends in housing activity. Therefore, we provided this information publicly at the earliest possible time, which was when I released the house completions figures for the first 5 months 2006 on 10 July 2006.

As I have indicated at the outset, the ESB connections series reflects the number of homes completed and does not include work-in-progress and there are no plans to make any changes to this series.

Water and Sewerage Schemes.

1460. **Mr. Hogan** asked the Minister for the Environment, Heritage and Local Government when approval will be given to proceed with a tender under a serviced land initiative for the provision of a sewerage scheme (details supplied) in County Kilkenny; and if he will make a statement on the matter. [28344/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Gowran Sewerage Scheme is included in my Department's Water Services Investment Programme 2005-2007 as a scheme under the Serviced Land Initiative. Further consideration will be given to the Contract Documents submitted by Kilkenny County Council for this scheme on receipt of the additional information requested by my Department.

Environmental Policy.

1461. **Mr. F. McGrath** asked the Minister for the Environment, Heritage and Local Government the action he will take regarding the burning of fossil fuels which could see global temperature increasing by three degrees centigrade and which could create the potential for more flooding, forest fires and droughts; and if he will make this an international issue. [28345/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The National Climate Change Strategy set out a policy framework to enable Ireland meet its International obligations to address climate change, and comprises a comprehensive programme towards achieving the necessary greenhouse gas emissions reductions across all sectors of our economy including transport and energy, which are primarily responsible for the burning of fossil fuels.

I recently launched a report on the implementation of the National Climate Change Strategy, entitled Ireland's Pathway to Kyoto Compliance. Copies of the report are available in the Oireachtas Library. The report provides the basis for a public consultation, which will inform the preparation of a revised National Climate Change Strategy. The report shows that at least 8 million tonnes of greenhouse gas emissions will be removed through policies and measures already in place over the period for compliance with the Kyoto Protocol, 2008-2012. This reduces, by more than half, the gap to Ireland's Kyoto target identified in the National Climate Change Strategy. There are three strands to the Government's approach to achieving the further reductions needed to bridge the remaining distance to target: emissions reductions, or purchase of carbon allowances, by installations participating in the EU Emissions Trading Scheme; use of the Kyoto Protocol flexible mechanisms by the Government to purchase credits for carbon reductions elsewhere in the world; and measures to reduce emissions throughout the economy, in addition to those set out in the National Climate Change Strategy and those introduced subsequently.

I have published the recent updated report to permit consultation on a range of options for Ireland to reduce its greenhouse gas emissions even further. The more measures Ireland puts in place now, the more we will be able to reduce our

emissions between now and 2012 and the better prepared we will be to take on potentially more demanding targets beyond 2012.

The public consultation on the review of the National Climate Change Strategy will run until 30 September. The Government will publish a revised National Climate Change Strategy before the end of 2006. I am confident that Ireland will meet its Kyoto targets. At an international level, Ireland also supports the proactive position of the European Union on achieving the ultimate objective stated in Article 2 of the 1992 United Nations Framework Convention on Climate Change.

Grant Payments.

1462. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government his proposals to raise the level of disabled persons grant to a level in line with construction costs; and if he will make a statement on the matter. [28449/06]

1463. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government his proposals to remove the 10 percent contribution for persons owning their own houses who qualify for the disabled persons grant; and if he will make a statement on the matter. [28450/06]

1472. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 420 of 7 June 2006, when he will announce the proposals for the future operation of the disabled persons grant scheme and the essential repairs grant scheme; and if he will make a statement on the matter. [28566/06]

1536. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government if the review of the disabled persons and essential repairs grant schemes has been completed; the findings and recommendations of the review and, if not completed, to say when he expects it to be completed; and if he will make a statement on the matter. [29636/06]

1564. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if he has concluded his review of the disabled persons grant scheme; and his views on funding 100% of the grant rather than requiring local authorities to fund 33%. [29997/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1462, 1463, 1472, 1536 and 1564 together.

The review of the Disabled Persons Grant scheme, which incorporates the conditions governing the Essential Repairs Grant scheme and the Special Housing Aid for the Elderly Scheme was recently finalised within my Department.

The needs of applicants with limited means, the level of grant available and the requirement that local authorities make a contribution from their own resources towards the financing of the scheme, have been considered in the context of the overall review. Proposals for the future operation of the schemes are now being prepared by my Department, in consultation with other public agencies concerned and I expect to be in a position to announce these shortly.

Environmental Policy.

1464. **Mr. F. McGrath** asked the Minister for the Environment, Heritage and Local Government if he will investigate the general problem of noise pollution caused by house alarms that are frequently being activated by environment conditions such as wind as opposed to a break-in; if he will regulate this environmental pollution by curtailing alarm types to those with sirens which sound inside the premises only and a requirement that all house alarms be serviced; and if he will include a responsibility to keep an acceptable level of peaceful environment in neighbourhoods. [28453/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): There are various general legislative provisions applicable to noise nuisance, as well as a number of practical arrangements to reduce the instances of unnecessary noise from alarms and to tackle persistent incidence of such noise.

Section 107 of the Environmental Protection Agency Act 1992 provides local authorities with powers to require measures to be taken to prevent or limit noise. In the case of a faulty alarm, a local authority may serve a notice under this section. Where the Council receives a complaint, an advisory letter is issued to the owner/occupier advising of the terms of the current standards for intruder alarms systems.

A European Standard for external intruder alarms (EN50131) has replaced all national standards, and incorporates considerably stricter controls, regarding minimum and maximum duration for the sounding of alarms. The new limits are 90 seconds minimum and 15 minutes maximum duration from the sounding of external alarms in buildings; the alarms must cease automatically after the maximum duration. This standard has been applied by the National Standards Authority of Ireland for intruder alarms installed by certified installers since 1 March 2004.

The Private Security Services Act 2004 provided for the establishment of a Private Security Authority to licence, control and supervise all alarm installers of security equipment, and for the Authority to have powers to maintain and improve standards in the provision of services, including standards for intruder alarms. I understand that with effect from 1 November 2005, installers of alarms were required to register with

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the Private Security Authority and with effect from 1 August 2006, installers cannot operate without a licence, the granting of which will require proof that the installer has attained the EN 50131 standard.

In addition, I understand that the connection of monitored business intruder alarm systems to Garda Síochána stations is contingent upon, inter alia, the use of alarm systems which are certified by the NSAI and installed by certified installers. The current European Standard along with improved equipment and the co-operation of the installers certified by the NSAI, should together ensure that the incidence of false alarms and the failure of audible alarms to cut off will be significantly reduced.

Under the Environmental Protection Agency Act 1992 (Noise) Regulations 1994, a local authority or any person may seek an order in the district court to have noise giving reasonable cause for annoyance abated. The procedures involved have been simplified to allow action to be taken without legal representation. A public information leaflet outlining the legal avenues available to persons experiencing noise nuisance is available from my Department or on www.environ.ie.

Planning Issues.

1465. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government his views on whether quarry owners or operators should be obliged to obtain a licence to operate; and if he will make a statement on the matter. [28504/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): As in the case of all development which is not exempted development, quarries which commenced since the planning code came into being with the coming into effect of the Local Government (Planning and Development) Act 1963 on 1 October 1964 have been required to obtain planning permission. A quarry which commenced pre-1964 but intensified operations post 1964 to the extent that there could be said to have been a material change of use will also require planning permission. Similarly, in a case where a quarry commenced pre 1964 but the use was abandoned post 1964, planning permission is required for a re-commencement of operations.

Section 261 of the Planning and Development Act 2000, which was commenced in April 2004, introduced a new registration system for quarries. All quarries except those which obtained planning permission in the 5 years before the commencement of the section were required to register with the planning authority by 27 April 2005 and those quarries failing to comply become unauthorised development regardless of their previous status. Following registration a planning authority may restate, modify or add to con-

ditions on the operation of a quarry that has received planning permission more than 5 years ago or may require certain pre 1964 quarries to seek planning permission and if necessary to submit an environmental impact statement. Under Section 261(7) of the Act, a planning authority must require a quarry which is pre-1964, is greater than 5 hectares and would be likely to have significant effects on the environment, to apply for planning permission and to submit an environmental impact statement.

A small number of quarries, principally quarries directly associated with activities which are, in their own right, subject to Integrated Pollution Prevention and Control licensing or quarries from which material with significant mineral content is extracted, are currently licensed by the Environmental Protection Agency under the Environmental Protection Agency Acts 1992 and 2003.

Water and Sewerage Schemes.

1466. **Mr. Neville** asked the Minister for the Environment, Heritage and Local Government when a sewerage scheme (details supplied) in County Kildare will commence construction. [28518/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The North Kildare Sewerage Scheme was ranked by Kildare County Council is at eighth priority in the list of water services schemes submitted in response to my Department's request to all local authorities in June 2006 to undertake fresh assessments of the needs for capital works in their areas and to prioritise their proposals on the basis of the assessments.

The priority attached by local councillors in their assessments will be taken into account in the framing of the next phase of my Department's Water Services Investment Programme.

1467. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government the position in relation to a project (details supplied) in County Galway; when it is expected construction will commence; and if he will make a statement on the matter. [28532/06]

1493. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government the position regarding a project (details supplied) in County Galway; the area it will service; when construction of the works will commence; and if he will make a statement on the matter. [28941/06]

1494. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government the position regarding a project (details supplied) in County Galway; the area it will service; when construction of the works will commence; and if

he will make a statement on the matter.
[28942/06]

1495. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government the position regarding a project (details supplied) in County Galway; the area it will service; when construction of the works will commence; and if he will make a statement on the matter.
[28943/06]

1496. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government the position regarding a project (details supplied) in County Galway; the area it will service; when construction of the works will commence; and if he will make a statement on the matter.
[28944/06]

1546. **Mr. Connaughton** asked the Minister for the Environment, Heritage and Local Government the present position regarding a proposed sewerage scheme (details supplied) in County Galway; if the necessary finances are available for the project to proceed; and if he will make a statement on the matter. [29783/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1467, 1493, 1494, 1495, 1496 and 1546 together.

These schemes were included in the list of water services proposals submitted by Galway County Council in response to my Department's request to local authorities in 2003 to produce assessments of the needs for capital works in their areas and to prioritise their proposals on the basis of the assessments. The assessments were taken into account in the framing of subsequent phases of my Department's Water Services Investment Programme.

The Loughrea, Creggs, Caltra and Gort sewerage schemes have been ranked first, fourth, fifth and fourteenth respectively on the new list of sewerage priorities identified by Galway County Council in the updated assessment of needs all local authorities were asked by my Department to carry out in March last. The Ballygar Water Supply Scheme is first on the corresponding list of water supply schemes. This latest assessment of needs will inform the selection of new schemes for inclusion in the next phase of the Water Services Investment Programme. Details of the areas to be served by the schemes may be obtained from Galway County Council.

1468. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government if approval has been given for the award of the contracts for a project (details supplied) in County Galway; and if he will make a statement on the matter. [28533/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): These schemes

are part of a grouped project that also includes Leenane. I approved Galway County Council's Tender Documents for the treatment plants in June 2006 and it is a matter for the Council to proceed with the tender process.

1469. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government the position in relation to a project (details supplied) in County Galway; when it is expected construction will commence; and if he will make a statement on the matter. [28534/06]

1486. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government the position regarding a project (details supplied) in County Galway; the area it will service; when construction of the works will commence; and if he will make a statement on the matter.
[28934/06]

1543. **Mr. Connaughton** asked the Minister for the Environment, Heritage and Local Government the present position regarding the public sewer network (details supplied); if this will encompass all Birmingham Road; if the necessary finances are available for the project to proceed; and if he will make a statement on the matter.
[29780/06]

1547. **Mr. Connaughton** asked the Minister for the Environment, Heritage and Local Government the present position regarding a proposed sewerage scheme (details supplied) in County Galway; if the necessary finances are available for the project to proceed; and if he will make a statement on the matter. [29784/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1469, 1486, 1543 and 1547 together.

The Milltown and Craughwell Sewerage Schemes and the Tuam Main Drainage Scheme have been approved for construction in my Department's Water Services Investment Programme 2005 – 2007. Parts of the Craughwell and Tuam schemes are also being funded under the Serviced Land Initiative measure of the Programme. My Department is currently awaiting submission by Galway County Council of contract documents for the three schemes. Details of the areas proposed to be served by the schemes may be obtained from Galway County Council.

1470. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government the position in relation to a project (details supplied) in County Galway; when it is expected construction will commence; and if he will make a statement on the matter. [28535/06]

1485. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government the position regarding a project (details supplied)

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in County Galway; the area it will service; when construction of the works will commence; and if he will make a statement on the matter. [28933/06]

1491. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government the position regarding a project (details supplied) in County Galway; the area it will service; when construction of the works will commence; and if he will make a statement on the matter. [28939/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1470, 1485 and 1491 together.

The Kinvara and Laurencetown Sewerage Schemes and the Gort Regional Water Supply Scheme are included in my Department's Water Services Investment Programme 2005 – 2007 as schemes to start construction in 2007. Additional information on the scheme has been requested from the Council. The Deputy can be assured that further consideration will be given to Galway County Council's Preliminary Reports as soon as they are forwarded.

1471. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government the position in relation to a project (details supplied) in County Galway; the area same will service; when it is envisaged construction of the works will commence; and if he will make a statement on the matter. [28536/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Glenmaddy Sewerage Scheme is included in my Department's Water Services Investment Programme 2005 – 2007 as a scheme to start construction in 2007. Galway County Council's Preliminary Report for the scheme is under examination in my Department and will be dealt with as soon as possible. Details of the areas proposed to be served by the scheme may be obtained from Galway County Council.

Question No. 1472 answered with Question No. 1462.

Fire Stations.

1473. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government the proposals he has in regard to the full implementation of the recommendations of the Farrell Grant Sparks report on the fire service; and if he will make a statement on the matter. [28600/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department has implemented a number of the important recommendations of the report Review of Fire

Safety and Fire Services in Ireland. These include in particular the enactment of the Licensing of Indoor Events Act 2003, which addressed a number of legislative changes called for in the Review. In addition, a new Framework for Major Emergency Management, on which local authority, Health Service Executive and Garda Síochána Major Emergency Plans are based, has been issued and this will be implemented over the next two years in accordance with a programme approved by the Government. The high level of capital investment in the fire service has been continued and now stands at almost €20 million per annum.

In February 2005, I announced a Fire Services Change Programme to implement the key fire services and fire safety recommendations of the Review of Fire Safety and Fire Services in Ireland. This Programme sets out the strategy for the future development of the fire service and includes measures addressing the development of community fire safety programmes, the development of a risk based approach to the determination of fire cover standards, the introduction of a competency-based approach to recruitment, retention and career progression in the fire service and the enhancement of health, safety and welfare programmes within the fire service. Work on the Change Programme is being carried out by a dedicated Project Team and is progressing satisfactorily. My priority under the Fire Services Change Programme is to use the available resources to bring about direct improvements in these key areas of the fire service rather than prioritising purely institutional changes.

Archaeological Sites.

1474. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 268 of 22 March 2006, if he has received the final report of the working group which he established to advise him on the most appropriate strategy for the Woodstown Viking site in County Waterford; and if he will make a statement on the matter. [28601/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Interim Report of the working group was published in July 2006. I have approved the report's recommendation that a further research and investigation project should be undertaken to review all available information, including archaeological assessment and investigations, and to undertake targeted excavation to answer certain specific questions about the site. Tenders for the project are being invited this week and its findings will assist the working group towards its final report in the matter next year.

Natural Heritage Areas.

1475. **Mr. P. Breen** asked the Minister for the

Environment, Heritage and Local Government the reason his Department does not intend to purchase a blanket bog from a person (details supplied) in County Clare; and if he will make a statement on the matter. [28602/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The person referred to applied in December 2005 to my Department to sell an area of bog under the Designated Bog Compensation Scheme which supports the purchase by my Department of raised bog in designated areas. As the land offered lay within blanket bog, rather than raised bog, it was not possible to accede to the application.

Question No. 1476 answered with Question No. 1457.

Waste Disposal.

1477. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government if he will introduce a national waiver scheme for refuse services, in conjunction with the Department of Social and Family Affairs specifically targeted to help social welfare recipients and people on low incomes; and if he will make a statement on the matter. [28606/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Waste management services have traditionally been provided at a local level, with individual arrangements being locally determined and tailored to local circumstances. The present legal framework, as determined by the Oireachtas, reflects this. In accordance with section 52 of the Protection of the Environment Act 2003, the determination of waste management charges, and any associated waiver scheme, is a matter for the relevant local authority, where it acts as the service provider. Similarly, where a private operator provides the collection service, it is a matter for that operator to determine charges. I have asked local authorities to engage with commercial waste collectors to agree on arrangements to assist lower-income households by offering alternative payment methods to an annual lump-sum.

I have recently published a consultation paper on the possible economic regulation of the waste sector. Submissions have been invited on whether there is a need for a regulator for the sector, on what model of regulator might be most appropriate and on what powers any such regulator should be given. Among the possible powers discussed in the paper is the power to impose a public service obligation. This is a feature of regulation in some other sectors, and effectively requires contractors to operate cross-subsidisation so that services can be provided where they would not otherwise be economically feasible. Submissions in response to the consultation paper are being taken until October 6, and I will then

consider what policy proposals to bring to Government.

Grant Payments.

1478. **Mr. Kehoe** asked the Minister for the Environment, Heritage and Local Government the grants or options available to a person to have central heating installed into their home which they have purchased from the local authority; and if he will make a statement on the matter. [28707/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): There are a number of schemes currently in operation under which grant-aid is available for the provision of heating systems in private houses, including those purchased by tenants from housing authorities.

The essential repairs grant enables people in houses which cannot be made habitable in all respects at a reasonable cost, to have basic repairs carried out to them. The scheme is directed primarily at older persons living in poor housing conditions. There are a number of types of work allowable under the essential repairs scheme, operated by local authorities, including the provision of central heating. The effective maximum grant under the scheme is €9,523 and may cover up to 100% of the cost of the works. This Department funds 2/3 of the costs of the grant with the local authority funding the remainder.

Aid is also available under the Special Housing Aid for the Elderly scheme, which is operated by the Health Service Executive, for necessary repairs to make a dwelling habitable for the lifetime of the occupant. In 2000 the scheme was extended to include the provision of suitable heating systems where found necessary to meet the needs of elderly persons. Funding for the scheme is provided through the National Lottery. The average grant in 2005 was €3,140. In some cases central heating may also be provided under the Disabled Persons Grant Scheme.

Local Authority Housing.

1479. **Mr. F. McGrath** asked the Minister for the Environment, Heritage and Local Government the number of people on the Dublin City Council area housing waiting list for the northside of Dublin. [28737/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The statutory assessment of housing need is undertaken by local authorities on a triennial basis. The most recent assessment of need for social housing was undertaken by local authorities in March 2005. The results of that assessment indicated that there were 43,684 households on local authority housing waiting lists. More comprehensive data in relation to the 2005 assessment at an individual local authority level was published in the Annual Bulletin of

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Housing Statistics, a copy of which is available on my Department's website at www.environ.ie. In the case of Dublin City Council, the 2005 assessment indicated that there were 5,617 households on their housing waiting list. Further information on the breakdown of that figure is not available in my Department.

Deed of Transfer.

1480. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the difficulties encountered by a person (details supplied) in County Sligo; when a decision will be made; and if he will make a statement on the matter. [28745/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): As indicated in my letter of 18 September to the Deputy, my Department informed Sligo County Council that it did not appear that the disposal of the land in question required Ministerial consent. My Department understands that the Council's solicitors have now written to the person's legal representatives advising that the disposal of the land in question is proceeding, and that the relevant Deed of Transfer will shortly be provided.

Local Authority Housing.

1481. **Mr. McGuinness** asked the Minister for the Environment, Heritage and Local Government if funding has been allocated by his Department for the provision of 37 housing units and community facilities as part of the regeneration of Ballymun known as The Emerald Housing Project; the timeframe for completion of the project; and the expected start date. [28803/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): My Department's involvement with the Capital Loan and Subsidy Scheme relates primarily to the provision of funds for individual projects. The administration of the scheme, and the certification that particular projects comply with the terms of the scheme, are the responsibility of the local authority, in this instance Dublin City Council. An application for funding of this project has not been received from the Council.

Election Management System.

1482. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government if he will use the powers available to him to vary, by ministerial order, the spending limits for general election candidates prior to the next general election; and if he will make a statement on the matter. [28930/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Section 32 of the Electoral Act 1997, as amended, specifies the maximum amounts of expenditure which may be incurred on behalf of a candidate at a Dáil election. The amounts are €25,394.76 in a 3 seat constituency; €31,743.45 in a 4 seat constituency; and €38,092.14 in a 5 seat constituency. Section 3 of the Act provides that these amounts may be varied, by order of the Minister for the Environment, Heritage and Local Government, having regard to changes in the Consumer Price Index. Any such order must be laid before each House of the Oireachtas. No decision regarding an amending order has been made at this stage.

Water and Sewerage Schemes.

1483. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government the position regarding a project (details supplied) in County Galway; the area it will service; when construction of the works will commence; and if he will make a statement on the matter. [28931/06]

1484. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government the position regarding a project (details supplied) in County Galway; the area it will service; when construction of the works will commence; and if he will make a statement on the matter. [28932/06]

1487. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government the position regarding a project (details supplied) in County Galway; the area it will service; when construction of the works will commence; and if he will make a statement on the matter. [28935/06]

1488. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government the position regarding a project (details supplied) in County Galway; the area it will service; when construction of the works will commence; and if he will make a statement on the matter. [28936/06]

1540. **Mr. Callanan** asked the Minister for the Environment, Heritage and Local Government the status of a sewerage scheme (details supplied); and if he will make a statement on the matter. [29777/06]

1544. **Mr. Connaughton** asked the Minister for the Environment, Heritage and Local Government the present position regarding the proposed extension to a sewerage scheme (details supplied) in County Galway; if the necessary finances are available for the project to proceed; and if he will make a statement on the matter. [29781/06]

1545. **Mr. Connaughton** asked the Minister for the Environment, Heritage and Local Government the present position regarding a proposed sewerage scheme (details supplied) in County Galway; if the necessary finances are available for the project to proceed; and if he will make a statement on the matter. [29782/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1483, 1484, 1487, 1488, 1540, 1544 and 1545 together.

The Mountbellew, Eyrecourt and Corofin Sewerage Schemes and the Ballinasloe Main Drainage Scheme are included in my Department's Water Services Investment Programme 2005 – 2007 as schemes to commence construction in 2007. The Kilconnell Sewerage Scheme is approved for construction as soon as possible under the Rural Towns and Villages Initiative element of the Programme. My Department is awaiting submission of Galway County Council's Preliminary Reports in each case. Details of the areas proposed to be served by the schemes may appropriately be had from Galway County Council.

Question No. 1485 answered with Question No. 1470.

Question No. 1486 answered with Question No. 1469.

Questions Nos. 1487 and 1488 answered with Question No. 1483.

1489. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government the position regarding a project (details supplied) in County Galway; the area it will service; when construction of the works will commence; and if he will make a statement on the matter. [28937/06]

1490. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government the position regarding a project (details supplied) in County Galway; the area it will service; when construction of the works will commence; and if he will make a statement on the matter. [28938/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1489 and 1490 together.

The Athenry Sewerage Scheme and the Ballinasloe Regional Water Supply Scheme are included in my Department's Water Services Investment Programme 2005 – 2007 as schemes to start construction in 2007. Galway County Council's Preliminary Reports for both schemes are being examined in my Department and are being dealt with as quickly as possible. Details of the areas proposed to be served by the schemes may be sought from Galway County Council.

Question No. 1491 answered with Question No. 1470.

1492. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government the position regarding a project (details supplied) in County Galway; the area it will service; when construction of the works will commence; and if he will make a statement on the matter. [28940/06]

1548. **Mr. Connaughton** asked the Minister for the Environment, Heritage and Local Government the present position of a water scheme (details supplied) in County Galway; if his attention has been drawn to the fact that there are over 250 families that depend for domestic water on bored wells, many of which are polluted; the time span for the commencement of the project; and if he will make a statement on the matter. [29785/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1492 and 1548 together.

The Loughrea Regional Water Supply Scheme, which will serve Kilrickle, is included in my Department's Water Services Investment Programme 2005- 2007 as a scheme to commence construction in 2007. My Department is examining Galway County Council's Preliminary Report for the scheme in light of additional information submitted by the Council last month and a response will issue to the Council as soon as possible. Details of the overall area proposed to be served by the scheme may be sought from Galway County Council.

Questions Nos. 1493 to 1496, inclusive, answered with Question No. 1467.

1497. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government the position regarding a water scheme (details supplied) in County Mayo. [28945/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Kilmaine and Shrule Water Supply Scheme is approved for construction in my Department's Water Services Investment Programme 2005 – 2007. Mayo County Council's Contract Documents for the scheme are being examined in my Department and are being dealt with as quickly as possible. Approval of the Contract Documents will allow the Council to proceed with the invitation of tenders.

Architectural Heritage.

1498. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government the funding given to a local authority (details supplied) for the restoration of old houses and

[Mr. Ring.]

listed buildings for the past three years.
[28946/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): This Department funds a scheme of grants for the conservation of protected buildings, which is administered by the local authorities. It is a matter for each individual local authority to assess and prioritise applications and approve funding. The scheme is aimed at assisting owners and occupiers to carry out conservation works on structures of architectural significance in the Record of Protected Structures which local authorities have listed under the Planning and Development Act 2000.

The funding provided to Mayo County Council under this scheme for the past 3 years is as follows:

2004: €60,594.76

2005: €64,047.00

2006: an allocation of €108,000 has been made.

In addition €973,019.85 has been provided for the restoration of Westport House in the period in question. The breakdown for this funding is as follows:

2004: €320,000 ;

2005: 2005 €3019.85;

2006: 2006 €650,000.

My Department also funds the Heritage Council which in turn administers a number of Heritage and Architectural grants schemes. Information in relation to these may be obtained from the Council.

Local Authority Housing.

1499. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the plans his Department has to provide funding to local authorities to allow the authorities provide grants to tenants to install central heating in local authority houses where such facilities have not been provided; and if he will make a statement on the matter. [28990/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): In 2004 my Department introduced a central heating programme which provides funding for the installation of central heating in existing local authority dwellings which lack such a facility. Under the programme a grant of €5,600 or up to 80% of the cost, whichever is the lesser, is available. Capital allocations of almost €32 million were notified to local authorities for 2006. My Department will continue to support this important programme with capital funding.

Private Rented Accommodation.

1500. **Mr. Quinn** asked the Minister for the Environment, Heritage and Local Government his attention has been drawn to the fact that landlords who engage the services of letting agents or auctioneers to rent their property have given instructions not to reveal contact details or to communicate to the Private Residential Tenancy Board and the local authority that they are engaged in commercial activities on behalf of a landlord; if he will introduce regulations to ensure that all letting agencies or agents acting on behalf of landlords be required to inform the PRTB of the name, address and phone number of the landlord and make this information available to a person living in an adjoining property; and if he will make a statement on the matter. [28992/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): In accordance with section 136(b) of the Residential Tenancies Act 2004, an application for registration is required to contain the name, address for correspondence and PPSN (if any) of the landlord. This statutory obligation applies regardless of whether the application to register is made by the landlord him/herself or is made by an agent of the landlord. In relation to making such information available to persons living in adjoining properties, section 77(3) of the Residential Tenancies Act enables a person who is directly and adversely affected by a landlord's failure to enforce tenant obligations to obtain the name and address of the landlord concerned, or that of his authorised agent, from the Private Residential Tenancy Board. This existing statutory power is intended to address concerns such as those mentioned in the Question.

Waste Disposal.

1501. **Mr. Gormley** asked the Minister for the Environment, Heritage and Local Government the steps he proposes to undertake in order to reduce the number of charity bags that are currently being put through people's doors; if these charities need a licence to do same; and if he will make a statement on the matter. [28993/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The National Strategy on Biodegradable Waste promotes the reuse of textiles. In particular it advises householders to bring good quality textiles to charity and second-hand shops and encourages local authorities to accept waste textiles at recycling centres. Householders should exercise caution in relation to door-to-door collections of second-hand clothes. Genuine charities may benefit from such collections but bogus operators may undermine traditional charity shops.

Local authorities have adequate powers to control such activities if they are of the opinion that any person is collecting waste for the purposes of

reward, with a view to profit, or otherwise in the course of business. Section 34(1) of the Waste Management Act 1996 requires that any such person must obtain a waste collection permit from the relevant local authority. A waste collection permit is needed for each region in which the person intends to collect waste. It is a matter for individual local authorities to decide if an individual / business is involved in the collection, transport or storage of “waste”. In making their decision, local authorities are guided by the definition of waste which is set down in the Waste Management Act 1996.

Housing Aid for the Elderly.

1502. **Mr. Callanan** asked the Minister for the Environment, Heritage and Local Government the amount which was spent on housing aid for the elderly in 2005. [28994/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): A total of €16.536m was provided to the Health Service Executive in respect of expenditure incurred under the Housing Aid for the Elderly scheme in 2005.

Climate Change.

1503. **Mr. O’Shea** asked the Minister for the Environment, Heritage and Local Government his proposals to deal with flooding problems likely to arise from global warming and the consequent rising of sea levels; and if he will make a statement on the matter. [29049/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Under the Planning and Development Act 2000, planning authorities may include in their development plans objectives regulating, restricting or controlling development in areas at risk of flooding. Where development is proposed in an area at risk of flooding, it is a matter for each planning authority to evaluate such risk, on the basis of a flood risk assessment where appropriate and planning permission may either be refused, or, if granted, can be made subject to conditions requiring the implementation of measures necessary to alleviate or avoid damage due to flooding.

Draft Guidelines for Planning Authorities on the preparation of Development Plans were published for public consultation last April. These draft Guidelines advise that, in addressing the issue of flooding, development plans should identify areas that experience or are at risk from flooding, drawing from the process of flood risk mapping currently being undertaken by the Office of Public Works. Local development plan policies should then outline the considerations that will arise in relation to development within or near such areas from the point of view of managing existing flood risks or avoiding the generation of new flood risks.

The draft Guidelines also suggest that development plan policies dealing with flooding also need to recognise the uncertainties inherent in the prediction of flooding and the fact that flood risk is expected to increase as a result of climate change. Development plan objectives could also include policies indicating that developers will be required to support the funding of flood defences needed for particular developments, either partially or fully, depending on the circumstances involved. It is expected that the Guidelines will be finalised in the near future.

Water and Sewerage Schemes.

1504. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the amount offered or sought by Kildare County Council in respect of group water schemes; the number of such schemes likely to proceed on foot of same; if costings have been submitted to his Department for approval; and if he will make a statement on the matter. [29171/06]

1506. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the amount available for group water schemes in County Kildare at present; if this will facilitate a scheme (details supplied) in County Kildare in 2007; and if he will make a statement on the matter. [29173/06]

1526. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the number of applications for funding received by his Department for the provision of water and sewerage installations for Kildare for the past year; the amount of funding allocated; and if he will make a statement on the matter. [29405/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1504, 1506 and 1526 together.

I have allocated €2.327m to Kildare County Council for 2006 under the devolved Rural Water Programme which I understand, should be sufficient to meet all expenditure likely to arise this year in respect of the Council’s current work programme. It will be a matter for the Council to determine whether provision is made for the Ballyna group water scheme in the work programme it submits to my Department for the purposes of the 2007 allocations.

Insofar as public water and sewerage schemes are concerned, I am arranging to forward to the Deputy details of the schemes identified by Kildare County Council in response to my Department’s request to all local authorities in March 2006 to produce updated assessments of the needs for capital works in their areas and to prioritise their proposals on the basis of the assessments. This assessment is the Council’s most up to date and complete statements to my Department of its water and sewerage infrastruc-

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ture proposals and will be taken into account in the framing of the next phase of the Water Services Investment Programme.

Expenditure by local authorities in respect of schemes approved under the Water Services Investment Programme is recouped on an individual project basis and recoupments to Kildare County Council to date in 2006 amount to €20.7 million.

Local Authority Housing.

1505. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the basis on which it is felt that residents of an estate (details supplied) in County Kildare, whose homes were demolished on foot of major structural subsidence, have been deemed to be liable for part of the reconstruction costs in view of the fact that the dwellings were built by the local authority and subsequently sold to the tenants who were not made aware of the seriousness of the defects; and if he will make a statement on the matter. [29172/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I understand that the estate in question has been the subject of a Remedial Works Scheme. Under the terms of the Scheme private/tenant purchased houses may be included in the refurbishment project where it is considered by the housing authority that their inclusion is necessary in order to avoid an unacceptable or incongruous result to the refurbishment of an estate. The maximum capital contribution by my Department in respect of such houses is 50% of the cost of the eligible works with the residents funding the balance of 50% of the costs.

The administration of the Remedial Works Scheme in individual cases is the responsibility of the housing authority and I have no function in the matter.

Question No. 1506 answered with Question No. 1504.

House Prices.

1507. **Mr. Haughey** asked the Minister for the Environment, Heritage and Local Government the measures he is taking to reduce house prices for first time buyers, particularly in the Greater Dublin Area; and if he will make a statement on the matter. [29174/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The Government have taken action on a wide front to maximise access to home ownership, particularly through measures to promote adequate supply of housing to meet very strong demand. In addition, we have supported first time buyers through a range of tar-

geted measures, notably affordable housing schemes, tax reliefs and stamp duty reduction.

The delivery of over half a million new homes since 1997 has enabled an unprecedented number of first time buyers to access home ownership during the period. Almost 81,000 houses were built in 2005 compared to less than 31,000 ten years ago. In the first seven months of 2006, 51,752 houses and apartments were completed nationally. This represents an increase of 23.6% on the corresponding period in 2005. Supply in Dublin has also increased significantly. 18,000 new homes were completed last year, double the output of ten years ago. Completions in the first seven months of 2006 amounted to 10,869 units, an increase of 13.5% on the corresponding period in 2005. The Government will continue to focus on maintaining overall housing supply at a level consistent with the continuing strong demand and maximising the availability of affordable housing through a range of instruments including investment in infrastructure, streamlining of planning and more effective use of land.

A number of measures to assist those who cannot access affordable housing without assistance have been put in place. In 2005 the Government established the Affordable Homes Partnership to accelerate the delivery of affordable housing in the Greater Dublin area, where availability is most acute. The Partnership, whose remit has recently been extended, is making very good progress in their work. Eligibility and subsidy levels under the various schemes were increased in January 2006. The partnership agreement Towards 2016 has set an ambitious target of delivering some 17,000 affordable homes over the period 2007 to 2009. This represents a significant increase on the rate of output of affordable housing over the past three years and will make an important contribution to addressing affordability problems. Investment of some €4 billion will be made under the various schemes over the next three years.

On the fiscal side first time buyers are entitled to mortgage interest tax relief on higher amounts of interest, up to €8,000 in the case of a couple, for the first 7 years of the loan. Reduced stamp duty yielded significant savings for first time buyers and has been particularly beneficial for people saving for a deposit.

Environmental Policy.

1508. **Mr. Sargent** asked the Minister for the Environment, Heritage and Local Government if he will provide a list of the 125 rivers known to host the fresh water pearl mussel *Margaritifera margaritifera* giving their location by county and their length; the 45 catchments involved with their location by county and their extent in hectares; and the amount of afforestation by hectares in each of these catchments. [29176/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Detailed infor-

mation on the designation of waters for the protection of the water pearl mussel is being compiled by my Department for transmission to the Deputy as soon as possible.

Register of Electors.

1509. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government if people who live temporarily in Dublin for work purposes, but regard their parents' home in Mayo as their permanent residence, can remain on the register of electors in County Mayo; and if he will make a statement on the matter. [29207/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The compilation and publication of the register of electors is a matter for each local registration authority in accordance with electoral law. While I have put in place a programme of measures to assist and support local authorities in their registration work, it is the duty of local authorities to ensure as far as possible the accuracy and comprehensiveness of the register; in carrying out this work, local authorities depend to a significant degree on the cooperation and engagement of the general public.

Section 8 of the Electoral Act 1992 states that to be eligible for registration as a Dáil elector a person must be ordinarily resident in a constituency on the qualifying date (1 September in the year preceding the year in which the Register comes into force). Section 11 of the Act places a prohibition on a person being registered as an elector more than once in any registration area or in more than one registration area.

Long standing guidance from the Department suggests that students be given the option of being registered at their parents' home or at the students' residential address. While the guidance further suggests that persons who normally return to their parents' home at the weekends and for holidays should be registered where they live for work purposes, the determination of ordinary residence is a matter for decision by the local authority (or the County Registrar in the case of a claim) in the light of the circumstances of each particular case.

I understand that Mayo County Council, the registration authority concerned, has indicated that fieldworkers who are currently conducting house-to-house enquiries are advising people in such cases that they should register where they are residing for work purposes. However, the Council also confirmed that each case will be considered on its merits and exceptions may be made where there is a compelling case to include an individual on the Register. In addition, the Council stated that, on publication of the Draft Register of Electors on 1 November, individuals if they wish can make a claim to have their registration details altered and the matter will be determined by the County Registrar.

Water and Sewerage Schemes.

1510. **Mr. J. Breen** asked the Minister for the Environment, Heritage and Local Government the stage of the application for an upgrade of a system (details supplied) which was submitted to his Department in 2002; and if he will make a statement on the matter. [29240/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Ennis Clarecastle Sewerage Scheme is included in my Department's Water Services Investment Programme 2005–2007 as a scheme to commence construction in 2007. I approved Clare County Council's Preliminary Report last week and the Council may now proceed with the preparation of contract documents for the scheme.

EU Directives.

1511. **Mr. Ferris** asked the Minister for the Environment, Heritage and Local Government if construction companies are currently complying with the requirements of the building energy rating, due to come into effect in January 2007. [29267/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Under the EU Energy Performance of Buildings Directive (2002/91/EC of 16 December 2002), building energy rating (BER) will be required for newly constructed buildings and for existing buildings when sold or let. The BER certification will become mandatory, on a phased basis, over the period 2007–2009, starting with certificates for new dwellings from 1 January 2007. The operative date of 1 January 2007 is subject to a transitional exemption period for new dwellings for which planning permission had been applied for before 1 July 2006, provided substantial work is completed by 30 June 2008. The amended Part L of the Building Regulations 2005–(Conservation of Fuel and Energy) and the related Technical Guidance Document L which is operative from 1 July 2006, introduced a building energy performance methodology for new dwellings, as required by the Directive. The methodology for demonstrating compliance with Part L is known as the Dwellings Energy Assessment Procedure (DEAP), which was published by Sustainable Energy Ireland (SEI) in June 2006. DEAP will also be the method used to produce Building Energy Ratings for new dwellings.

I understand that SEI has held and participated in 91 information sharing seminars on the implementation of the Directive with interested parties throughout the country, including the Homebond Right on Site Lecture series, which was attended by 2800 builders. SEI will continue to engage with interested parties during the implementation period, including representative bodies in the construction industry. Details of Consultation, Promotion and Information Campaign are set out in Section 6 of the Action Plan. I also understand

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from SEI that the training programme for BER Assessors is planned to commence in October 2006.

Water Services.

1512. **Mr. Allen** asked the Minister for the Environment, Heritage and Local Government if he will make a statement on a situation in Cork City where Cork City Council is charging schools for water consumed and have explained that they are obliged to do so due to a directive from him; and his views on whether this is putting severe financial pressure both on boards of management and parents. [29284/06]

1542. **Mr. Allen** asked the Minister for the Environment, Heritage and Local Government if he will make a statement on the situation where Cork City Council officials are stating that, as a result of a directive from his Department, the Council have now introduced a water charge to national schools in their jurisdiction for water services. [29779/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1512 and 1542 together.

Local authorities are required to recover the cost of providing water services from the users of these services, with the exception of householders. The cost of providing water services to the non-domestic sector should be fully recovered by local authorities by means of a meter based volumetric charge. While current arrangements for schools may, as with other non-domestic users, be based on fixed water services charges, Cork City Council, in common with other local authorities and in line with the above policies, are now moving towards the metering of all non-domestic water use. This is to provide a transparent and equitable cost recovery mechanism for water services, which should incentivise all non-domestic users, including schools, to conserve their use of water and thus minimise this element of their running costs.

Census of Population.

1513. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government if figures released by the Central Statistics Office in July 2006 via the Census 2006 Preliminary Report will be used by his Department for any reason; if so, what the figures will be used for; and if he will make a statement on the matter. [29304/06]

1563. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if, in view of the increases in population in local authority areas as shown in the 2006 preliminary census figures, he will hold consultations with the

Minister for Finance with a view to lifting the public service embargo on local authority staff recruitment. [29993/06]

1571. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government the action his Department is taking to adjust the provision of water and waste water services in the Greater Dublin Area, in view of the large increase in population in this area as indicated by the Census 2006 Preliminary Report; and if he will make a statement on the matter. [30150/06]

1573. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government if figures contained within the Census 2006 Preliminary Report will be used for the purpose of allocating the local government fund in 2006; and if he will make a statement on the matter. [30152/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1513, 1563, 1571 and 1573 together.

My Department will have regard to the recently published preliminary Census data, as well as the further reports to be prepared by the Central Statistics Offices over the coming months deriving from the 2006 Census, when reviewing relevant policy areas for which the Department is responsible. For example, the Department will examine the potential implications of the preliminary data for the National Spatial Strategy, the Regional Planning Guidelines and City and County Development Plans and associated Housing Strategies. This examination will assist in ensuring more effective infrastructural investment, and sustainable and balanced regional development over the coming years and will inform investment in social and affordable housing programmes.

Government policy on the control and regulation of numbers in the public sector, including local authorities, was announced in the Minister for Finance's Budget statement of 7 December 2005. I am continuing to keep the overall employment position in the sector under regular review, having regard to the need to deliver quality front line services and achieve value for money within the parameters of Government policy on public service employment generally.

Details of approved water services schemes for the Greater Dublin Area are set out in my Department's Water Services Investment Programme 2005 – 2007 which is available in the Oireachtas Library. In June 2006 all local authorities were asked to produce updated assessments of the need for new water services infrastructure in their areas in light of economic, demographic and other developments since the previous assessments were completed in 2003.

Local authorities would have had regard to the preliminary results of the 2006 Census in that context. The infrastructural priorities identified by authorities in these latest assessments of needs will be taken into account in the selection of new schemes for funding under the next phase of the Water Services Investment Programme and in the context of the National Development Programme for 2007-2013.

Population is one of a range of factors which are used in determining general purpose grant allocations from the Local Government Fund. The results of the 2006 Census Preliminary Report will be taken into account for that purpose.

Housing Policy.

1514. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government if it is envisioned that representatives of local authorities will become directors of the management companies that cater for the management of local authority owned apartment units; if so, the guidance and indemnities which will be provided for such representatives; and if he will make a statement on the matter. [29326/06]

1515. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government if there are instances where local authorities have acquired housing units in private residential developments where management companies are in place; if so, if these local authorities are subject to the same management fees as other private owners; if these local authorities have opted out of such management company membership or fee payment obligations; the way in which this was achieved; and if he will make a statement on the matter. [29327/06]

1516. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government the guidance given to or sought by his Department on the issue of management companies in view of the increase of apartment units within private developments owned by local authorities as a result of acquisitions made under Part V of the Planning and Development Act, 2005; and if he will make a statement on the matter. [29328/06]

1551. **Mr. O'Connor** asked the Minister for the Environment, Heritage and Local Government the progress towards introducing the means to effectively control the operation of management companies in apartment blocks; his views on the representations made to him from Tallaght in the matter and the need for action; and if he will make a statement on the matter. [29790/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 1514, 1515, 1516 and 1551 together.

Accommodation provided under my Department's social and affordable housing programmes includes a range of delivery mechanisms including new build, Part V, turnkey developments and acquisitions. The composition and ongoing management of the housing stock, including matters arising from the acquisition of apartments in private developments and consequential membership of the relevant management company consisting of all the apartment owners concerned, is a matter for individual housing authorities having regard to their particular circumstances.

In general, apartment complex management companies are constituted under the Companies Acts and are required to comply with the provisions of company law which is a matter for Minister for Enterprise Trade and Employment. I understand that the Minister for Enterprise, Trade and Employment hopes to bring proposals for amendment of company law to Government later this year, which are expected to include certain changes relevant to management companies.

As many of the legal issues relating to the establishment, operation and control of management companies are generally outside my Department's area of responsibility my Department is engaging with a number of relevant agencies regarding aspects of the issue, including the Departments of Enterprise, Trade and Employment and Justice, Equality and Law Reform, the Law Reform Commission, the National Consumer Agency. My Department is also engaging with local authorities and the construction industry on the matter.

A Law Reform Commission Working Group is currently examining legal aspects generally regarding management of multi-unit structures and its consultation paper is expected shortly. The Government will consider the recommendations in its final report including the need for any new measures to be taken in this area.

The Property Services Regulatory Authority (PSRA) will have the function of licensing, regulating and dealing with complaints relating to managing agents. These are commercial firms engaged by management companies to carry out day-to-day management and maintenance. The Authority will also have a public information function in relation to property management. The PSRA, and its functions, will be provided for in legislation that is being prepared by the Department of Justice, Equality and Law Reform. I understand that an Implementation Group and a Director Designate are already in place.

The National Consumer Agency is to publish a report on the issue very shortly and also intends to publish a consumer information document. I and the Minister for the Environment, Heritage

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and Local Government have also responded on the above lines to concerns raised by Deputies in representations on behalf of the constituents, including in relation to the Tallaght Area.

1517. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government the guidance which has been given by his Department in instances where the estates within which management companies operate are proposed to be taken in charge, and the companies are to undergo a winding up process; if guidance as to the requirement to pay management fees directly prior to the taking in charge of estates has been given; and if he will make a statement on the matter. [29341/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department issued a circular letter (PD 5/06) to planning authorities on 5 July 2006 regarding planning conditions and management companies. That circular advised planning authorities that they should only attach planning conditions in relation to the ongoing management of shared facilities in circumstances where they judge that those are clearly required for the benefit of residents of an estate. It also advised that the existence of a management company to maintain elements of common buildings, carry out landscaping, etc. must not impact upon the decision by the authority to take in charge roads and related infrastructure where a request to do so is made.

The circular indicated my intention to establish a Working Group, representative of local authorities and a range of other interests, including consumer interests, to look further at this matter. The Working Group will hold its first meeting on 28 September 2006. My Department will bring the issue raised in the Question to the attention of the Working Group.

Road Safety.

1518. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the plans his Department has to provide funding for the provision of solar powered speed indicators on all national and regional roads; if he will provide such funding on a regional basis; if he has had proposals in relation to this matter; and if he will make a statement on the matter. [29397/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The provision of road traffic signs, which could include the provision of solar powered speed indicators, on non-national roads is a matter for local authorities to be funded from their own resources supplemented by State grants provided by my Department.

Local authorities may use discretionary improvement and block grants provided by my Department towards the cost of providing such signposting on non-national roads. In 2006, the discretionary improvement grant allocation to county councils is €24.27 million and the block grant allocation to City, Borough and Town Councils is €15.51 million.

I have not received any proposals from local authorities regarding funding for the provision of solar powered speed indicators.

My Department has no function in relation to national roads. Responsibility for national roads is a matter for the relevant road authority and the National Roads Authority which operates under the aegis of my colleague the Minister for Transport.

Local Authority Housing.

1519. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the number of houses built and allocated for tenancy by Kildare County Council, Athy Town Council and Naas Town Council in each of the past three years; the number of applicants registered and accepted in need of housing by each of the local authorities; and if he will make a statement on the matter. [29398/06]

1527. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the number of independent living units provided by Kildare County Council, Naas Town Council and Athy Town Council in each of the past five years; and if he will make a statement on the matter. [29406/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 1519 and 1527 together.

The numbers of new social housing dwellings provided by Kildare County Council, Athy Town Council and Naas Town Council over the past three years are set out in the table below.

Council	2001	2002	2003	2004	2005
Kildare County	142	147	123	49	151
Athy Town	47	7	9	3	33
Naas Town	3	1	2	63	1

The numbers of households in need of housing for the three local authorities, set out in the March 2005 Assessment of Housing Need, are as follows:

Council	2005
Kildare County	1,590
Athy Town	78
Naas Town	134

In addition my Department also provides support directly to voluntary bodies under the voluntary housing schemes and details of housing output for the Kildare area are also published in the Housing Statistics Bulletins, copies of which are available in the Oireachtas Library and on the Department's website at www.environ.ie.

Social and Affordable Housing.

1520. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the number of shared ownership loans agreed and drawn down through Kildare County Council, Naas Town Council and Athy Town Council for each of the past three years; and if he will make a statement on the matter. [29399/06]

1522. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the number of affordable houses allocated by Naas Town Council, Kildare County Council and Athy Town Council in each of the past two years; the number of applicants seeking such houses for each council; and if he will make a statement on the matter. [29401/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 1520 and 1522 together.

Information to end March 2006 on the numbers of shared ownership transactions and the number of housing units provided under the various affordable housing schemes in each local authority area is available on my Department's website at www.environ.ie and is published in my Department's Housing Statistics Bulletins, copies of which are available in the Oireachtas Library. Information on the number of applicants seeking such houses in each local authority is not available in my Department.

Local Authority Housing.

1521. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the number of tenant purchase agreements entered into between tenants and Kildare County Council, Athy Town Council and Naas Town Council for each of the past three years; and if he will make a statement on the matter. [29400/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Data on the number of tenant purchase sales completed in the Kildare County Council area for 2003, 2004 and 2005 are available in the Housing Statistics Bulletins, copies of which are available in the Oireachtas Library and also on the Department's website at www.environ.ie.

Question No. 1522 answered with Question No. 1520.

1523. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the number of social houses allocated to Athy Town Council, Naas Town Council and Kildare County Council by developers in each of the past two years; the number of instances that developers opted for financial agreements rather than the allocation of houses; the amount of funds received by each council under this arrangement; and if he will make a statement on the matter. [29402/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Information to end March 2006 on the number of social houses acquired on foot of agreements with developers under Part V of the Planning and Development Acts 2000 – 2006 in each local authority area is available on my Department's website at www.environ.ie and is published in my Department's Housing Statistics Bulletins, copies of which are available in the Oireachtas Library.

While the number of instances of Part V financial transactions is not available in my Department, up to the end of March 2006, Kildare County Council received a total of €3,426,900 in lieu of land transfers.

1524. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the position regarding the provision of housing at the McGee Barracks site in County Kildare; if agreement has been reached with Kildare County Council on the issue; and if he will make a statement on the matter. [29403/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Lands at the former Magee Barracks in Kildare Town were among those identified to be released to the Affordable Housing Initiative under the Sustaining Progress agreement. A local area plan for the lands involved was adopted by Kildare County Council in November 2005, providing for a sustainable mix of residential development of the order of 600 units, comprising 350 affordable units, 50 social units and 200 open market units.

The Affordable Homes Partnership has been assigned responsibility for providing procurement and other advice and support to Kildare County

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Council in discharging its role as the lead authority in relation to the development of the site. It is intended that this will be progressed by way of a Public Private Partnership arrangement, subject to the completion of the necessary feasibility and other preparatory work currently in progress.

Election Management System.

1525. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the cost to his Department of the storage of the e-voting machines in Kildare for each of the past three years; and if he will make a statement on the matter. [29404/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Information provided by the Returning Officer for the Kildare constituencies indicates that storage costs in respect of the electronic voting machines and ancillary equipment are: €30,724 (2003/4); €31,616 (2004/5); and €31,934 (2005/6 estimate). Payments to Returning Officers in respect of their electoral duties are made by the Department of Finance from the Central Fund.

Question No. 1526 answered with Question No. 1504.

Question No. 1527 answered with Question No. 1519.

Water and Sewerage Schemes.

1528. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 557 of 5 July 2006, the status of these regional water schemes; when he will approve funding for the projects; and if he will make a statement on the matter. [29430/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): This matter will be determined shortly.

1529. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 243 of 8 June 2006, the status of the project to upgrade the north east Roscommon regional water supply; and if he will make a statement on the matter. [29437/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I expect a decision on the Preliminary Report to be conveyed to Roscommon County Council within the next few weeks.

Archaeological Sites.

1530. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government

further to Parliamentary Question No. 516 of 20 June 2006, the status of the conservation study of the Rathcroghan archaeological complex; when he expects to receive this report; and if he will make a statement on the matter. [29441/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The conservation study of the Rathcroghan archaeological complex is progressing well. Site visits have been undertaken by the consultants commissioned by the Department in agreement with Roscommon County Council and the required public consultation process has begun. It is envisaged that a preliminary report on the study will be submitted to my Department later this Autumn. Subject to the level of public response involved and the requirements of the drafting process, a final report is anticipated by end 2006. It is anticipated that the report on the conservation study will be ready for publication early in 2007.

Water Quality.

1531. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 147 of 31 May 2006, if he has received the results of the pilot programme for each of the seven locations; and if he will make a statement on the matter. [29444/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Monitoring of individual pilot schemes will commence as they are commissioned. I am asking the National Rural Water Monitoring Committee to report on results as soon as they become available.

Waste Disposal.

1532. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 822 of 6 July 2006, his plans to extend the local authorities pilot scheme for the collection of farmyard plastic; the volume of plastic collected in the pilot areas; and if he will make a statement on the matter. [29445/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I announced on 3 May this year as, part of a series of measures to build on the successful farm plastic collection scheme, that five local authorities — Clare, Galway, Mayo, Offaly and Waterford County Councils — would provide designated facilities on a temporary once-off basis where farmers could deposit waste silage/bale wrap free of charge. Funding was made available to these local authorities from the Environment Fund to meet the costs associated with the operation of the scheme.

The initial trial has now concluded in all five counties and information was sought by my Department in relation to, inter alia, the volumes

of farm plastics collected and the costs associated with the baling, transport and onward recycling of all such material. All of the evidence available suggests that the pilot scheme has been extraordinarily successful and well supported by farmers.

While final returns are awaited from the participating councils, on the basis of information received to date from the local authorities concerned, it is estimated that in excess of 9,300 tonnes of waste silage/bale wrap has been recovered at a cost of approximately €1.8 million. One significant finding from the pilot scheme was that it is not possible to operate collections in a large number of counties at the same time due to capacity constraints on the part of recovery operators. Accordingly, it will be necessary to roll out the scheme to other areas on a staggered basis. In addition, it was noted that there was a high level of demand for collection in counties with a high proportion of farmers participating in the Rural Environment Protection Scheme (REPS). Arising from a comprehensive examination of the information available, I will be announcing an extension of the scheme shortly.

Architectural Heritage.

1533. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 244 of 8 June 2006, his plans to review the funding for architectural protection grants; and if he will make a statement on the matter. [29448/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Expenditure under my Department's Built Heritage Capital Programme for 2006 has been reviewed in the normal way having regard to the progress of works to date. Recommendations have recently been made to me on the matter and I will shortly determine certain revised allocations. Funding for this programme for 2007 and subsequent years is also being examined at present as part of the Estimates and NDP process respectively.

Special Areas of Conservation.

1534. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 145 of 31 May 2006, if the survey has been carried out on a plot purchased from a person (details supplied) in County Mayo; when the person will be issued with their top-up payment for the purchase of special area of conservation bog; and if he will make a statement on the matter. [29449/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I am advised that the survey has been carried out on the plot of land purchased from the person named. The question of entitlement to a top up payment is being examined in my Department and a response will issue to the person named within two weeks.

Provision of Allotments.

1535. **Ms Burton** asked the Minister for the Environment, Heritage and Local Government the policy of his Department in relation to providing allotments or plots via county council's to allow people to grow vegetables and so on; if his attention has been drawn to the fact that residents in Dublin 15 have been told that these plots are no longer available and that replacement allotments will be made available in Naul, North County Dublin a 20 mile journey from their current location; his views on whether this is an impossible journey for many of these residents to make; his proposals to provide an accessible alternative for these residents; and if he will make a statement on the matter. [29474/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Local authorities have general powers to take such measures, engage in such activities or do such things (including the incurring of expenditure) as they consider necessary or desirable to promote the interests of the local community. Under these powers local authorities may decide at their discretion to make allotments available. The exercise of these discretionary powers is entirely a matter for individual authorities and my Department has no function in the matter.

Question No. 1536 answered with Question No. 1462.

Local Authority Funding.

1537. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government the data which is now available in relation to the overall expenditure by local authorities on the disabled persons and essential repairs grants schemes in 2005; the amount that was made available to each local authority under the schemes; the amount expended by the respective local authorities in 2005; the amount unspent by each local authority; and if he will make a statement on the matter. [29637/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The tabular statement gives details of the combined capital allocation for disabled persons and essential repairs grants notified to each local authority and the combined expenditure on the schemes by each local authority in 2005. In 2005 the capital allocation for these schemes was €74.5 million. Actual expenditure, notified to the Department by local authorities was €64.6m, of which €60.2 million was spent on disabled persons and essential repairs grants for private dwellings with a further €4.4 million spent on works of adaptation to make local authority dwellings more suitable for a disabled member of the household.

The combined capital allocation to local authorities for the disabled persons and essential

[Mr. N. Ahern.]

repairs grant schemes represents not a capital grant, but the total amount which authorities are authorised to spend on the schemes in the year in which the allocation is made. Expenditure on the grant schemes is funded by the two-thirds recoupment available from my Department together with the one-third contribution from the revenue resources of the local authority.

The final out-turn reflects the expenditure by local authorities on approved applications. The initial allocations presented the local authorities' best estimate of the likely level of grant approvals during 2005. However, some grant approvals by local authorities may not subsequently be taken up by applicants. In addition, if there are delays in applicants completing the approved works, either due to a delay in getting contractors or for other reasons, the ultimate spend may arise in later years.

Local authorities were notified in June 2005 of their combined capital allocation and were requested on a number of occasions to notify the Department if it became evident that the allocation notified was likely to be inadequate or surplus to requirements. Increased allocations were approved for a number of local authorities. The Department stressed the need to ensure that, in the light of the high level of demand for these grants, the available allocation is expended in full and to ensure that the level of their approvals was such that would facilitate expenditure of the full allocation.

Allocations and Expenditure on Disabled Persons and Essential Repairs Grants in 2005

Local Authorities	Final Allocation 2005	Expenditure 2005
<i>County Councils</i>		
Carlow	960,000	515,699
Cavan	1,800,000	1,585,078
Clare	1,660,000	1,645,704
Cork (n)	1,500,000	1,701,530
Cork (s)	2,500,000	2,308,450
Cork (w)	1,000,000	819,518
Donegal	4,300,000	3,084,367
DL/Rathdown	2,250,000	1,638,240
Fingal	1,520,000	1,202,990
Galway	2,880,000	2,819,084
Kerry	1,760,000	1,891,276
Kildare	1,500,000	1,564,003
Kilkenny	780,000	613,612
Laois	2,100,000	2,094,136

Local Authorities	Final Allocation 2005	Expenditure 2005
Leitrim	2,600,000	1,297,009
Limerick	1,140,000	1,199,756
Longford	900,000	619,533
Louth	1,120,000	1,478,965
Mayo	1,600,000	1,476,252
Meath	2,880,000	1,780,302
Monaghan	1,450,000	1,463,683
North Tipperary	1,740,000	1,481,116
Offaly	1,255,000	1,765,695
Roscommon	1,800,000	1,792,614
Sligo	505,000	308,826
South Dublin	3,600,000	4,218,987
South Tipperary	3,100,000	1,826,794
Waterford	1,020,000	994,021
Westmeath	1,350,000	994,142
Wexford	1,050,000	841,891
Wicklow	2,000,000	1,631,735
<i>City Councils</i>		
Cork	1,800,000	759,801
Dublin	13,500,000	13,053,836
Galway	1,300,000	809,829
Limerick	900,000	433,838
Waterford	650,000	648,752
<i>Borough Councils</i>		
Sligo	700,000	222,330
<i>Town Councils</i>		
Bray	30,000	60,198
TOTAL	74,500,000	64,643,589

1538. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government the amount made available to each city and county council under the Local Improvement Scheme each year since 2000 to date; the amount that has been returned unspent from each of the local authorities concerned; his plans for the coming year with regard to funding under this scheme; and if he will make a statement on the matter. [29741/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O'Keefe): Grant allocations are made to county councils each year under the Local Improvements Scheme. Details of allocations for each of the years 2000 to 2006 and grants claimed by and paid to councils for each of the years 2000 to 2005 are set out in the following Table. I intend to announce the 2007 Local Improvements Scheme allocations early in the New Year.

County Council	2000 Allocation	2000 Payment	2001 Allocation	2001 Payment	2002 Allocation	2002 Payment	2003 Allocation	2003 Payment	2004 Allocation	2004 Payment	2005 Allocation	2005 Payment	2006 Allocation
	€	€	€	€	€	€	€	€	€	€	€	€	€
Carlow	98,049	97,042	118,374	118,374	142,189	142,189	142,189	129,494	156,081	156,081	156,081	156,081	196,227
Cavan	680,465	680,465	877,225	877,225	970,708	970,708	970,708	970,708	1,065,546	1,065,546	1,065,546	1,065,545	1,648,761
Clare	313,156	313,156	415,270	415,270	514,069	514,069	514,069	514,069	564,294	564,294	564,294	564,294	1,446,161
Cork	335,655	335,655	449,337	449,337	515,048	512,615	515,048	515,048	565,368	546,769	849,308	842,062	1,889,115
Donegal	1,101,183	838,023	1,711,338	1,711,338	1,566,005	1,566,005	1,566,005	1,566,005	1,719,004	1,719,004	1,719,004	1,719,004	3,324,853
Dún Laoghaire-RathDown	—	—	—	—	—	—	—	—	—	—	—	—	—
Fingal	30,474	9,654	—	—	—	—	—	—	25,000	23,928	15,000	15,000	—
Galway	551,143	551,143	678,116	592,219	755,388	755,388	755,388	755,388	829,189	768,661	829,189	743,497	1,603,795
Kerry	770,142	768,478	971,433	971,433	1,091,735	1,087,099	1,091,735	1,091,735	1,198,398	1,198,398	1,198,398	1,198,398	2,317,910
Kildare	79,867	79,867	94,707	87,161	102,416	102,416	102,416	99,757	112,422	110,236	88,504	88,504	111,268
Kilkenny	94,976	78,724	122,149	121,802	132,092	132,092	132,092	131,677	144,997	144,997	192,608	192,608	493,612
Laois	97,008	93,199	151,738	151,738	174,303	174,303	174,303	172,509	191,332	191,332	275,335	260,401	612,428
Leitrim	537,734	537,734	655,926	655,926	714,987	714,987	767,006	767,006	784,841	784,841	784,841	784,841	1,214,415
Limerick	185,109	185,109	241,443	241,443	262,892	262,892	262,892	262,892	288,577	288,577	288,577	288,577	739,559
Longford	195,095	193,841	245,014	179,390	264,958	264,958	264,958	254,908	290,844	255,690	309,208	309,208	792,432
Louth	85,580	85,580	104,703	104,703	118,984	118,984	118,984	118,129	130,609	125,328	130,609	130,609	202,096
Mayo	799,639	799,639	1,211,771	1,211,771	1,310,409	1,310,409	1,310,409	1,310,409	1,438,736	1,438,736	1,438,736	1,438,736	3,200,180
Meath	50,790	21,141	50,790	50,790	271,023	252,430	63,098	63,098	69,263	61,502	69,263	69,263	133,967
Monaghan	382,712	382,712	520,579	520,579	583,052	583,052	680,526	680,526	640,016	624,553	640,016	640,016	1,423,587
North Tipperary	125,399	73,584	155,039	154,987	174,922	174,922	174,922	174,922	192,012	189,597	192,012	179,766	297,108
Offaly	91,040	90,744	113,014	112,984	125,621	125,621	125,621	94,625	137,894	95,357	137,894	128,959	306,718
Ros-common	174,335	174,335	213,998	213,998	231,417	231,417	231,417	231,417	254,026	254,026	254,026	244,318	491,330
Sligo	330,107	330,107	407,074	407,074	440,210	440,210	440,210	440,210	483,219	483,219	483,219	483,219	747,704
South Dublin	—	—	—	—	—	—	—	—	—	—	—	—	—
South Tipperary	77,962	77,962	92,561	92,561	103,995	101,254	103,995	103,995	114,155	114,155	114,155	114,155	292,554
Waterford	104,271	104,271	130,591	130,591	150,668	150,668	150,668	150,668	165,388	165,388	165,388	165,388	319,889
West-meath	86,850	78,851	100,293	82,308	112,835	112,835	112,835	112,835	123,859	123,859	123,859	100,097	191,652
Wexford	128,205	92,086	189,737	189,737	214,642	214,642	214,642	214,642	235,613	235,613	235,613	235,613	603,824
Wicklow	111,483	100,350	128,943	128,943	163,357	133,023	163,357	163,357	179,317	167,908	232,869	232,869	398,855

Fire Stations.

1539. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government his proposals to provide a new fire station in Tallow, County Waterford; and if he will make a statement on the matter. [29742/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O'Keeffe): The provision of funding for a replacement fire station at Tallow was not included in the 2006 Fire Services Capital Programme. However, the provision of such funding will be considered in future years having regard to overall demands on the fire service capital programme, the priorities of Waterford County Council, the level of activity, the proximity of other fire stations and the standard of the existing facilities.

Question No. 1540 answered with Question No. 1483.

Recycling Policy.

1541. **Ms Shortall** asked the Minister for the Environment, Heritage and Local Government the rationale for charging consumers an environmental charge on electrical goods in the case of consumers who are not disposing of old goods; and if he will make a statement on the matter. [29778/06]

1555. **Mr. Gregory** asked the Minister for the Environment, Heritage and Local Government if he will review the recycling charge for electrical goods; and if he will make a statement on the matter. [29893/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1541 and 1555 together.

The WEEE scheme came into effect in August 2005 and has been a remarkable success. In the first 12 months of operation, 27,700 tonnes of household WEEE was collected. This represents approximately 2.3 million electrical and electronic products. This contrasts to the 5,510 tonnes of this waste type which was recovered in 2004 and indicates widespread public support for the scheme. Under the terms of the WEEE Directive, financing the recycling of electrical and electronic equipment is now solely a producer responsibility.

The Directive places two distinct obligations on producers: producers must finance the recovery and recycling of any item of household electrical and electronic equipment they themselves have placed on the market since 13 August when it reaches end of life; and producers must finance the recovery and recycling of all household electrical waste that arises from goods sold before 13 August 2005 (known as "historic WEEE") in pro-

portion to their current market share. This includes paying for all historic waste as it arises whether it is taken back by a retailer on a one-for-one basis or deposited at a local authority recycling centre. It also includes paying for waste from producers who are no longer in the market or who cannot be traced. The Directive allows producers to show the cost of recovering and recycling "historic" household WEEE, in recognition of the substantial legacy of old waste which is now the financial responsibility of current producers.

The EMCs show the costs of recovery and recycling based on data submitted by producers to the WEEE Register Society Limited, the industry-based national WEEE registration body, which has an independent Committee of Management. The approval of EMCs is a matter for WEEE Register and my Department has no function in the matter. EMCs 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 who are operating the Producer Responsibility Initiative. Both organisations operate on a not for profit basis.

Following a thorough review of the initial EMCs the WEEE Register announced reductions for most categories of electrical and electronic equipment in July last and these were implemented with effect from 1 August 2006. A further review of the EMCs applying to fridges and fridge-freezers has now been completed by WEEE Register and reductions in these were announced this week.

Question No. 1542 answered with Question No. 1512.

Question No. 1543 answered with Question No. 1469.

Questions Nos. 1544 and 1545 answered with Question No. 1483.

Question No. 1546 answered with Question No. 1467.

Question No. 1547 answered with Question No. 1469.

Question No. 1548 answered with Question No. 1492.

Architectural Heritage.

1549. **Mr. O'Connor** asked the Minister for the Environment, Heritage and Local Government if he will report on contacts with South Dublin County Council in respect of the need for works on the historic Killiney Tower, Oldcourt, Tallaght; and if he will make a statement on the matter. [29787/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The National Inventory of Architectural Heritage (NIAH) survey of South County Dublin, conducted by my Department in 2002, recognises this site as the remains of a former medieval tower and country house and as a structure of regional significance. This property is owned by South Dublin County Council and has been included by them since 1998 in their Record of Protected Structures the preservation of which is supported by the development plan. Under Section 58 of the Planning and Development Act 2000 it is the responsibility of the owners of a protected structure to ensure that it is protected from endangerment. My Department's Architectural and Archaeological services are available to assist South Dublin County Council in the conservation of this site.

Register of Electors.

1550. **Mr. O'Connor** asked the Minister for the Environment, Heritage and Local Government the actions being taken to ensure the effectiveness of the voting register now being prepared for next years general election; and if he will make a statement on the matter. [29788/06]

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 cooperation of the public, the accuracy and comprehensiveness of the Register. In April 2006, I announced a package of measures to assist local authorities in their work on preparing the 2007/8 Register, which included the use of Census enumerators or other temporary personnel to support local authorities in preparing the next Register. The CSO contacted census enumerators seeking expressions of interest in the work; lists of enumerators expressing such an interest in each city and county council area were made available to local authorities. This cleared the way for recruitment and deployment, as appropriate, by local authorities of additional temporary staff for the registration campaign.

In addition, my Department worked with a group of local authority managers and senior officials to put in place an enhanced programme for improving the next Register. Detailed procedures for the carrying out of registration field-work were finalised and issued to local authorities in early July. New supplies of the electoral registration (RFA) forms were distributed to all local authorities in June (significantly earlier than in previous years).

I also committed to providing additional ring-fenced financial resources to support local authorities' own spending in respect of the register campaign and have advised authorities that a contribution of some €6 million can be made avail-

able in this regard. An initial allocation of some €3 million was made available in July to local authorities for registration work.

As regards publicity and awareness, a two-stage approach has been developed, involving information notices followed by an intensive media campaign. Information notices were published in the national press on 19-21 August, urging co-operation with local register campaigns. In addition, a national publicity and awareness campaign involving TV, radio, press and outdoor advertising commenced on 11 September and will run until 25 November (the closing date for submitting corrections to the Draft Register).

An online register search facility is now available through local authority websites. A link from the Department's website (www.environ.ie) to the relevant search facility has also been provided. New arrangements for the deletion of names of deceased persons from the Register are now in place: the new system allows for the efficient and timely deletion of the names of deceased persons from the Register using the Death Event Publication Service which has been developed by Reach in association with the General Register Office.

New guidance for local authorities on Preparing and Maintaining the Register of Electors was made available to authorities in electronic format on 31 May. Printed copies of the guidance were subsequently sent to all local authorities, returning officers and relevant Government Departments. In the final version of the guidance, the importance of local authorities cross-checking the Register with other databases available to them is stressed.

The measures I announced in April are important supports for action by local authorities to improve the accuracy and comprehensiveness of the Register in their areas.

Question No. 1551 answered with Question No. 1514.

Urban Renewal Schemes.

1552. **Mr. O'Connor** asked the Minister for the Environment, Heritage and Local Government if he will confirm that approval will be given to South Dublin County Council to proceed with the estate refurbishment programme proposed for Tallaght West; and if he will make a statement on the matter. [29791/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): South Dublin County Council have submitted proposals to my Department for Phase 2 of a Remedial Works Scheme to Cushlawn Estate in Tallaght and Shancastle and Greenford Estates in Clondalkin. These are currently under examination and a response will issue to the Council as soon as possible.

Greenhouse Gas Emissions.

1553. **Mr. Ferris** asked the Minister for the Environment, Heritage and Local Government the amount by which Ireland will exceed the EU target on greenhouse gas emissions in 2010; and if he will make a statement on the matter. [29796/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Pursuant to Council Decision 2002/358/EC, Ireland is required to limit its emissions to 13% above 1990 levels during the period for assessing compliance with the Kyoto Protocol, 2008-2012. The Government is committed to meeting this requirement. The most recent projections of greenhouse gas emissions for the 2008-2012 period, which include the expected effects of all measures in place by March 2006, show that Ireland at present faces an average annual distance to its Kyoto Protocol target of approximately 7 million tonnes over the 2008-2012 period, a reduction of approximately 2 million tonnes per annum on previous projections.

There are three strands to the Government's approach to achieving the further reductions needed to bridge the remaining distance to target: emissions reductions, or purchase of carbon allowances, by installations participating in the EU Emissions Trading Scheme; use of the Kyoto Protocol flexible mechanisms by the Government to purchase credits for carbon reductions elsewhere in the world; and measures to reduce emissions throughout the economy, in addition to those set out in the National Climate Change Strategy and those introduced subsequently.

A report on the implementation of the National Climate Change Strategy, Ireland's Pathway to Kyoto Compliance, was published in July 2006 and sets out options for further measures to reduce greenhouse gas emissions. The report is available in the Oireachtas Library.

Telecommunications Masts.

1554. **Dr. Upton** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that a mobile phone mast has been placed within 15 yards of a primary school (details supplied) in Dublin 6W; the reason he has yet to implement the June 2005 recommendation contained in the Report of the Joint Committee on Communications, Marine and Natural Resources that mobile phone aerials should not be placed near schools. [29810/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Under the planning code, planning permission is normally required for telecommunications masts. Long-standing policy from my Department advises that only as a last resort should free standing masts be located in a residential area or besides schools. It

is a matter for each local authority to ensure that developments permitted in their area conform to those standards.

Following the Oireachtas Joint Committee on Communications, Marine and Natural Resources Report on Non-ionising radiation from mobile phone handsets and masts of June 2005, the Government, in September 2005, approved the establishment of an inter-departmental advisory committee and an expert group, working to the committee, on the health effects of electromagnetic fields. The committee, on which my Department is represented, is constituted provide advice to the Government on the appropriate action to be taken on foot of the recommendations contained in the Oireachtas Committee report. The work of the committee and expert group is in train and I understand that their report is expected to be made to the Government by the end 2006, following which the Government will address appropriate action.

Question No. 1555 answered with Question No. 1541.

Local Authority Funding.

1556. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the funding available from his Department to local authorities to allow them to remove asbestos within local authority housing estates where such asbestos is used for domestic sheds; and if he will make a statement on the matter. [29894/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): A specific funding mechanism of this kind is not operated by my Department. Capital funding for major refurbishment work to local authority dwellings is available from my Department, under the Remedial Works Scheme. The management, maintenance and improvements to their rented dwellings is the responsibility of each local authority and the funding of such works may be provided by local authorities from their own resources as part of their ongoing maintenance programmes.

Local Authority Housing.

1557. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the position regarding funding for the remedial works scheme for a housing estate (details supplied); and if he will make a statement on the matter. [29895/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): My Department sanctioned the provision of funding to Athy Town Council in March of this year for refurbishment works to houses at Carbery Park / Townspark in Athy under the Remedial Works Scheme. I understand

that there are a number of outstanding issues between the Council and owners of private houses in the estate. Once these are resolved it will be a matter for the Council to enter into a contract with the contractor to enable work to commence as soon as possible.

Cúrsaí Pleanála.

1558. D'fhiafraigh **Aengus Ó Snodaigh** den Aire Comhshaoil, Oidhreacht agus Rialtais Áitiúil i bhfianaise chinneadh an Bhoird Pleanála maidir le caomhnú na Gaeilge sa Ghaeltacht, an bhfuil sé i gceist ag an Aire rialacháin a dhéanamh faoi alt 33 den Acht um Pleanáil agus Forbairt, 2000, a chleanglóidh ar lucht forbartha an fhaisnéis chuí a sholáthar agus go n-ullmhófaí ráiteas tionchair teanga neamhspleách maidir le gach forbairt a mholtar i limistéir Ghaeltachta. [29896/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Faoi alt 10(2)(m) den Acht Pleanála agus Forbartha 2000, ní mór aidhmeanna faoi chosaint oidhreacht teangeolaíochta agus cultúrtha na Gaeltachta, agus faoi chuir chun cinn na Gaeilge mar theanga phobail, a bheith i measc aidhmeanna an phlean forbartha – áit a bhfuil ceantar Gaeltachta i gceist. Caithfidh na h-údaráis phleanála, agus An Bord Pleanála, na h-aidhmeanna seo a thabhairt san áireamh agus cinneadh a ghlacadh acu ar chásanna pleanála. Tá mé sásta gur cuí na forálacha seo chun déileáil le cúrsaí teanga agus cultúrtha sa Ghaeltacht, ó thaobh pleanála de, agus nach gá tuilleadh rialacháin a cheapadh ag an pointe seo.

Local Authority Housing.

1559. **Mr. P. Breen** asked the Minister for the Environment, Heritage and Local Government the funding which will be allocated to local authorities for home improvements for local authority houses (details supplied); when funding will be made available; the amount of funding which was allocated for 2004/2005 and 2005/2006; and if he will make a statement on the matter. [29897/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Under my Department's Remedial Works Scheme, Ennis Town Council submitted a programme of refurbishment works for local authority houses at various locations, including Davitt Terrace. My Department gave approval for the first phase of these works in May of this year which includes works in Shallee Drive and Gordon Drive which is a pilot project within the wider programme. It is a matter for the Council to advance these works and thereafter to prioritise the order in which the remaining works can be undertaken. When the pilot exercise is completed allocations of funding will be announced.

Water and Sewerage Schemes.

1560. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if he will approve a sewerage scheme (details supplied). [29975/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Additional information received from Kildare County Council is being examined in my Department and a decision on the revised Preliminary Report and the Water Services Pricing Policy Report for this scheme will be conveyed to the Council as soon as possible.

Local Government Act.

1561. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if he will issue regulations under the Local Government Act 2001 to allow, by order, the establishment of new town councils. [29988/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Question No. 228 of 1 June 2006. The issue remains under review.

Water and Sewerage Schemes.

1562. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if he has approved the contract documents for a sewerage scheme (details supplied). [29990/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Additional information received from Kildare County Council in respect of the contract documents for the lower Liffey Sewerage Scheme is being examined in my Department and a decision will be conveyed to the Council as soon as possible.

Question No. 1563 answered with Question No. 1513.

Question No. 1564 answered with Question No. 1462.

Driving Licences.

1565. **Ms Shortall** asked the Minister for the Environment, Heritage and Local Government if he will establish from the national driver file the number of drivers that currently stand as qualified; the procedures in place for relaying this information to the Garda; the precise manner in which this is done; and the frequency of same. [30035/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The number of drivers holding full and provisional licences on 30 June 2006 is 2,395,727. An Garda Síochána are supplied by my Department, on a weekly basis,

[Mr. Roche.]

with an electronic extract from the National Driver File which provides details in relation to each driving licence such as the licence number and the driver's name and address.

Fire Service.

1566. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government if he is satisfied that the fire service throughout the country is adequately resourced to be able to deal with fires in high buildings in view of recent difficulties that have been experienced. [30101/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The provision of a fire service, including specialised equipment, is a statutory function of individual fire authorities and my Department has no direct role in this matter. My Department supports the local fire authorities through the setting of general policy, the provision of capital funding, the issue of guidance to fire authorities in relation to fire prevention and operational matters and other such initiatives.

Over the past 25 years, almost €240 million has been provided to local fire authorities under the fire services capital programme for the provision of new and refurbished fire stations and the purchase of fire appliances and other equipment. At this stage, over two-thirds of our fire stations, including almost all of the busiest stations, have been replaced, we have a modern fleet of front-line fire appliances, and we have a modern emergency response communications system. In the current year almost €20 million has been allocated to the Fire Services capital programme. This allocation will be used to further modernise and update the resources available to the fire authorities.

In addition, since 2001, my Department has provided almost €4.2 billion in general purpose grants to assist the local authorities in carrying out their statutory functions, including the provision of fire services.

The Building Regulations 1997 — 2004 set down functional requirements for health and safety in and around high-rise buildings and Technical Guidance Document B, issued under the Building Regulations, provides guidance on how to meet these requirements. This guidance is prepared on the basis that the occupants of any part of such a building should be able to escape safely from the building in an emergency without external assistance and fire fighters should be able to enter the building without relying on external aerial appliances.

Recycling Policy.

1567. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government the actions he intends to take on foot the recent

Joint Committee on the Environment and Local Government report which shows a variation in recycling in local authority areas of between 7.2% and 56%. [30102/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I very much welcome the publication of the Third Report of the Joint Committee on the Environment and Local Government on Recycling of Household Waste in Ireland. The percentages for recycling given in Table 1 of the Report are based on returns submitted by 19 out of 34 city and county councils surveyed. The average household diversion rate reported by Councils that made a return was 27.75%, a very significant increase on the 19.5% diversion of household waste from landfill reported by the Environmental Protection Agency (EPA) in the National Waste Report 2004.

The Oireachtas report, along with Service Indicators in Local Authorities 2005 recently published by the Local Government Management Services Board, allows elected representatives and the public to scrutinise the performance of their local authority with a view to identifying where improvements in services can be delivered.

My Department will continue to provide support to local authorities as part of an overall waste management policy that has seen dramatic improvements in waste management performance in recent years as evidenced by increases in national recycling rates to over 34%, and of the other key significant achievements in this area includes: doubling the number of bring banks over the period from 1998 to 2004, rising from 837 to 1,929; increasing the number of recycling centres substantially from 30 to 69 over the same period; diversion of household waste from landfill rose 8 fold from 37,000 tonnes in 1998 to almost 300,000 tonnes, in 2004; the roll-out of segregated collection of recyclables grew from 70,000 households in 1998 to over 560,000 by 2003 and is continuing to rise; of packaging waste (bottles, cans, cardboard etc) recycled in 2004, one year ahead of the 50% target required under EU Law, up from 15% in 1998; the EPA estimate that 85.2% of construction and demolition waste was recycled in 2004.

Water Quality.

1568. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government if consideration has been given within his Department for making the local authority responsible for water quality in the Tramore river, which currently forms part of the Cork city boundary. [30105/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department in conjunction with the EPA, local authorities and other agencies is also pursuing a comprehen-

sive 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. Under the European Communities (Water Policy) Regulations 2003, which transposes the Water Framework Directive, into national law, 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, so as to achieve the environmental objectives laid down by the Water Framework Directive. The Tramore river is included in the South Western River Basin District Project, which is being led by Cork County Council.

Private Rented Accommodation.

1569. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government the action his Department intends to take against local authorities that have conducted no inspections of private rented properties in their jurisdictions. [30106/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The new partnership agreement, Towards 2016, contains a commitment that minimum private rented housing standards regulations will be updated and effectively enforced. Earlier this month I announced an Action Programme which comprehensively addresses the standards issue involving a combination of promotion, information, appropriate regulation and strategic enforcement, backed up by funding for local authorities.

In relation to enforcement, local authorities are being asked to prioritise action to improve enforcement of the regulations through a planned and strategic approach, focussing particularly on the accommodation most likely to be deficient, while avoiding, as far as possible, adverse impact on tenants. Increased funding is also being provided to local authorities from the proceeds of tenancy registration fees for the enforcement of the regulations. Interim payments totalling €1m have recently been made to local authorities in respect of 2006. The distribution of the balance of the 2006 funds will take account of enforcement performance. Local authorities will be required to provide returns on enforcement for inclusion in the Housing Statistics Bulletin. All future payments will be related to these returns.

In addition, the Centre for Housing Research will undertake a study of measures to promote improvement in private rented accommodation standards and develop good practice guidelines to assist housing authorities in their functions relating to the private rented sector with a view to achieving increased effectiveness, including more strategic and proactive approaches to enforcement. I am confident that the proposed measures will result in greater enforcement by local authorities.

Local Authority Boundaries.

1570. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government if he has received a request to extend the Cork city boundary. [30126/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Question No. 1461 of 25 January 2006. The position is unchanged.

Question No. 1571 answered with Question No. 1513.

Social and Affordable Housing.

1572. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government the extent to which section 25 of the Local Government Planning and Development Act 1976 and section 25 of the Planning and Development Act 2000 are employed by local authorities; the extent to which his Department recommends their use by local authorities; and if he will make a statement on the matter. [30151/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Section 25 of the Local Government (Planning and Development) Act, 1976 and the equivalent provision of the Planning and Development Act, 2000 (section 45) relate to the acquisition of open spaces by planning authorities, in cases where, following a requirement by the local authority, the owner fails to maintain the land as open space. My Department does not have information on the use of these sections by local authorities and has not issued any advice to planning authorities regarding their use.

Question No. 1573 answered with Question No. 1513.

1574. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government the average price in each local authority area for houses sold under the affordable housing scheme; and if he will make a statement on the matter. [30153/06]

1576. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government

[Ms C. Murphy.]

the number of dwellings which have been acquired to date under Part V of the Planning and Development Act 2000 by county; the number of these which were sold under the affordable housing scheme; and if he will make a statement on the matter. [30155/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 1574 and 1576 together.

The information requested in relation to the 1999 Affordable Housing Scheme and Part V for the three months ending 31 March 2006 is set out in the table. In relation to the Affordable Housing Initiative over the same period, units were sold by Fingal County Council at an average price of €156,000.

1999 AFFORDABLE HOUSING SCHEME AND PART V

Average house price over first 3 months 2006

County Councils

	€
<i>County Councils</i>	
Carlow	165,000
Clare	140,687
Cork South	137,700
Cork North	120,250
DL/Rathdown	198,500
Fingal	158,745
Galway	149,090
Kerry	125,000
Kilkenny	163,000
Laois	153,177
Longford	138,000
Mayo	121,083
Meath	143,000

	€
Monaghan	148,000
North Tipperary	137,362
Offaly	127,125
South Dublin	149,190
Waterford	127,000
Westmeath	147,727
Wexford	144,575
Wicklow	166,512
<i>City Councils</i>	
Dublin	188,495
Limerick	150,600
Waterford	165,417

Housing Regulations.

1575. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government the reply received from Fingal County Council to his request for information in circular PD/106 as issued in early 2006 on the issue of unfinished housing estates; and if he will make a statement on the matter. [30154/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I have arranged for a copy of the response to be forwarded to the Deputy.

Question No. 1576 answered with Question No. 1574.

Recycling Policy.

1577. **Ms Enright** asked the Minister for the Environment, Heritage and Local Government if there is a grant mechanism available to a person who wishes to set up a recycling business for window glass; the details of same; and if he will make a statement on the matter. [30156/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): No grant assistance is provided by my Department for this purpose.