

Vol. 626
No. 5



Thursday,
2 November 2006

DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Thursday, 2 November 2006.

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DÁIL ÉIREANN

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Déardaoin, 2 Samhain 2006.
Thursday, 2 November 2006.
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Chuaigh an Ceann Comhairle i gceannas ar 10.30 a.m.

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Paidir.
Prayer.
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Requests to move Adjournment of Dáil under Standing Order 31.

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

Mr. Connolly: I seek the adjournment of Dáil Éireann under Standing Order 31 to discuss the following matter of urgent public and national concern, namely, the report of the National Centre for Technology in Education which found 20% of computers in schools are unusable and many others use old and virtually obsolete operating systems, such as Windows 95, 98 and 2000 for which technical support can no longer be obtained. It also found a further 11% of PCs require upgrading or repairs, 19% of all working computers are more than six years old and 29% of computers in primary schools are beyond repair. The report calls for substantial ICT investment by the Government in primary and second level schools to ensure our students are able to fully benefit from constantly evolving information technology.

Mr. F. McGrath: I seek the adjournment of the Dáil under Standing Order 31 to discuss a matter of national importance and concern, namely, the urgent need to assist children with autism through proper funding and support services and support their families' requests for schools for all children with autism. It is deplorable that parents are forced to spend their own money, sometimes approximately €10,000, to provide an education for their children. I call on the Government to support the ABA school situated at Scoil Naomh Colmcille in Donaghmede with permanent funding and staffing. I also call on the Minister for Education and Science to meet these families as a matter of priority to ensure the rights of all children with a disability are protected with adequate services and supports.

Ms C. Murphy: I seek the adjournment of the Dáil under the terms of Standing Order 31 on a

matter of national and local importance, namely, the unfair allocation of the motor tax fund which effectively makes up the local government fund. In the rapidly developing area of Kildare, €36 million was paid into the motor tax fund in 2005 but only €26 million was allocated to run council services. The preliminary census of population figures are used and the Government also accepts the needs and resources model of funding local authorities is unfair and produces significantly contrasting levels of service and facilities. These issues must be addressed. Just as the public has the right to expect an equitable taxation system, it has a right to expect its money is spent in an equitable way.

Mr. Healy: I seek the adjournment of the Dáil under Standing Order 31 to raise a specific matter of local importance requiring urgent attention, namely, the need for the Minister for Transport to intervene with the National Roads Authority to immediately approve the construction of Tipperary town bypass, which is urgently needed to facilitate the economic development of Tipperary town and the west Tipperary area generally.

Dr. Cowley: I seek the adjournment of the Dáil under Standing Order 31 to discuss a matter of major national and local importance, namely, that drift net fishermen in north-east England were reputedly given £70,000 sterling a number of years ago in a buy-out in the interest of salmon conservation with £110,000 sterling offered as a buy-out to those remaining, but only approximately €2,000 has been offered to our 850 drift net fishermen for a similar buy-out with €23 per salmon caught in the past five years and a quota reduction of 75% already operating in some cases. No provision is made for drift net crews nor was any other option for them considered, such as set-aside. Is this equitable considering the devastating effect for the rest of their lives on those men and their families from rural areas?

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

Order of Business.

The Tánaiste: The Order of Business today shall be as follows: No. 13, statements on the White Paper on Irish Aid; No. 12, Citizens Information Bill 2006 — Second Stage (resumed); and No. 14, statements on Transport 21 (resumed) in accordance with the Order of the Dáil of 2 March 2006. It is proposed, notwithstanding anything in Standing Orders, that the proceedings on No. 13 shall, if not previously concluded, be brought to a conclusion after two hours and five minutes and the following arrangements shall apply: the statements of a Minister or Minister of State and of the main spokespersons for the Fine Gael Party, the Labour Party and the Technical Group, who

[The Tánaiste.]

shall be called upon in that order, shall not exceed 15 minutes in each case, the statements of each other Member called upon shall not exceed ten minutes in each case, Members may share time and a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed five minutes. Private Members' business shall be No. 25, Planning and Development (Amendment) Bill 2006 — Second Stage (resumed), to be taken immediately after the Order of Business and to conclude after 90 minutes.

An Ceann Comhairle: There is one proposal to be put to the House. Is the proposal for dealing with No. 13 agreed? Agreed.

Mr. Kenny: I wish to ask the Tánaiste a number of questions. Under the terms of the Good Friday Agreement and the agreement reached at St. Andrew's, the British Government announced an upfront payment of £50 billion sterling over ten years if the parties in Northern Ireland agree to have the Assembly restored. When is it envisaged the Irish Government will make a similar announcement in respect of what moneys the Government promised in principle will be put upfront?

Yesterday, charges against six men of unlawful carnal knowledge of young girls were dropped and other charges of sexual assault were brought against them. Under the terms of the committee examining legislation since the summer, will the Tánaiste tell the House how many similar cases are in the system?

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

Mr. Durkan: Of course it arises.

Mr. Kenny: It is under legislation.

An Ceann Comhairle: We will hear the Minister on legislation.

Mr. Kenny: Under public order legislation, I wish to raise the issue of the young girl from Ballymun being kicked in the face by a mindless blackguard shown on the YouTube page "ballymun guy gives ballymun skobie girl a kick in her mouth".

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

Mr. Kenny: I have.

Mr. Durkan: It is very appropriate.

Mr. Kenny: Is it proposed to amend the Criminal Justice (Public Order) Act so that, in regrettable circumstances where material like this appears on the Internet, the Government is

entitled to have it removed forthwith before the process of the law takes its course in respect of the mindless blackguardism of the individual involved? I am sure the Tánaiste and Minister for Justice, Equality and Law Reform has strong views in this regard.

The Tánaiste: The package unveiled yesterday by the Chancellor of the Exchequer to the parties in Northern Ireland is a very significant programme of expenditure over a number of years. We will study it to ascertain what has already been committed and what is new. The Irish Government will make its intentions known with regard to additional new expenditure and infrastructural development to aid the peace process in Northern Ireland when it has had an opportunity to study the British package.

Mr. Kenny: That will obviously happen before 24 November.

The Tánaiste: I do not know whether it will be before that date but the Government will make its intentions clear when it has had an opportunity to study the issues.

With regard to the cases of sexual assault, I do not want to comment on pending court proceedings. However, I ask the Deputy to acknowledge at the least that yesterday's charges proved I was correct when I said there was no black hole in the law.

On legislation dealing with anti-social behaviour and public order offences, it is the intention of the Department to commence the ASBOs provisions as soon as possible, hopefully in early January with regard to ASBOs for adults and by March with regard to ASBOs for children, the process for which is slightly more complex.

Legislation to amend the law to take items off the Internet is not under contemplation at present. However, offensive material of that kind could in certain circumstances constitute a contempt of the criminal process. In any event, it might also constitute a breach of privacy for some of the people involved. As the Deputy knows, legislation is before the Seanad in that regard.

Mr. Rabbitte: I have been raising the issue of the large number of people on low incomes who must have resort to money lenders. We clarified yesterday that the legislation apparently promised by the Minister for Social and Family Affairs to curb or, as he put it, ban high interest rate charging does not exist and will not be forthcoming.

Mr. Brennan: That is not what I said.

Mr. Rabbitte: Apparently, however, legislation is forthcoming to refurbish the Money Advice and Budgeting Service Bill. Is the Bill, which was published in 2002, being withdrawn? When will

the promised legislation be brought before the House?

The Tánaiste: The heads of the Money Advice and Budgeting Service Bill will come before Government in the near future for consideration. In that context, the Minister for Social and Family Affairs has indicated that he is seeking legal advice at present to inquire as to whether a change could be made to the Consumer Credit Act to limit interest payments payable under consumer lending. As the Deputy will appreciate, the Consumer Credit Act, in the passage of which the Deputy played some part, made no such provision for limitation of mathematical limits on interest rates charged but did provide other protections for consumers.

Mr. Rabbitte: Do I take it from that reply that the Money Advice and Budgeting Service Bill 2002 is being withdrawn by the Government?

The Tánaiste: Yes, that is correct.

Mr. Sargent: On the legislation that may arise with regard to the peace dividend, if I can say that, in Northern Ireland, has any progress been made on the register of persons considered unsafe to work with children Bill? No date is provided for it but that did not stop other Bills being published although they are very much on the slow track or may not even see the light of day. Will a date be set for publication of the Bill so there is some indication that the Government is taking the matter seriously?

On another matter that needs to be taken seriously, will the Tánaiste lend his support to the request from my party for a debate on the Stern report on climate change?

An Ceann Comhairle: That matter has already been raised.

Mr. Sargent: It is a matter I raised yesterday. I raise it again respectfully on the basis that it is urgent and cannot wait for a climate change review. It has economic implications as well as more ecological—

An Ceann Comhairle: Only promised debates in House can be raised on the Order of Business, as the Deputy knows.

Mr. Sargent: I ask that it would be promised, if that is all right.

An Ceann Comhairle: No.

The Tánaiste: It is not possible at this stage to indicate a date for publication of the register of persons considered unsafe to work with children Bill. The Deputy may be aware that a committee of the House is at present considering child protection issues. One of the issues that has arisen in that context is the question of soft information

and whether it is constitutionally possible to have a register that deals with soft information rather than simply with convictions. This is an issue to which attention is being given by Members of the House in the context of that committee.

I understand the climate change issue was raised among the Whips yesterday. It is a matter which can be dealt with by agreement among the Whips.

Mr. Sargent: Will the Tánaiste support a debate?

Mr. Crawford: I thank the Tánaiste for his comments on the Northern Ireland package. I ask that the six Border counties be considered in any package put forward by the Government. There has been no inward investment in counties Donegal, Cavan or Monaghan as a result of the Troubles.

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

Mr. Crawford: It is an extremely important matter. The question is appropriate, as you know, a Cheann Comhairle.

An Ceann Comhairle: The Deputy should raise it under Standing Orders in a more appropriate way.

Mr. Crawford: My second question is extremely appropriate. Given that the Minister for Health and Children has put forward her case regarding health in *The Irish Times*, when can we have a full debate in the House on the health Bill, the team report and many other issues? It is a totally one-sided debate at present.

The Tánaiste: This is the third week in a row I have indicated that the health Bill will be dealt with in the new year.

On the Deputy's other point, when the announcement is made, issues concerning the Border counties will be dealt with in that context. At this stage, I will simply note the commitment of the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, to the Ulster Canal project, of which the Deputy will be very supportive.

Mr. Quinn: Will the Tánaiste indicate when Report Stage of the Building Control Bill is likely to be taken?

The Tánaiste: The Order for Report Stage has been made. It is a matter for agreement among the Whips as to when it will be dealt with.

Mr. Durkan: In view of the appallingly slow provision of broadband on a nationwide basis, will the Government consider withdrawing the electronic communications miscellaneous provisions Bill and replacing it with a more compre-

[Mr. Durkan.]

hensive Bill that would address the issues that now affect the business and domestic community, which anxiously awaits the provision of broadband? Might such legislation be delivered along the lines it is delivered in Northern Ireland and the United Kingdom?

On promised legislation, what is the status of the legal costs Bill? The Tánaiste has been known to wax eloquent on this subject. It would be helpful if he could explain when the Bill is expected to be brought before the House. Is there any sense of urgency in this regard? Is it hoped to have the Bill through the House before the general election?

The Tánaiste: The electronic communications Bill will be published this session and the Deputy will be in a position to make any criticisms he has of its contents when it comes before the House.

Mr. Durkan: The Tánaiste will not be disappointed.

The Tánaiste: On the legal costs Bill, as the Deputy knows we have the Haran report. An implementation group, which is part of the process of bringing the Bill forward, has been established under the chairmanship of Mr. Desmond Miller. I hope it will be dealt with next year.

Mr. Durkan: Next year. Hope springs eternal.

Ms O'Sullivan: The Minister for Education and Science has indicated that she intends to have the student support Bill passed by the end of this year but it has not yet been published. When will it be published?

The Tánaiste: The Bill is to be published this session.

Ms O'Sullivan: Will it be passed by the end of this year?

The Tánaiste: If the Opposition co-operates in the business of this House much could happen before the end of the year.

Ms O'Sullivan: We cannot co-operate until the Bill is published.

Ms Hanafin: It will be passed by the end of the academic year.

Mr. Bruton: I would like to ask about the progress of one of the planks of Progressive Democrat policy in the last general election, namely the establishment of a national transformation fund as part of the programme for Government. The Progressive Democrats promised to eliminate all deficits in public transport infrastructure.

An Ceann Comhairle: We cannot debate the matter now.

Mr. Bruton: I would like to know what is happening with that fund. Will the money from the sale of Aer Lingus go into it? How many kilometres of metro will it build?

Mr. Durkan: Let the Tánaiste beam it up.

The Tánaiste: It is proposed that the National Development Finance Agency Bill will be published this session.

Mr. Bruton: That is not the question I asked. The national transformation programme is on page six of the programme for Government. Has it, like their tax objectives, been abandoned by the Progressive Democrats?

The Tánaiste: On a point of order, Deputy Bruton is being disorderly.

Mr. Durkan: I thought we needed only one Ceann Comhairle.

An Ceann Comhairle: The Chair will determine whether the Deputy is being disorderly.

Mr. Rabbitte: There has certainly been a transformation. There has been more than one.

Mr. Broughan: There seem to be many inconsistencies in Progressive Democrats policy, given that Senator Morrissey—

An Ceann Comhairle: If the Deputy does not have an appropriate question we will have to move on.

Mr. Broughan: I want to ask about legislation. Senator Morrissey wants to build skyscrapers in the bay while Deputy Fiona O'Malley would have the city underwater.

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

Mr. Broughan: Yes. I would like to ask about the timeframe of the immigration and residence Bill. In view of the concerns of the UK Home Office about the Mafia-style gangs it says exist in the two incoming members of the European Union, has the Department of Justice, Equality and Law Reform been in contact with the authorities in Sofia and Bucharest?

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

Mr. Broughan: The Bill does.

The Tánaiste: The heads of the legislation have been published and the consultation and drafting process is already under way. The Deputy will be aware that it is proposed under the legislation as published that there should be a power for the State to exclude on a summary basis people who

engage in criminal or anti-social behaviour. That is the only legislative initiative in this area.

Mr. Kenny: The Criminal Justice Act 2006 modified the law on penalties for offensive weapons. There seems to have been a significant increase in the number of stabbings in the country.

An Ceann Comhairle: Does the Deputy have a question on legislation?

Mr. Kenny: I do. Does the Tánaiste have any proposal to amend the law on the minimum age for buying, selling or possessing an offensive weapon, one that is always determined as illegal? I know it is difficult to control. Does he have any suggestions? In June the Government published the Harris report Irish in Primary Schools: Long-Term National Trends in Achievement. We have not debated that here. Reportedly the NCCA is reportedly to send a draft of its recommendations to the Minister for Education and Science. Are we likely to have a debate on that? Has the Tánaiste been contacted by the Moriarty tribunal?

An Ceann Comhairle: That does not arise on the Order of Business. The Chair might point out that the Deputy has been called twice, which is not the norm.

Mr. Kenny: I could have asked my six questions in a row but the Chair wanted two groups of three. Fine Gael and the Labour Party are today launching a programme on mathematics; two threes are six and six ones are six, whichever way the Ceann Comhairle wants it.

An Ceann Comhairle: Yes, but questions that are in order would be more appropriate and would set a good example to the Deputy's colleagues.

Mr. Kenny: The Tánaiste made comments outside the House about the Moriarty tribunal, when reports one and two will be published and which Members will be embarrassed by it. Has he been contacted about his public statements?

The Tánaiste: There is no promised legislation on the age at which one can purchase a knife, for obvious reasons if Deputy Kenny reflects on it. On the Harris report, the Minister for Education and Science has indicated that she is anxious to have a new approach to the teaching of Irish in our schools. If the House wants to discuss it I am sure time will be made available. The Moriarty tribunal has never contacted me and the focus of its inquiries seems to be nearer to Deputy Kenny than to me.

(Interruptions).

Mr. Timmins: On a point of order, the Tánaiste has clearly stated that he has not been contacted by the Moriarty tribunal, yet he stated that the focus of the inquiry is closer to Deputy Kenny. Could he elaborate on that?

An Ceann Comhairle: That is not a point of order. I call Deputy Ferris.

The Tánaiste: The Deputy should read the newspapers.

Mr. F. McGrath: The Tánaiste is leaking again.

Mr. Ferris: In light of the Government's decision yesterday to ban drift netting, the Minister yesterday indicated that some legislation may be necessary for the proposed compensation and hardship packages to come through. Will legislation be necessary and when is it proposed to take it? Will this House have a debate on the issue?

The Tánaiste: I understand that a statutory instrument is all that is required to deal with the ending of licensing of drift netting for salmon. Compensation issues will, as in the past, be handled on an administrative basis and will not require legislative change.

Mr. Hayes: In view of the widespread deaths on our roads and the amount of breathalyser testing for drink driving going on around the country, does the Government propose to introduce drug testing of drivers?

An Ceann Comhairle: Deputies may ask questions only on legislation promised.

The Tánaiste: The law on drink driving has been recently dealt with in this House and amended. The Minister for Transport, Deputy Cullen, keeps it constantly under review. Deputy Hayes will appreciate from today's and yesterday's newspapers that Garda enforcement has been escalated dramatically. The size of the road traffic corps is increasing dramatically. I am not in a position to say if any further legislation is contemplated on the particular issue the Deputy raised as to whether everybody involved in every accident should be compulsorily breath tested. That issue would require reflection.

Mr. Deasy: That is not the question the Deputy asked. How is the hearing over there?

Mr. Hayes: I asked whether the Government proposes to introduce drug testing of drivers. The reality is——

An Ceann Comhairle: The Deputy should allow the Tánaiste to answer the question.

Mr. Hayes: I wanted to explain it further.

The Tánaiste: No legislation is promised on that.

Mr. J. Breen: Will the recommendations of the all-party committee on mobile telephone masts be implemented? In view of the pending High Court action of an Ennis resident against a mobile telephone mast operator, will the Tánaiste tell the Minister to instruct the ESB not to go ahead with that mast until the court case is over?

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

Mr. J. Breen: My first question was in order. The second might be slightly, but not altogether, wrong.

An Ceann Comhairle: We will leave the matter with the all-party committee.

Private Members' Business.

Planning and Development (Amendment) Bill 2006: Second Stage (Resumed).

Mr. O'Connor: I wish to share time with Deputies Brady, Curran, Andrews and Fitzpatrick.

It is interesting that the Fianna Fáil rota of speakers today is confined to Dublin Deputies because it indicates the interest we share in this particular issue. Other colleagues made that point last night. I preface my remarks by complimenting my colleague, Deputy Crowe, on his work in this regard. He and I are constituency neighbours. In any discussion on affordable housing, it is relevant to talk about major population centres. The Ceann Comhairle appreciates from his visits there that Tallaght is the third largest population centre in the country and housing is a serious issue throughout the constituency of Dublin West, in Firhouse, Greenhills, Templeogue, Brittas and Bohernabreena. When the affordable housing handbook was issued a couple of months ago, the picture on the front cover depicted a scene from Belfield. I and Deputies Crowe and O'Connor must not have been around that day or we would have slipped into the picture. It highlights the importance of the issue for our constituency and many others.

The various contributions last night dealt with a range of issues. In any discussion such as this, it is difficult to tie matters down. However, before I talk about affordable housing, I wish to make a couple of other points. As someone who has been involved in the community for many years, I am particularly interested in the issue of homelessness. In any discussion such as this, it is right that we talk about people who are homeless. In that regard, I extol the virtues of the Tallaght Homeless Advice Unit, which has brought out an

interesting publication, *Out of the Gaff* — Handbook, a guide to homelessness, housing and health services in south County Dublin. It is important that those of us privileged to represent our constituencies should take an interest in homelessness. As regards my constituency, I believe we should not be sending our problems into Dublin city and every effort must be made to facilitate homeless people in their own environment.

I would appreciate it if the Minister of State, Deputy Killeen, would point out to the Minister for the Environment, Heritage and Local Government, Deputy Roche, that I believe strongly in tenant purchase. Much progress has been made in this regard throughout the country, but there are still many gaps. With all the discussion taking place in recent days about the cost of housing, the price of houses and so on, it worries me that local authorities are taking advantage of current prices — South Dublin County Council is no different in this respect. People who have been tenants for many years, who went into houses that were priced in a different time, look longingly at the opportunities as they exist. Local authorities should be open to a situation where people would be enabled to purchase their houses as cheaply as possible, without them being given away. Whatever arrangements must be made to ensure they cannot be sold on for profit are fine by me, but we should be making tenant purchase easier.

I am a strong supporter, as are my colleagues, of the voluntary housing schemes. My constituency has benefited enormously from initiatives by CLAR, RAPID and other groups. I have been campaigning on the basis that people who go into voluntary housing should be given an opportunity to avail of tenant purchase. I know the Minister is examining this and starting to think about a pilot project. I urge him strongly to consider this — there are many people in my constituency who would avail of it.

I want to deal specifically with the issue of affordable housing and I know my colleague, Deputy Crowe, made a point about this last night. I do not want to talk about Tallaght forever, but it is an interesting place in the context of housing.

Mr. J. Breen: Is that right?

Mr. O'Connor: If the Deputy has a spare hour, I will take him out there on the Luas some day to see the type of place it has become. We are very proud —

Mr. J. Breen: The Deputy is doing a good job.

Mr. O'Connor: There are still challenges, however, as far as housing is concerned. Following the council's adoption of the master plan, a very big debate is going on at present and community groups are critical of some of the housing development, particularly as regards apartments.

There appears to be over-development of apartments in the Square, the town centre and the village where I work every day. The council must be challenged as regards the type of housing it is providing. My Sinn Féin colleagues made the point last night that to have affordable housing development in places such as mine is surely the way forward, giving people homes and not just having apartments springing up into the sky. That is not to say that it is not a very positive place.

The Ceann Comhairle will have noted that it has attracted some negative publicity in the past two weeks or so, however. I am very sensitive about my area because it is a great place. It is a vibrant, very young community and has developed enormously since the Square opened 16 years ago. It is a place to be proud of, in which people should be given the opportunity to live. I am delighted that so many people want to live there, particularly those who grew up in the area. It is very important to give people whose families were reared there, as were my sons, the opportunity to stay in the area and to purchase affordable housing.

I will not stand on the Government side of the House and argue that the price of housing is not outrageous. Of course it is and all of us need to continue to do what we can to correct that position. We need to create the situation whereby affordable and social housing is available where possible, and that should be the priority of Government. There was criticism last night of the shared ownership scheme. There will always be mixed views about shared ownership, but it is an opportunity for young people in particular to get houses and we should be encouraging them. However, there is a case to be made for examining the various shared ownership schemes to see how they could be improved.

There has been much progress in south Dublin in regard to affordable housing in recent times. As part of Sustaining Progress, the Government provided for affordable housing, using a variety of mechanisms to deliver on the programme. One of these was the affordable housing initiative, where State lands were to be swapped for turnkey units. This initiative was to be delivered regarding State-provided lands, with developers providing and selling units and private institutions supplying the finance for purchasers. The first of these to be delivered was the exchange of units for the land at Harcourt Terrace. Bids were invited from developers and the successful tender was won by Durkan New Homes, which offered 193 units in Tallaght, Lucan and — Deputy Curran will be pleased to know — Clondalkin in exchange for the land.

The properties represent excellent value and provide private housing at incredibly low prices — two-bedroom units from €142,000 and three-bedroom units from €172,000. These units went on sale in April and I understand the sale has now closed. A further 191 units — again in Tallaght, Lucan and Clondalkin, under Harcourt

Terrace phase 2 — are on sale. Again, the council tells me they represent incredibly good value for money. As regards the units on sale through South Dublin County Council, I understand the closing date for applications was 20 October and 1,760 applications were received. South Dublin County Council has told me the draw for successful applicants will take place this Thursday evening. I look forward to people being looked after in that regard. I understand the successful applicants will then be given ten days to complete the necessary supporting documentation to ensure the validity of their applications. That will be a good night for some people, maybe not for enough, but we are at least going forward.

I compliment Deputy Crowe again for his work in this regard. I look forward to listening to the rest of the debate.

Mr. M. Brady: I welcome the opportunity to speak on the Planning and Development (Amendment) Bill 2006. Along with my colleague Deputy O'Connor, I represent an area of Donaghmede where many apartments are being built. There is quite an amount of development, including high density development.

One of the complaints I have noted is where a builder or developer buys 100 acres of land, for example, and the first phase of housing or apartments may go on sale for €340,000. Three weeks' later, the exact same residence, built at the same cost of labour and materials etc., may be €40,000 dearer. This cannot be justified. It is total exploitation of house purchasers and a type of extortion. Representatives of developers and auctioneers should be brought before the Joint Committee on Environment and Local Government to explain and justify how this occurs.

Management committees are also a form of extortion and exploitation. People, mainly young people, are being charged anything from €1,100 to €1,500 a year for maintenance when there is absolutely no maintenance to carry out. There might be no grass or open space whatever, and people are still being charged without option. If the people do not pay, they are threatened. I spoke to a person who works in the Oireachtas and who was at a meeting last night where there was a threat of eviction, among other things.

Nobody knows who these management companies are. They are governed by company management and no other law. I have spoken to the relevant Minister about this, and he informed me we do not have control over these situations. We should take control. It is very important we do not allow this to go on and that we protect the consumer. The Director of Consumer Affairs should be brought in on this, as well as the Competition Authority. The whole trading practice is unfair, and it does not happen in any other business.

I compliment the Minister on what is being done on affordable housing, which is working very well. It is being rolled out fairly quickly.

[Mr. M. Brady.]

Many parts of the shared ownership schemes need to be tightened up. When a person applies for shared ownership in the local authorities in Dublin — I do not know about elsewhere in the country — the person is refused if not in permanent employment. In other words, a large percentage of workers on contracts in most of the big companies cannot qualify for the shared ownership scheme or affordable scheme in Dublin city or Fingal, and that should be examined.

Density should also be considered. Houses and apartments are getting smaller. This is quite noticeable when looking at or measuring a show-house and considering the property that is being bought, which can be much smaller. This can be verified. That practice is wrong. Streets being constructed in developments can be so narrow that two cars cannot pass on them. That also must be looked at, particularly with regard to emergency service access, as vehicles may not be able to access streets. The whole issue should be considered and brought before the relevant committee. I intend to do this.

The management committee issue must also be examined, and a group representative of such committees should be invited in. Some house purchasers have told me they are setting up their own organisation called the House Purchasers' Organisation, HPO, to stop these unfair practices.

We are also mentally conditioning buyers, particularly young people, into queuing at 6 a.m. on a Sunday morning to buy houses because they are persuaded into believing that if they do not do so, the house supply will run out and they will be left out. That is also wrong. We must take a firm grip on these unfair practices and sort them out once and for all.

Mr. Curran: I welcome the opportunity to speak on the Bill, and I am pleased that many who have contributed on the opposite side of the House have found an enthusiasm for Part V of the Planning and Development Act. As the rate of delivery under Part V increases year by year, so will the enthusiasm for it. It should be remembered that it was introduced and amended by this Government. I state that to make the following specific point.

When it was introduced and amended, there was a clear understanding that delivery would take a number of years because there were current and existing planning applications that would be built. This was a brave thing, as there was a lead time. As is the function of Opposition, during that lead time it was easy to knock Part V. A year could be picked when delivery under Part V was quite low, and it could be stated that nothing was achieved. Each year as it delivers more, there will be a new-found enthusiasm for it.

I wish to be fair to Sinn Féin and particularly Deputy Crowe by assuming the legislation he has put down is well-intentioned, where the intention

is to improve Part V. Last night, Deputy Crowe stated:

We want to amend the Planning and Development Acts 2000 to 2002 to oblige developers to provide 20% of social and affordable housing and remove the option for developers to make a financial contribution to local authorities in place of providing social and affordable housing units. This will ensure that Part V delivers social and affordable housing in an integrated manner, as originally envisioned.

It was amended because Part V would not and could not do what was originally intended. I agree with the ideology, which is to be admired. The approach envisaged by the Deputy is both naive and flawed. I do not think Deputy Crowe really believes we should go back to the old system. If we did, what would happen? We would have a rigid system which would result in some houses coming to the market under Part V as affordable housing with price tags of €500,000, €600,000, €700,000 or €1 million. If the rigid system requested by the Deputy was in place, there would be so-called affordable housing.

Mr. Crowe: Even €300,000 is extraordinary.

Mr. Curran: That is the point. If the Deputy were to insist, he would be removing the option to go back and introduce a scheme. There would be five-bedroom houses in parts of this city coming to the market at a reduced rate, but they would not be affordable. It is precisely to address that issue that the amendment was introduced. We can deliver multiples of those houses at cheaper rates. Realistically, it will not work.

The insinuation and misinformation is there that local authorities are doing deals with developers, and money is coming in. Last night in his response, the Minister of State, Deputy Noel Ahern, pointed out that it is only in 13% of cases that the cash alternative to houses is being used. The vast majority of the argument therefore falls flat. By and large, local authorities are not taking cash but the built product.

I agree with the Minister of State in his comment that the preferred option is to provide housing. If there is to be a recommendation at all, it should be that where a local authority decides to take an alternative, such as the cash alternative, it could require ministerial approval. That would put more pressure on local authorities to deliver housing rather than take cash. The issue should not be taken out of proportion.

Mr. Crowe: Meath County Council has €4.5 million and has delivered three local authority houses.

An Ceann Comhairle: Deputy Curran, without interruption.

Mr. Curran: We should then be looking specifically at what Meath County Council is doing. We should not take it that local authorities are only dealing in Part V. We should be aware of the number of houses which have and are being provided under Part V.

Mr. McCormack: It is 1.4%.

Mr. Curran: It is quite significant.

Mr. McCormack: That is right.

Mr. Curran: Up to June 2006, over 2,700 homes were acquired under Part V, 3,800 dwellings are under construction and a further 4,100 were planned on foot of agreements with developers. It is easy to sit here and be critical. When it was introduced the original Act could deliver nothing by its nature. It was always going to have a lead time and the Deputy has missed the point of Part V if he does not understand that.

Mr. McCormack: I understand it and I understand how it was changed.

Mr. Curran: It was always going to take a few years to have an effect. Anyone who examines the figures can see that growth is being achieved. It is easy to state that 80,000 houses were built but not every scheme was within the terms of Part V. Of 80,000 last year, some 20,000 were one-off houses and 40,000 were exempt because they were smaller developments, built on unzoned land or had planning permission before Part V was introduced.

Mr. Crowe: One third were purchased by investors.

Mr. Curran: It is convenient to ignore the reality. Part V is delivering, and that will grow. Deputy Crowe is aware the amendment he proposes would not work.

Mr. Andrews: I agree with the views of Deputy Curran. In the period 2000-02 a number of complications arose with the levies applied to existing planning permission under the original Part V. Deputy Crowe wishes to revert to that situation, an unrealistic suggestion. It is welcome to have a debate on affordable housing but the Bill is an exercise in futility. If this Bill passes Second Stage every developer and council will have to stop negotiations immediately.

Mr. McCormack: It would only restore what we had in 2000.

Mr. Andrews: Supply would also stop and we would return to a situation regretted by all sides prior to 2002. The drafting of the negotiation framework legislation is difficult, another reason why there is a brake on the supply of affordable

housing. The Government and councils were under pressure—

Mr. McCormack: From builders.

Mr. Andrews: —and developers were trying to produce housing within a short period. Household sizes were reducing and the population was increasing by thousands each year.

The type of housing being produced currently raises eyebrows. Irish people are not used to living in cramped apartments. It is acceptable for students, first-time buyers and the new population but we must consider what will happen in 30 years time. Will it resemble the outskirts of Paris where apartments are accommodation for those with low skills on the margins of society? These matters should be considered with a view to building communities in those areas.

Empty nesting is a contributory factor. We should consider exemption from stamp duty for those who are downsizing from larger houses. This may improve supply and provide more appropriate accommodation for households of a certain size.

We must consider whether it is appropriate to have separate planning authorities within the Dublin area. There should be one greater Dublin planning authority. In Shankill, on the border with Bray, three local authorities were involved in the development of Bray Golf Club, namely, Bray Town Council, Wicklow County Council and Dún Laoghaire-Rathdown County Council. Mr. McNamara's proposal for the Tara Towers Hotel had the same problem because Dublin City Council and Dún Laoghaire-Rathdown are involved. The latter appealed against Dublin City Council's proposal, a ridiculous situation.

We must also consider the pressure to avoid social segregation. The 2002 Act introduced this concept, which had never been referred to in legislation before. While speaking on the debate I was surprised it was not welcomed more by all sides. It is a section of the 2002 Act that must be developed. The Government has explained to local authorities how they can negotiate on development costs, profit and land value but local authorities must also develop an ethos that avoids social segregation. Part V was revolutionary when it was introduced in 2000, which is why it was considered by the Supreme Court. The amendment was—

Mr. Eamon Ryan: Counter revolutionary.

Mr. Andrews: —grounded in reality but avoided undue segregation.

Dr. Fitzpatrick: I understand the thinking behind this Bill but agree with the Minister of State that the system would become rigid and would fail to deliver Deputy Crowe's wishes. Like Deputy O'Connor I hate to be parochial but I note we have had the greatest boom in apartment

[Dr. Fitzpatrick.]

building in the north-west inner city between O'Connell Street and Stoneybatter over the past five years. Most of the building has taken place on derelict ground. The area between North King Street and Smithfield was derelict for most of the past 30 years. A patient of mine, a haulier in the markets, could keep his horses on derelict ground for free. All he had to do was buy hay for his horses and let them roam on other people's property. These people did not want to develop it because there were no incentives to do so.

We must examine the accommodation we are providing. Most planning applications for apartment blocks are for one-bedroom and two-bedroom apartments, with fewer three-bedroom or penthouse apartments. These do not cater for the future because they are not family friendly. They are geared towards students and investors.

Deputy Martin Brady spoke about management companies and we must examine their role. Other Deputies will be aware that complaints about faults, carelessness and the lack of accountability of management companies are beginning to increase. In many cases residents have no comeback because the management companies are controlled by developers. The latter withhold a few apartments to block other residents effecting improvements in their environment. Part V needs more time to reach its full potential because most development took place under permission that predates 2000. Obligations under Part V apply only to planning permissions granted after local authority housing strategies were put in place.

While I do not wish to speak outside my area of expertise some local authorities have been neglectful in allowing estates to be built around old villages in the hinterland of Dublin with no footpaths connecting the estates and the villages. That type of structure should be built first. I see parents pushing go-cars along country roads without the safety of footpaths, while lorries thunder by and cars pass driven by people with no regard for speed limits or pedestrians. Children and their parents walk on the road because there are no footpaths. This endangers lives. When local authorities grant planning permission they should ensure that the infrastructure, footpaths, drainage, schools etc. is in place first or will be there when the population moves in.

Dr. Upton: I wish to share time with Deputy Gilmore. I welcome the opportunity to speak in this debate which has extended beyond affordable housing, creating the scope for us to address the many other issues around housing developments and apartment buildings. I refer specifically to my constituency which overlaps the Dublin City Council and South Dublin County Council areas where the glut of predominantly high rise apartments is more or less taking over any patch of land available to developers.

I agree with Deputy Fitzpatrick that the infrastructure that should be aligned to that development is almost always ignored, resulting in concrete jungles and the potential for major problems later. We seem to have learned nothing from the history of such developments in the past. While this topic is not intrinsic to this debate it is an important point that should be debated at length without undue delay.

The way in which some local authorities distribute and manage affordable housing is a matter of concern, for example, South Dublin County Council regards 15% as an adequate percentage to allocate for social and affordable housing. I represent part of that constituency and have a long list of people who would be very happy to avail of social or affordable housing in that area but the housing is not available. Dublin City Council allocates 20% which is fine. The problem is that developers, when submitting their planning applications, make no commitment as to how they will deliver that 20%. They are not obliged to do so within that application, although the Minister of State, at the Department of Environment, Heritage and Local Government, Deputy Noel Ahern, said last night:

Each and every applicant for permission for residential development, other than certain exempted residential developments prescribed in legislation, must specify in the planning application how it is proposed to meet the requirements of the housing strategy with regard to the development for which permission is being sought.

I continue to write letters to local authorities to find out exactly how that percentage of social and affordable housing will be distributed, when it will become available, whether it is for senior citizens, and which type of housing it is. The buildings exist. I live around the corner from two large developments yet I do not know how the social or affordable units within those developments are to be distributed. This is a significant anomaly and gives the developer an unfair degree of wiggle room. This is unacceptable and must be sorted out.

The financial contribution is one way of dealing with the problem if the location is considered inappropriate or the cost of the affordable housing would be such as to make it unavailable. The money is ring-fenced for housing but that does not mean that the number of social or affordable units that would have been available in the first development is dedicated somewhere else, or this does not seem to be the case. Does ring-fencing the money for housing simply mean upgrading certain housing? While that is welcome it does not seem to deliver the required number of social or affordable units. These are major issues.

Local authorities must address the real cost of affordable housing and the income requirement. Hundreds of couples in my constituency seek affordable housing. They may meet the income

requirement but the repayments are too high and they end up in a catch-22 as they try to save money for a deposit and to make the repayments, while also paying rent somewhere else. Affordable housing must be made genuinely affordable for these people.

Mr. Gilmore: The Labour Party supports the Bill before the House which seeks to restore the affordable housing units that the Government handed back to individual builders and developers in the 2002 amendment to the Planning and Development Act 2000. When that amending legislation was rushed through the House on the last sitting day before Christmas the Labour Party strongly opposed it, pointing out that it would result in a significant loss of affordable housing sites and units for those who need them.

I listened to yesterday's speech by the Minister of State at the Department of the Environment, Heritage and Local Government and have read the text today. It is easy for Government to muddy the water and try to confuse people in this complex technical area. It is worthwhile therefore to trace the history of Part V which arose from the debate in the late 1990s when house prices started to rise dramatically.

In the period following the 1997 election of the Fianna Fáil-Progressive Democrats Government house prices rose dramatically. At one point in 1998 they were rising at a rate of 40% per annum. There was much concern that this would prevent young working families from purchasing their own homes. I argued at the time that the Government should establish a commission on housing to get control of the situation. That did not happen. Instead, there was a succession of Bacon reports and various individual suggestions.

One idea which the Labour Party proposed was that 20% of private development land be set aside for social and affordable housing. The former Deputy, Eithne Fitzgerald, floated the idea but it was not original. We borrowed it from the British Labour Party, which was making similar proposals after being elected to Government.

The former leader of the Labour Party, Deputy Quinn, raised the matter on the Order of Business, suggesting to the Taoiseach that the Government take up and pursue this idea. The then Minister for the Environment, Heritage and Local Government, Deputy Noel Dempsey, included it in the Planning and Development Bill published in August 1999. The proposed implementation method, however, would have failed to deliver the measure as proclaimed. Some newspaper reports at the time described it as a radical new idea, others claimed it would deliver 10,000 social and affordable housing units a year. Unfortunately, the way in which it was proposed to be implemented meant it could never happen. The lengthy Bill was published in August 1999 but was not enacted until July 2000. It provided for a complex process where each local authority was

required to adopt a housing strategy. This was a new idea, something local authorities had never done before. It had, therefore, to be piloted in County Louth. After the adoption of housing strategies, they had to be incorporated in county development plans. Only after the county development plans were confirmed to include housing strategies and target percentages were set for social and affordable housing would this apply to planning permissions sought after that date. It did not come into practical effect until the end of 2001.

From August 1999 to the end of 2001, anyone who owned development land knew the 20% requirement was coming down the track. They did what any landowner or developer would sensibly do. They hotfooted it to their local authorities to get planning permissions on their lands in order that the 20% would not apply to them. I raised this scenario on Committee Stage and pointed out it would frustrate the legislation's purpose. The then Minister for the Environment, Heritage and Local Government, Deputy Noel Dempsey, accepted this. The Bill was amended on Committee Stage to deal with any planning permission obtained between the publication of the Bill in 1999 and the coming into operation of the county development plans at the end of 2001. If the developer had not begun construction of a house to the outer wall stage, the planning permission would wither and the developer or landowner would have to apply for a new planning permission. There was nothing new in this. Developers and landowners apply for new planning permissions all the time. For most large developments there will be up to nine applications to include house type changes and so forth. The idea of applying for a new planning permission if it withered was not new.

After the 2002 general election, the Government came under pressure from sections of the building and development industry for the withering provision to be removed. The Government willingly caved in. The essential change made in the 2002 amending legislation was not the one described by the Minister of State at the Department of the Environment, Heritage and Local Government, Deputy Noel Ahern, as providing flexibility. There is debate as to whether this was a good or bad idea. The major change was that all planning permissions granted between August 1999 and the end of 2001 automatically became full planning permissions and the 20% quota would not apply to them.

When the Minister of State, Deputy Noel Ahern, claims that the 40,000 social housing units built last year were units to which the 20% requirement did not apply, he is both right and wrong. He is right that this is the case. However, he is wrong because that was the effect of the 2002 amending legislation. The 20% does not apply to them because the 2002 amending legislation made those full planning permissions.

[Mr. Gilmore.]

The then Minister informed the House that there were 80,000 units to which those permissions would have applied at the end of 2002. By anyone's mathematics, 20% of that figure is 16,000 units. At the end of 2002, 16,000 affordable homes that should be available for young families were gifted back to individual builders and developers. That is why the affordable housing scheme in Dublin is operating by way of a pathetic lottery. Young people, trying to get an affordable home, apply to their local authority for their names to be entered into a drum. If they are fortunate, as with the national lottery on a Saturday night, their names are pulled out. They are in this situation because 16,000 homes that should be available are not. That was the essential change made in the 2002 amending legislation. In effect, the Government robbed young people of opportunities to acquire an affordable home. It did so to benefit individuals and companies in the building industry.

There is a need to change the way the affordable housing scheme operates. The Minister claims that fewer than 3,000 units have been provided under the scheme. Up to 400,000 housing units have been built in the State since Part V came into operation. Even if we allow for the fact that half of those were one-off houses, built on sites of fewer than five units, on sites of less than 0.1 of a hectare or unzoned lands, approximately 40,000 affordable homes should have been provided under Part V if it was working properly. Fewer than 3,000 have appeared to date. Even the Irish Home Builders Association acknowledges that Part V, when fully operational, should deliver between 5,000 and 6,000 units per annum.

To ensure delivery, it must be a requirement that the agreement on affordable housing should be made before planning permission is granted. The arrangement that applies is that it is attached as a condition to the granting of planning permission and the agreement is subsequently made. This is why arrangements of buying out of it or offering land in lieu exist. The agreement must instead be made prior to the granting of planning permission. The planning applicant must be required to propose in the initial planning application how the social and affordable housing commitment will be made.

The 20% target needs to be increased, particularly in areas of serious affordability problems. A much higher proportion of newly zoned land should be made available for social and affordable housing. When Dún Laoghaire-Rathdown County Council's housing strategy was assessed, it was pointed out that 50% of new house purchasers would not be able to afford to buy in the area. We argued that 20% would never meet that but their need was used to justify the increase of zoning more land to build houses these purchasers could never afford. The proportion of newly zoned lands devoted to social and affordable housing needs to be significantly increased.

The affordable housing and shared ownership schemes need to be married to maximise the purchase opportunities for young families. There are a series of traps in public housing policy. A person whose earnings rise above the limit for social housing is taken off the housing list. There are different limits for the shared ownership scheme and affordable housing scheme. For many young families on a housing list, by the time their turn comes around or their names come out of the drum if it is a lottery, their earnings have increased and they no longer qualify. These traps must be removed from the system by amalgamating social and affordable housing and shared ownership schemes to enable the maximum number of people to purchase their own home.

There must be a fundamental change in public housing policy because the existing policy consigns people to continuing poverty. It is absurd that people in private rented accommodation and in receipt of rent allowance lose that allowance when they get a job. People are required to keep their incomes low, to stay poor, to qualify for public housing. If their circumstances improve over the years in which they are on a public housing list, they will no longer qualify and will be moved into another category where they must start all over again.

We need a new public housing policy that is appropriate to the times in which we live and which is not based on the 19th century Victorian attitudes that underpin much of existing policy. Instead, it should be based on 20th century welfareism, which assumes people want to improve their circumstances and will ultimately seek to purchase and own their home. I hope to return to these issues at a future date.

Mr. Eamon Ryan: I propose to share time with my Independent colleagues, Deputies Healy, James Breen, Connolly, McHugh and Gregory.

I agree with the excellent summary set out by Deputy Gilmore of the incredible reversal that has taken place in the Government's public housing policy in respect of its original legislative provision that all new planning permissions must involve the setting aside of 20% of units for social and affordable housing. This reversal tells a tale of how this Government has mismanaged housing policy in the last ten years. There are many other tales of reckless mismanagement in housing for which the Government will be held accountable and culpable.

It was interesting to hear Fianna Fáil Deputies complaining that housing estates are being built in areas surrounding Dublin without even a footpath to connect them to the existing towns and villages onto which they were tacked. It is as if Fianna Fáil councillors in those constituencies had nothing to do with such developments and that the Minister for the Environment, Heritage and Local Government had no interest or say in the nature and style of development that has occurred in the last 15 to 20 years.

Deputy Andrews spoke about planning that is not well thought out or considered. I share his concerns in regard to Dún Laoghaire-Rathdown County Council in whose jurisdiction development seems to be based on the interests of developers rather than public policy. In regard to the long-term development of Luas connections to the rapidly growing town of Bray, instead of connecting to that existing settlement, where there is a major transport need, the council is looking to open up new rezoned lands. Such an approach can only be on the basis that councillors and developers will benefit in terms of the massive rezoning profit that will occur.

No lessons have been learned from any of the mistakes made in the last ten years. We are left with a housing crisis that benefits nobody other than a small number of estate agents and perhaps those who are retiring and whose homes can be sold at a massively inflated price. The reality for anybody under 40 years of age, particularly in Dublin city, is that the mismanagement of the property issue, through various errors and a lack of effective planning, has left home owners with large mortgages to pay for the next 30 or 40 years. The lack of social and affordable housing is a direct result of decisions by the Government in the lifetime of this Dáil to abandon its original sensible commitment. As Deputy Gilmore said, that commitment would have provided at least an additional 16,000 houses under those planning permissions already given on the basis that the relevant developments would include 20% of units for social and affordable housing.

Changes are required in many aspects of public housing policy. The stamp duty regime must be amended to encourage greater flexibility in the market and to allow for the use of existing housing stock in a more effective way. Better design and planning guidelines are required. There is nothing wrong in developing apartment buildings, especially close to towns and city centres where higher-density and high-quality development is required. There is no reason that apartments cannot be built to a standard that ensures they are sustainable, of a high quality and suitable for long-term accommodation rather than a vehicle for Fianna Fáil friends in the investor community to turn a quick buck.

That is what has driven housing policy. For 30 years, we have balked at making a decision on the massive rezoning profits which, particularly in Dublin city, can account for half the house price a young person faces. There is no reason that a decision should not be made immediately to try to claw back some of that profit to help people on their way. The Government's record on housing is one of utter disgrace. It is reckless not only in terms of the imprisonment with which young people are faced in terms of long-term mortgages but also in regard to the market conditions it has created, which are unsustainable and of benefit to nobody, whether those in the building industry or those seeking housing.

I commend Sinn Féin on putting forward this Bill. It has the support of the Green Party.

Mr. Healy: I support this Bill and I hope it will be taken on board by the Government.

Mr. Gregory: There is little hope of that.

Mr. Healy: This Government has been in power since 1997. It is an absolute disgrace that after ten years of the Celtic tiger, in one of the richest countries in the world with major resources, 43,000 families are on waiting lists for local authority housing, sometimes for years. The legislative changes made by the Government have contributed to this debacle. There is no doubt that 16,000 to 20,000 houses would have been provided under the terms of the 2000 Act if it had not been amended. Whether because of closeness to developers or otherwise, however, this legislation was changed, with the result that up to 20,000 families remain languishing on local authority housing lists.

The resources are available to reduce and ultimately eliminate those waiting lists quickly. The Society of St. Vincent de Paul seeks a completion rate of 10,000 local authority house units each year from now until 2012. This is very much achievable when once considers that in the last ten years, there have been current budget surpluses amounting to some €44 billion. Consequent on political decisions by the Fianna Fáil-Progressive Democrats Government, however, that money has been spent not on the provision of housing or health and educational services but on roads, broadband and bridges. It was a political decision to condemn 43,000 families to local authority housing waiting lists.

The debate on the price of building land must take place in the context of a review of the Kenny report. The recommendations of that report, which was completed as long ago as the 1970s and is agreed by everyone to be excellent, must be implemented.

Mr. J. Breen: With the national development plan the Government promised to deliver to the people a means by which many of them could at long last get on the property ladder. Like so many of its promises, the Government has failed to fulfil that initial promise. As others stated, we are approximately 15,000 behind the number of housing units which should have been delivered. Speculators and developers have blossomed during the term of this Government to the detriment of those who require the protection of the Minister and the delivery of affordable housing.

One of the biggest problems ensuring the required number of houses are located in social housing schemes by developers is the lack of enforcement measures to monitor this. Frequently, I have been told by local authorities in County Clare that they are not receiving the proposed percentage of houses for the schemes.

[Mr. J. Breen.]

Those same developers continue to get planning permission for future projects. Developers realise it is more profitable to pay a contribution to a local authority than to risk a fall in the value of houses by allocating part of the development for social housing. This must stop. All this achieves is further profiteering and speculating by developers and the marginalisation of the less well-off with this “not in my back yard” attitude.

All local authorities should have a housing inspectorate division to ensure that an appropriate number of housing units are handed over to the authority. If there is any delay, that inspectorate should have the power to veto any other planning applications to which that developer is party until such time as the developer meets the terms of the Act. Greater analysis of land zoning is required so that speculators can be isolated and not allowed to hold the local authorities to ransom.

The Tánaiste must be the toast of land developers and speculators at present given the king’s ransom he paid for land to accommodate his new prison. We saw recently on “Prime Time” how Fingal County Council cannot now buy property for development unless it pays the same rate the Tánaiste authorised. Given the outrageous statement he made in the House regarding the value of all similar land in the area, it is little wonder he did not take up the invitation to appear on “Prime Time” that night.

Clare County Council and Ennis Town Council do their best to help people seeking to avail of social housing. Shared ownership schemes, while ideal in theory, are failing because of the house values of those approved. The affordable housing scheme should come into its own but such is the over-subscription for this scheme that most have no realistic chance of being housed.

Mr. Connolly: I welcome the opportunity to speak on this Bill, which I support. Housing is one of the biggest issues for every family. It is the big lifetime issue which people face and it is the one major decision they will make. Affordability is now the big issue, although it probably always was, but perhaps in a different context.

At one time when one applied to get on a county council waiting list, one got on the list and got a county council house. One’s big ambition then was to buy a site and build a house, which one could do. As one was in a county council house, one could get a county council loan.

One could borrow one and a half times one’s salary and could certainly buy a house on one salary. The situation moved on and one could borrow twice one’s salary but the one caveat was that one needed 10% of the deposit. If one had a friendly bank manager, he or she might have helped one over that hurdle and offer one a 15, 20 or 25 year mortgage. At the time it seemed like a long time and the naysayers said people would never get out of debt.

In the 1980s, two people with jobs could borrow and build a house but now the situation has moved on. That was achievable once but is less achievable now for two ordinary income earners. People’s dream once was to build a house, buy a car etc., but that has changed.

I would like to think social housing would cure all our needs. There is no doubt it will help. However, it will be a lottery and will create a type of new poverty housing trap. The issue is whether people should earn less to stay under the income limit. Prices are driven by the speculators, which is a big issue. The fact that banks and lending institutions are offering 100%, lifetime and inter-generational mortgages is also a big issue. Recently I heard that a bank is offering mortgages and €2,000 cash. There is no cap on it.

A number of county council housing schemes are 30 to 40 years old. Money should be pumped into those schemes, many of which need a face-lift. I would like the Government to provide money for such schemes.

Mr. McHugh: I am glad of the opportunity to speak on this Private Members’ Bill put forward by Sinn Féin. The Bill seeks to reverse the unforgivable decision of the Government to row back on the most desirable elements of Part V of the Planning and Development Act 2000. I put on record previously my admiration for the work of the former Minister, Deputy Noel Dempsey, who brought forward very laudable measures in Part V of the 2000 Act. He indicated his commitment to social integration, his desire to eliminate ghettos and a new approach to residential development. The action of the former Minister, Deputy Noel Dempsey, was courageous. By taking such actions, he had to take on vested interests, the big backers of his own party and influential people in his party. He had the commitment, foresight, conviction and courage to press forward and implement what he firmly believed in.

What a let-down it was when his successor, the former Minister, Deputy Cullen, who was not a wet week in the Department, completely undermined his predecessor and introduced measures which effectively undid the very good work of his predecessor. The former Minister, Deputy Cullen, did what his predecessor refused to do, namely, he capitulated to the might of the property developers who his predecessor had the courage to take on. The farcical situation in which we find ourselves as a result of the former Minister, Deputy Cullen’s, capitulation is that a developer is no longer required to provide the 20% social housing element on the relevant site but can provide lands for the local authority in another area miles away from the specific site. That surely is the nub of this issue.

The big developer with his extravagant houses and exorbitant prices would not countenance the possibility of rubbing shoulders with the ordinary people of Ireland and the former Minister,

Deputy Cullen, obliged. The 20% social housing requirement can now be provided miles away. In Galway, for example, the land was provided 30 miles away from the specific site. That is a scandal. This legislation encourages segregation in housing and supports the continuation of a two-tier society. Now enshrined in legislation is the position of the high and mighty in their big mansions in gated developments, consumed with a sense of their own self-importance and a revolting view of their superiority over their fellow citizen, many of whom are banished to live in areas which have been deemed unsuitable for the high and mighty by the big developers and the former Minister, Deputy Cullen.

I fully support this Sinn Féin Bill because if we are serious about providing social and affordable housing in an integrated manner, we must restore the obligations which existed under the previous Part V.

Mr. Gregory: I support this Bill which again draws attention to what should be a priority issue for the electorate in the upcoming general election. The breathtaking cost of housing and the massive ongoing price increases must be one of the great scandals of recent times. It is impossible to justify the present situation. Homelessness at a time of great affluence is a blot on this State, as are the increasing waiting lists for local authority housing.

The irony is that the one measure agreed in this House that might have gone some way to relieve the housing crisis was the Part V arrangement in the Planning and Development Act 2000, which provided for 20% of all housing developments to be set aside for social and affordable housing and that it would be an integrated part of each scheme. The irony was that it was a Fianna Fáil Minister who introduced the measure. At the time I was almost impressed with the former Minister, Deputy Noel Dempsey, or whoever it was who came up with the progressive policy. We did not have long to wait until we saw Fianna Fáil in its true colours.

Once the builders and developers resisted the Part V arrangement, the writing was on the wall for it. Fianna Fáil very quickly capitulated to its builder and developer paymasters and produced the watered down version instead. This let the builders off the hook and thousands of houses and apartments which would have come on stream never materialised. That change represented the worst betrayal of all those who cannot afford the unaffordable prices of houses today.

The profiteers and racketeers in house prices and development land values won the day just as surely as they won when they corrupted local authority councillors in the litany of scandals that we see before the tribunals. The handful of billionaires who control the bulk of development land in the Dublin region must have felt very reassured that Fianna Fáil and the Progressive

Democrats can always be relied on to support their scandalous exploitation of people trying to provide homes for their families.

This issue never received the media attention it deserves. I welcome this debate because it puts this scandal before the public yet again. All of those who cannot afford a home at today's exploitative prices should examine this issue to determine in whose interests Fianna Fáil and the Progressive Democrats work. It is certainly not in the interests of the PAYE sector, the homeless or those on local authority waiting lists. This is a clear and classic example of Fianna Fáil and the Progressive Democrats representing the interests of the rich, the big builders, developers and exploiters of the ordinary people of this country. This is one issue that I hope goes before the electorate in the forthcoming general election because if people see clearly what happened with the Part V arrangements and the implications for their families in their attempts to obtain homes of their own at reasonable prices, they will ensure that this coalition of Fianna Fáil and the Progressive Democrats is never again returned to this House to act in the interest of developer billionaires, which is precisely what it did on this occasion.

Tá sé scannalach gur bhris an Rialtas seo na hoibleagáidí a bhí leagtha amach aige i bPáirt V den Acht 2000. I support the Bill.

Minister of State at the Department of the Environment, Heritage and Local Government

(Mr. B. O'Keefe): I welcome the opportunity to respond to all of those who have contributed to this important debate. We have heard that the options introduced by way of amendment in 2002 have acted in a way that has positively affected the capacity of Part V to deliver many more units than had been the case prior to their adoption. The suggestion seems to be that if everything had been left as it was, there would be more units on the ground today than is actually the case. We have also heard that ordinary aspiring home owners and tenants have been the losers in some design manipulated by vested interests and supported by the Government. Nothing could be further from the truth.

I reiterate the Government's commitment to the provision of social and affordable housing and housing in general. Furthermore, as the Minister of State, Deputy Noel Ahern, said last night, the review of the 2000 Act was promised in the agreed programme for Government. It was done to ensure that Part V was meeting all the objectives relating to social and affordable housing. As it stood at that time, the provisions of Part V were clearly inflexible, overly bureaucratic and simply were not achieving the desired result of improving the supply of social and affordable housing. This was not solely the Government's view, but also of those who had a stake in the success of Part V. Whatever about twin woes of inflexibility and bureaucracy, we could not but react appropriately to the obvious. I am satisfied that the

[Mr. B. O’Keeffe.]

right move was made at that time and that we are now seeing the yield from the amendment.

Some criticism was made of the strategy to swap State lands for ready-built housing units. The land swap strategy has been used to date on three sites and has yielded almost 500 affordable housing units. Phase one of Harcourt Terrace has given us 193 units, phase two of Harcourt Terrace, 215 units, and Brock House, 89 units. One of the main advantages of using this strategy is that it enables a much quicker delivery of affordable housing. With regard to pricing, in the case of the Harcourt Terrace phase one land swap, 193 units were successfully completed at prices that range from €142,000 to €189,000. The original site of 0.4 acres would have taken a number of years to develop and would have delivered just 30 apartments. The yield from the other swapped sites has resulted in a similar favourable outcome.

Last night, some Deputies referred to the soaring waiting lists. In fact, the 2005 assessment of housing needs identified 43,684 households in need of social housing, which is a decrease of 9.7% on the level of need identified in 2002, when the figure was 48,413. The 2005 assessment was the most rigorous to date as it required all the local authorities to collect detailed data relating to all households on their waiting lists. For the first time, an IT framework was developed which enabled the Department to analyse data in respect of all households in much greater depth. The assessment was further evidence that Government measures introduced in recent years have been successful in boosting the supply of housing to meet the unprecedented demand.

House completions in Ireland are at the highest level in Europe *vis-à-vis* population at approximately 19 units per 1,000. The introduction of the five-year action plans in 2004, covering all social and affordable housing programmes by local authorities, provides a strong basis for a strategic and measured approach to housing investment and improved funding provisions will continue the upward trajectory of output of recent years.

Some Deputies also commented on the apparent low level of social housing in this country. I stress the word “apparent” because while the overall percentage of social housing is low in comparison to other countries, this can be attributed to the uniquely high level of private home ownership in Ireland.

I am aware of some instances where Part VIII proposals for social and affordable housing are being brought forward by local authorities but rejected by councillors in those authorities dominated by the Opposition parties.

Reference was made to the need for rights-based housing. However, it is not considered appropriate to legislate for a specific right to housing. This could distort the operation of the current housing programmes and priorities. These have been resourced in accordance with the democratic decisions of Dáil Éireann, the

Government and local authorities and have been effective in delivering increased output.

Part V is not the only mechanism used to provide housing for lower-income groups. It is anticipated that the needs of 14,000 households will be met this year through the full range of social and affordable housing measures. Additional investment in social and affordable housing measures between 2007 and 2009, which was outlined in the new partnership agreement, Towards 2016, will enable the needs of approximately 60,000 households to be met over that period. Among the new and developing measures is the introduction of the rental accommodation scheme. The Government is very happy that this is delivering quality accommodation at a reasonable rent.

Mr. Morgan: Where?

Mr. B. O’Keeffe: It is interesting to note that Deputy Gregory, who is no longer in the Chamber, had no problem making a deal with Fianna Fáil, accepting expenditure and developers building additional accommodation in his patch. As with everything else and Deputy Gregory, the phrase “if the price is right” applies.

I reiterate that the Government has delivered on its promise and will continue to take all necessary action to ensure the maximum number of units will be available through Part V to house our citizens and offer others the opportunity to purchase.

Mr. Ferris: I wish to share time with Deputy Morgan.

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

Mr. Ferris: The media would have one believe that the phenomenon of housing waiting lists is peculiar to urban areas in major towns and cities. However, although the figures might be lower in rural areas, the damage inflicted by waiting lists and people being forced out of their communities in search of housing is even greater. While numbers might be smaller, so too are the communities themselves. Agricultural and fishing communities have come under sustained attack from the policies of the Government. During the summer, the Government abolished the sugar beet industry in this State. Yesterday, it announced the destruction of the drift net salmon fishing industry. Rural and coastal communities that are long-abandoned by the Government in its fanatical determination to ensure all investment is based around Dublin and its suburbs now find their existing industries under attack.

Housing is another example in which rural communities are left knocking on the door of the Dublin political establishment. Despite the growth in house building in recent years, rural communities constitute a section of society that

has not reaped the benefits. While poverty, exclusion, unemployment and inadequate income are suffered in both rural and urban areas, they tend to manifest themselves differently in rural communities. Such results arise from different social factors such as depopulation and poor transport. Many areas in rural Ireland lack public transport and have limited access to other essential services and facilities. A key issue in rural communities is that the increasing cost of housing often leaves people priced out of the housing market. This means that people are forced to move to the nearest town, thus further depopulating their rural area. They are forced out to make room for holiday homes and getaway cottages for the business class and those same developers who profit from the loopholes introduced in Part V.

People from rural communities have a right to live in rural areas and have a right to demand that Government policy supports sustainable development. Many people brought up in a rural community wish to remain in a place where they feel secure in the knowledge that they belong in that community, which is built upon strong family connections. More importantly, such communities can only remain sustainable if people continue to live in them. For too long, people living in the countryside have been neglected when it comes to housing. Due to inept Government policy, there is little opportunity for people to access housing in rural areas.

In my native county of Kerry, the number of people on council waiting lists jumped spectacularly between 2002 and 2005. The Kerry County Council housing waiting lists rose from 512 in 2002 to 883 in 2005. This constitutes a 72% increase within three years, which was the second largest percentage rise in this State. Astonishingly, Tralee Town Council's waiting list saw the State's largest increase, that is, an increase of 85% from 512 in 2002 to 948 in 2005. Moreover, Listowel Town Council's list increased by 22%. A total of 1,526 of the 1,657 new houses completed in Kerry between January and July 2006 were privately built. In other words, 131 social or affordable houses were built in that time.

Addressing the inadequacies of rural housing policy by amending Part V to insist on the figure of 20% of new development, regardless of whether it is in urban or rural settings, will go some way to providing social or affordable housing for people in rural areas. In the past, the Government has been unwilling to acknowledge the local authority waiting lists in rural areas. More often than not, the right to have a home in one's own community has been extinguished—

An Leas-Cheann Comhairle: The Deputy's time has concluded.

Mr. Ferris: —because of the Government's willingness to toe the line of the movers and shakers, the fundraisers, the donors and the construction industry.

In the Official Report of 15 February 2000, volume 514, column 595, when referring to Part V, the former Fianna Fáil Deputy, Mr. Eddie Wade, told the House:

This provision is the best way to guarantee housing for all who need it. As the Celtic tiger passes over Ireland, there is no excuse for hard-working citizens to be denied a new home in which to live.

The Celtic tiger did not pass over many parts of Ireland and it certainly never passed over my constituency. Thousands of hard-working citizens have been denied homes by the Government.

Mr. Morgan: I thank all who took part in this debate. In particular, I thank Members from this side of the House because despite various political differences, there is unanimity in respect of this Bill on Part V tabled by Sinn Féin. My party recognises that Part V is not the solution to the housing crisis in this State but is merely a small part of the solution. However, were this amendment to be accepted by the Government, it would at least go some way towards improving the problem and ensuring a proper social mix within the local authority housing sector.

I listened, almost with amusement, to the remarks of the Minister of State at the Department of the Environment, Heritage and Local Government, Deputy Noel Ahern, about the Bill introduced by Sinn Féin. All are clear that there is a housing crisis in this State except for the Minister of State with special responsibility for housing. Members have listened to the Minister of State bandy about all sorts of figures and statistics to the effect that waiting lists are falling and housing output is increasing. This assertion by the Minister of State neglects the underlying reasons social housing waiting lists have fallen and housing output has risen.

Part of the reason for the waiting list falling from 48,000 to 44,000 is the obligation placed on families on the social housing waiting list to fill in a 22-page assessment form. Although the Department has been approving eligibility to go on the social housing waiting lists based on this 22-page form, this did not recognise that many people were simply unable to fill out the form or may have made a small error on the form thus causing their applications to be discounted, or many simply did not return the form. Such people are unaware they are no longer on the housing waiting list.

There was much talk from the Minister of State in this debate about people misinterpreting Part V of the Planning and Development Act. There is absolutely no misinterpretation of Part V by my party. In one part of his speech, the Minister of State claimed that Part V was "an important mechanism in [the] approach to meeting the ... increasing demands for ... housing". However, later in his speech, he stated the maximum potential yield from Part V could be up to 3,000 units

[Mr. Morgan.]

per annum. Hence, it is quite clear that in its current state, Part V is not delivering what the Government would have Members believe. It is not delivering on the social housing units required to house the 44,000 family units on the social housing waiting lists.

Part V is not about the development of preferred options, as the Minister of State put it. If a local authority has no funding, no option exists. When local authorities are underfunded it becomes completely irrelevant and they will take the money from developers. If Part V was delivering, thousands of people would not remain on waiting lists, nor would thousands more, who because the Government has done nothing to stabilise the increases in house prices lack the means to purchase their own home, be obliged to live in sub-standard private rented accommodation owned by landlords, some of whom do not even comply with basic minimum legal requirements.

Last night, the Minister of State asked me what would be achieved by amending Part V of the Planning and Development Act. I will explain it to him in simple terms. As the Bill states that developers will provide units or sites, logic would dictate that it would do exactly that, namely, it would provide units or sites.

Developers throughout this State have been let off the hook when it comes to this cash option and are buying their way out of their social obligations. Although overall housing output has risen, in percentage terms, the social housing output is decreasing steadily. Many people cannot afford to buy and many more cannot get on the social housing list. Even if one succeeds in so doing, one could be obliged to wait for seven years or longer to get a house.

Talk of ring-fencing €38 million for social and affordable housing is almost worthless unless the Department has a plan to start the process of constructing another 73,000 social housing units between now and 2012, as recommended by NESC, to meet the social housing needs of this State. As it stands, Part V provides flexibility. It is flexible enough to ensure that more private units are built and the fat cat pals of Fianna Fáil and the Progressive Democrats can get even fatter. The Minister of State's friends from the Galway races scratch his back with political donations and he scratches their backs with the absolute farce that is Part V in its current form.

Sinn Féin brought this Bill before the House because we believe in equality, namely, the provision of quality housing that is available to all and not just those who are lucky enough to have the means to afford it. We believe that people should not be forced to live in ghettos, which they have been for many decades in this State. It is an absolute scandal that we live in a State where

44,000 families are on the waiting list for social housing, where we spend more than €1 million a day subsidising private landlords through the rental accommodation scheme, where mortgage interest rates rise percentage upon percentage each quarter, where house prices, for the most part, can increase by 17% in comparison to the previous year and where the Government still has the cheek to tell people that it is combating the housing crisis or, in the case of the Minister with responsibility for housing, denies the existence of a crisis.

An Ceann Comhairle: Deputy Morgan must conclude.

Mr. Morgan: If amended, Part V could deliver meaningful targets for the building of social housing. It is not the complete answer, but it is a start. The version of Part V in the 2000 Act was never given a chance to have its potential fully realised. The Minister of State said that it was slow to get going but his Government never gave it a chance to do so.

More than 44,000 families are on the waiting list for social housing, some of whom are enduring extreme hardship, and countless others across this State cannot afford to buy their own homes and are being churned from tenement to tenement by unscrupulous landlords. It is time this state of affairs ended. This Government has presided over it long enough.

In 1973, the Kenny report concluded that part of the solution to the housing problem was to give local authorities the option of making compulsory purchase orders in respect of land for housing. This view was supported by the All Party Oireachtas Committee on the Constitution as far back as April 2004. Like the Kenny report, this committee's report is sitting on a ministerial shelf gathering dust while the Government does nothing about it. Members from every party, including those from the Government, sat on this committee so it is time the Minister of State examined the report and gave those powers to local authorities. It has been clearly proven that by virtue of the clearance of Part V through the Supreme Court that such a move would be constitutional. The Minister of State should immediately avail of this move to resolve this housing crisis on behalf of people on the waiting list for social housing and the considerable tranche of people who simply cannot afford to buy their own homes. These people are being left at the mercy of unscrupulous landlords. It is time the Minister of State moved to resolve this crisis. He should acknowledge the pain felt by these people, recognise what is happening and deal with this issue once and for all.

Caoimhghín Ó Caoláin: Hear, hear.

Question put.

The Dáil divided: Tá, 56; Níl, 59.

Tá

Boyle, Dan.
 Breen, James.
 Breen, Pat.
 Broughan, Thomas P.
 Bruton, Richard.
 Burton, Joan.
 Connaughton, Paul.
 Connolly, Paudge.
 Cowley, Jerry.
 Crawford, Seymour.
 Crowe, Seán.
 Cuffe, Ciarán.
 Deenihan, Jimmy.
 Durkan, Bernard J.
 English, Damien.
 Enright, Olwyn.
 Ferris, Martin.
 Gilmore, Eamon.
 Gogarty, Paul.
 Gormley, John.
 Gregory, Tony.
 Harkin, Marian.
 Hayes, Tom.
 Healy, Seamus.
 Higgins, Michael D.
 Hogan, Phil.
 McCormack, Pádraic.
 McEntee, Shane.

McGrath, Finian.
 McHugh, Paddy.
 Mitchell, Gay.
 Morgan, Arthur.
 Moynihan-Cronin, Breeda.
 Murphy, Catherine.
 Murphy, Gerard.
 Naughten, Denis.
 Neville, Dan.
 Noonan, Michael.
 Ó Caoláin, Caoimhghín.
 O'Dowd, Fergus.
 O'Shea, Brian.
 O'Sullivan, Jan.
 Perry, John.
 Quinn, Ruairí.
 Rabbitte, Pat.
 Ring, Michael.
 Ryan, Eamon.
 Ryan, Seán.
 Sargent, Trevor.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Twomey, Liam.
 Upton, Mary.
 Wall, Jack.

Níl

Ahern, Dermot.
 Ahern, Michael.
 Andrews, Barry.
 Brady, Johnny.
 Brady, Martin.
 Brennan, Seamus.
 Callanan, Joe.
 Carty, John.
 Collins, Michael.
 Cooper-Flynn, Beverley.
 Cregan, John.
 Curran, John.
 Davern, Noel.
 de Valera, Síle.
 Dempsey, Tony.
 Dennehy, John.
 Devins, Jimmy.
 Ellis, John.
 Fitzpatrick, Dermot.
 Fleming, Seán.
 Gallagher, Pat The Cope.
 Hanafin, Mary.
 Harney, Mary.
 Haughey, Seán.
 Hoctor, Máire.
 Jacob, Joe.
 Keaveney, Cecilia.
 Kelleher, Billy.
 Kelly, Peter.
 Killeen, Tony.

Kirk, Seamus.
 Kitt, Tom.
 Lenihan, Conor.
 McGuinness, John.
 Moynihan, Donal.
 Moynihan, Michael.
 Nolan, M.J.
 Ó Cuív, Éamon.
 Ó Feargháil, Seán.
 O'Connor, Charlie.
 O'Donnell, Liz.
 O'Donovan, Denis.
 O'Flynn, Noel.
 O'Keeffe, Batt.
 O'Malley, Fiona.
 O'Malley, Tim.
 Parlon, Tom.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Ryan, Eoin.
 Sexton, Mae.
 Smith, Brendan.
 Smith, Michael.
 Wallace, Dan.
 Wallace, Mary.
 Wilkinson, Ollie.
 Woods, Michael.
 Wright, G.V.

Tellers: Tá, Deputies Ferris and Finian McGrath; Níl: Deputies Kitt and Kelleher.

Question declared lost.

White Paper on Irish Aid: Statements.

Minister for Foreign Affairs (Mr. D. Ahern): I am grateful for the opportunity to address the House on Ireland's first ever White Paper on overseas aid policy. The White Paper was

launched by the Taoiseach on 18 September. It has been widely welcomed by the Irish development community and our partners in the developing world. In recent weeks, it has been discussed in the Seanad and at the Oireachtas Joint Committee on Foreign Affairs. Therefore, it is timely that we have the chance to debate it

[Mr. D. Ahern.]

in the Dáil today, although it is unfortunate that the debate will not be as long as I would have liked.

The White Paper on Irish Aid is a document of which I am most proud. It comes at an important time for my Department and the Government. On one level, the White Paper sets down a clear blueprint that will guide how Irish aid will expand as we reach the UN aid spending target of 0.7% of our GNP by 2012. However, it is about much more than good development practice and where best to expend the rapidly growing aid budget.

As the Taoiseach stated at the launch: "The White Paper is a practical expression of the values that help define what it means to be Irish at the beginning of this century." It represents our sense of a broader global concern and our obligation to those with whom we share this planet and our humanity. It represents our shared belief in democracy, solidarity and fairness. Above all, it demonstrates a clear awareness that with prosperity comes a responsibility to assist those who are most marginalised and vulnerable.

At the launch of the White Paper, I drew attention to the fact that in July 1985, when Ireland had one of the highest *per capita* debts in the world, ordinary Irish people gave more per head to Live Aid for Ethiopia than any other nation on earth. This White Paper builds on the service and generosity of Irish people towards the developing world over many decades. It embraces the work of missionaries and non-governmental organisations and seeks to consolidate and expand the work of the official aid programme, Irish Aid, since its foundation more than 30 years ago.

This White Paper is about putting development at the heart of our foreign policy. It is about embracing an enhanced role for Ireland in the struggle against global poverty, both at the operational level of our aid programme and at the international level where the voices of the poor and marginalised need much greater resonance.

Ireland is very well placed to adopt a leadership position in the fight against global poverty in all its manifestations. We have a legacy of service in the developing world. We have our own history of poverty and conflict. We have a proud record of engagement with the UN at every level. We have no hidden agendas in our development assistance. Our commitment to reaching 0.7% of GNP on overseas development assistance by 2012 will provide the resources and the authority through which we can deliver the leadership espoused by the White Paper.

The sums we will expend on development assistance over the coming years are enormous. I expect the aid programme will reach €1.5 billion per annum in today's terms by 2012. As recently as 1996, our total aid programme amounted to approximately €142 million. By any standards, this represents an enormous commitment by the Irish people. It trebled since the Government

came into office in 1997 and it will double between now and 2012.

The challenge is to make a real difference in the lives of more than one billion people who live on one dollar a day. One dollar a day is defined as extreme poverty. However, 3 billion people live on two dollars a day or less. We must and will grasp the opportunity to make the difference, which means ensuring our aid programme is of the highest standard, delivering aid that is effective, accountable and making a measurable change in the lives of the poor. The difference also means doing everything in our power to enhance the operation of global partnerships to fight poverty.

No individual country or regional organisation can, no matter how wealthy, effectively address the complex nature of global poverty on its own. This is why the set of development targets, called the millennium development goals, agreed by the international community at the UN in 2000, represent an unprecedented opportunity for collaboration and co-ordination in fighting poverty. These eight goals clearly outline a set of measurable targets to be attained by 2015, if we are to halve global poverty by that year. These targets are attainable if the necessary resources, human and financial, are dedicated to the goals by the wealthy nations of the world.

The millennium development goals are at the heart of the White Paper on Irish aid. These goals represent the best road map to what the development economist and indefatigable advocate on behalf of the poor, Jeffrey Sachs, has called *The End of Poverty*.

Much of the White Paper firmly validates the changes which have happened in the aid programme over the past ten years. We are not starting with a blank slate. Irish Aid has been in existence since 1974. Building on Irish people's traditional solidarity with the marginalised and dispossessed, for 32 years it has been to the forefront of international development. Over that time, the way we work has changed significantly, moving away from individual projects towards programmes based on partnership, where developing countries themselves lead the development process. These changes are reflected in the guiding principles outlined at the beginning of the White Paper.

Our aid will remain untied. We will retain a clear focus on the poorest countries, particularly in Africa, and partnership will be central to all that we do. Our change of approach has been widely praised. A recent ActionAID report, for example, put Ireland at the top of the world league of donors whose aid is real and makes a real difference on the ground to the poorest of people. We work through our partner countries to build better governments and better functioning societies. I will give some examples.

In Lesotho in 1999, enrolment in primary schools was at 57%. With Ireland's support, by 2003 this figure had increased to 82%. In Ethi-

opia, through our safety nets programme which I saw in action when I visited there in July, Irish Aid keeps hunger at bay for more than 6 million Ethiopians every year. Another example is that with Ireland's support, immunisation rates against childhood diseases in Uganda are now at 84% for the entire country. That represents a dramatic rise in recent years.

The White Paper reinforces our long-standing commitment to the key areas of education and health. We know from our development experience that the realisation of human potential in every area, most particularly the economic, will only occur when people have good health and are both literate and numerate. A focus on education and health will remain at the very core of the Irish Aid programme, which invests in people and systems that can deliver sustainable services to enable and empower people to take control of their own lives.

As the programme grows financially, we will both deepen and broaden our engagements. We will increase the number of key partner countries in which we work. In the medium term, we will increase the number of partner countries from eight to ten. Malawi will be the first country so designated.

We will deepen our focus on working in fragile states and build on our existing activities, including our role in UN peacekeeping operations. We will focus our efforts on Sierra Leone and Liberia, two countries with hugely challenging operating environments. While Africa remains our main focus, we will respond to need in other parts of the world. To this end, we will build a regional programme in south-east Asia, working from our most recently designated key partner country, Vietnam. We will also increase our responses to humanitarian emergencies, wherever they occur.

The White Paper also launches a number of new initiatives of which we are extremely proud. We will establish a rapid response initiative to enable Ireland to respond more effectively to sudden-onset emergencies. My experience during my visit to the worst affected regions in the aftermath of the tsunami convinced me of the need to ensure an effective operational response by Ireland and the European Union to emergencies and disasters was necessary. I am delighted to tell the House that preparations for this initiative are well advanced.

My colleague, the Minister of State at the Department of Foreign Affairs, Deputy Conor Lenihan, recently signed an agreement with the World Food Programme for the pre-positioning and transportation of humanitarian supplies to disaster areas. We will also put in place a roster of skilled and experienced individuals from the public and private sectors, including from the Defence Forces, for deployment at short notice to emergency situations.

Ireland will seek to forge a distinctive role in the areas of conflict prevention and resolution

and peace building, drawing on our experience and knowledge of conflict resolution and peace building. To this end, a dedicated unit for conflict analysis and resolution will be established in the Department of Foreign Affairs. We will establish a hunger task force to examine the particular contribution Ireland can make to address the root causes of food insecurity, particularly in Africa. Again, we will build on our experiences and knowledge in the area of food production.

Development co-operation is a contract between donor and recipient, and both sides have obligations. Both sides must, in good faith, honour this contract. Recipient countries must ensure our aid provided from taxpayers' money gets to where it is most needed and that no moneys are diverted from this cause. They must use resources for the public good and work to combat corruption across all areas of society. We must insist on a steadfast adherence to democratic principles and human rights. To this end, we will establish a new governance unit within Irish Aid which will be a focal point for all our activities in this area.

Ireland will continue to take a lead in the fight against the scourge of HIV-AIDS. Our spending on this and other diseases exceeds €100 million a year — more than 10% of the total Irish Aid budget.

Finally, I wish to say a little about the challenge for Irish Aid at home. With the blueprint in hand, a major challenge for us now is to further involve the public in the work that Irish Aid does on our behalf. Broad public understanding of and support for the aid programme is crucial as we expand it.

The public has a clear appetite for information on development issues. Since the launch of the White Paper in September, more than 4,000 copies of the document have been distributed and more than 31,000 people in Ireland and across the world have downloaded the document from the Irish Aid website.

At international level, both the Minister of State, Deputy Conor Lenihan, and I distributed copies of the White Paper to our ministerial colleagues at EU level. At the United Nations I presented a copy to the UN Secretary General and the President of the General Assembly. All our embassies around the world have been forwarded copies for distribution.

In the new year we will launch a national information campaign based on the White Paper to raise awareness here in Ireland of the work of Irish Aid. As part of this, we will be distributing a summary version of the White Paper to every household in the country. Planning is under way for the opening in 2007 of an Irish Aid information and volunteering centre which will make more and better information available to the public about volunteering opportunities for individuals, institutions and communities. For the first time Irish Aid will have an accessible shop-front presence in central Dublin providing com-

[Mr. D. Ahern.]

prehensive information on all aspects of development and volunteering. As well as providing information to the public, the centre will be a valuable tool for our development education programme.

The Oireachtas has a critical role to play in raising awareness of development issues and Ireland's response. At my instigation and that of the Minister of State, Deputy Conor Lenihan, the White Paper commits Irish Aid to growing this relationship and ensuring that Members of the Oireachtas are informed of and engaged with the work of the programme. My Department values the broad cross-party support which development co-operation enjoys, given that it is the House which votes the considerable moneys that are available for the Irish aid programme. A number of Deputies have travelled to see for themselves the work Irish Aid is doing in developing countries. These visits forge important ties and help to strengthen the parliamentary systems in our partner countries by demonstrating the key role that our Parliament plays in our democratic system.

This White Paper is the outcome of dialogue with the developing world, our multinational partners and NGOs. It has been shaped by extensive consultation with the public. I thank the Minister of State, Deputy Conor Lenihan, for travelling throughout the country and listening to the open fora which fed into the deliberations on the White Paper, which was agreed across all Departments. The White Paper details the Government's response to the clear wish of the Irish people that we be true leaders in international development. It also recognises that public awareness and support are critical to the success of the Irish Aid programme. While communicating the challenges the developing world faces, we must also present the success of our projects and remind constituents and taxpayers that every day, through the work of Irish Aid, they are making a real and significant difference to some of the world's poorest people.

Mr. Durkan: I wish to share time with Deputy Timmins.

An Ceann Comhairle: Is that agreed? Agreed.

Mr. Durkan: I compliment the Minister on providing this opportunity to debate this important issue. The reasons for its importance are graphically illustrated by the pictures on our televisions, which serve to focus our minds and attention on those who are less well off than we are, in particular given our historic memory of hunger and starvation in this country.

The millennium development goals commit the international community to a series of objectives to which the Minister referred, namely, to eradicate extreme poverty and hunger, achieve universal primary education, promote gender equality and empower women, reduce child mortality,

improve maternal health, combat HIV-AIDS, malaria and other diseases, ensure environmental sustainability and develop a global partnership for development. It is a fine set of objectives and one that will take not only the commitment of the Government and people as set out by the Minister but also the commitment and sustained effort of the world community, which will need to be focused specifically and objectively to ensure that aid goes where it is most needed and most effective.

I compliment the various Irish aid agencies which have over the years committed their money and effort to addressing the issues in this area. Reference was made by the Minister to the 0.7% objective for development aid. As we know, that objective has been tossed about for at least 15 years and has been revised more than once. The Taoiseach correctly made a commitment to the United Nations in New York under this heading but the target was revised downwards four years later, which was not helpful and gave the wrong impression, in particular when we consider the effort made by the Irish people to contribute to international aid. I ask the Minister to reconfirm that there will be no further revision and that we will have achieved this objective in full by 2012. Regardless of whatever else may happen, further revision would not be helpful.

One of the major events affecting international aid was the world conference to which I referred but another was the G8 conference at Gleneagles last year, which purported to focus attention on debt relief and the alleviation of poverty as a result, and to address the issues concerning countries which suffer heavily from the burden of debt. Reference was not made to this conference in the Minister's reply because it did not exactly correspond to the issue under discussion, but there is a relationship and it would be helpful if the Minister would comment. For example, certain commitments were entered into whereby large-scale debt write-off would take place on foot of certain other obligations which were to be met. I do not know — I have put down questions in this regard — the full extent to which the countries contributing to the write-off of debt have met their commitments and whether the expected benefits have transpired. For example, have African farmers, who it was expected would benefit, benefited from the package to the extent anticipated or, as has been claimed, have others benefited? The Minister might refer to this question in his response.

I particularly welcome the rapid response proposals, which are in accord with Fine Gael policy as previously enunciated. It is patently obvious that a rapid response unit was the only answer to international catastrophe. Planning could take place on a segmented basis prior to any need and, when the need arose, the response could be made quickly, effectively and efficiently, and could be targeted. It is a particularly welcome development. It will show good results and will greatly

enable those who are involved in delivering aid while at the same time being of more direct benefit to recipients.

The White Paper reaffirms the existing policy goals of helping the poorest people, mainly in sub-Saharan Africa, principally by focusing on basic needs in education and health. The paper also includes commitments to tackling corruption through good governance. The effort of the international community, the Irish community in particular, in delivering, co-ordinating and directing aid to those most seriously in need is obviously laudable. However, it will all come to naught unless there is the application of good governance on the side of the recipients. We have argued this issue in the Joint Committee on Foreign Affairs and other fora, as the Minister knows. It is important it is enforced to the best of our ability. That means when aid is being raised and handed over, we should have some knowledge of what the people to whom it is given are going to do with it. We should ensure they do not use it as an indirect subsidy to buy land mines, bombs, guns or shells. While there has been considerable movement in that area recently, there is room for more improvement.

It is proposed to prepare for emergencies, humanitarian intervention, conflict prevention, peace building, policy coherence and public private partnership. That is by way of encouraging groups that have particular expertise in an area into development aid. Private Irish companies have gone into South African townships where they have got directly involved in building houses and have made dramatic strides. They should be applauded for what they have done. They have proved what can be done. They engaged in direct, one-to-one intervention which has been very effective. They are on site and can see the benefits themselves.

Some of the key decisions outlined in the Government paper are that Africa will remain the principal geographic focus for Irish Aid. That is right. Malawi will be designated as a partner country and the number of partner countries will be increased from eight to ten in the medium term. That is a positive development and befits a nation of our wealth. Work in fragile states will be deepened and there will be a focus on Sierra Leone and Liberia. Regional programmes in south-east Asia will be instigated. Regional programmes in southern and west Africa will be developed. There is a series of proposals, which are all positive, well-paced and will be effective.

Decentralisation to Limerick of the aid team here is proposed.

Mr. C. Lenihan: That is correct.

Mr. Durkan: I am not sure if that will be the effective way to do it. I do not know, as I do not have all the information. There are concerns about it. It might be important for the cohesion and delivery of an improved service to try to

ensure, in so far as it is possible, to locate the headquarters in such a way as to be accessible and to minimise the amount of bureaucracy and toing and froing that might have to take place.

Over the years we have all put down questions on humanitarian abuses in Africa. I am slightly worried. I note the replies coming from the office of the Minister for Foreign Affairs on places such as Rwanda and the Democratic Republic of Congo where there are serious human rights abuses, ethnic cleansing, hunger, deprivation and the breakdown of society for a variety of reasons. At the same time the Minister for Justice, Equality and Law Reform refuses applicants for refugee status on the basis they can return home in safety. I find it difficult to understand whether we are talking about the same subject. On the one hand the Department of Foreign Affairs readily acknowledges the serious abuses that are taking place in a number of these countries, some of which I have mentioned. Meanwhile another Minister says that for the purposes of determining their refugee status, we believe it is safe for them to go home. There have been some serious cases recently in which people have been returned to Rwanda, where they have no hope of living safely, having fled the country under duress. I hope the Minister might liaise with the Minister for Justice, Equality and Law Reform with a view to resolving those problems. Otherwise we will find ourselves embarrassed. I do not have time to deal with the rest of the issues but I hope we will have time for a longer debate in the future.

Mr. Timmins: Tradition has shown that Irish people have a great interest in aid and in putting their hands into their own pockets. This is evidenced by the fact that 4,000 copies of the White Paper, which I welcome, have been distributed with 31,000 downloaded worldwide. The Minister should examine ensuring that, whether electronically or otherwise, this document is distributed to all libraries and schools in the country. It would not be a big job. Often the public does not know such documents exist.

In his speech the Minister stated it is important to ensure taxpayers' money goes where it is needed. By 2012 some €1.5 billion should have been spent on this, which is a lot of money. While I do not have any empirical evidence, anecdotal evidence tells me that much of this money goes astray through maladministration. I do not know what audit systems we have in place. As we give more money there will be greater pressure, and rightly so, to ensure this money is audited correctly and reaches its targets. I am concerned that it does not. Many organisations in this country operate on small budgets which they raise themselves. Mr. Terence O'Malley operates in Afghanistan. Deputy Michael Higgins is familiar with him. I am involved with the Umbrella Foundation run by Mr. David Cutler, which operates in Kathmandu, Nepal. On a shoestring budget supplied by its own fundraising here it car-

[Mr. Timmins.]

ries out greater work than many of the officially recognised bodies.

We must ensure our money goes to the correct places. We could do this by looking outside the box. In the last few years we have taken many Filipino nurses into this country. We have drained a poor country of its resources after it invested in educating them. We should examine, for example, the concept of funding medical training or building a training hospital in the Philippines. If we take resources from that country there is an onus on use to put something into it. It would also give us the opportunity to ensure the correct qualifications and standards are in place. We need to examine such projects, put the money in directly and get people to supervise them. We cannot give aid to countries on the one hand and on the other take their best resource, their educated people, out of their system. Our policy is a little two-faced. Deputy Durkan mentioned building accommodation like Mr. Niall Mellon's group does in South Africa. We could examine that and be more pro-active.

I want to deal with the rapid response initiative, which our party advocated for a long time. It is important. Large numbers of people are to become involved, however I have one major complaint: it is under the wrong Department. It should be in the Department of Defence because that is where the expertise is. It is where the Minister will go to store and administer the supplies. While the Minister for Foreign Affairs cleverly latched onto a concept that we pushed for a while, the Minister for Defence was slow off the mark. It should be given back to the Minister for Defence.

Mr. Durkan: He was elbowed.

Mr. Timmins: The Department of Defence has the expertise and personnel to implement it. How much time do I have left?

An Ceann Comhairle: I would not ask that question.

Mr. Timmins: I ask the Minister to think outside the box, build that hospital in the Philippines or wherever and get that rapid response initiative back to the Department of Defence where it should be.

Mr. M. Higgins: I welcome the opportunity to make a few remarks on the White Paper. There is little in its 90 pages of text with which I disagree. I want to raise some issues by way of bringing forward the debate as the Minister for Foreign Affairs has suggested will happen in the next few months. The commitment on Irish aid to be delivered by 2010 will be welcome, however it is important that we do not regard 0.7% as a limit. Countries in Scandinavia have already exceeded 1%. I am thinking of Norway and two other coun-

tries. The White Paper's emphasis on real aid is welcome and correct. When one adjusts the Irish figures as a proportion of gross national income, even if one deducts €1.4 billion, which might be strictly separate from development, one would still arrive at a figure of between 0.41% and 0.43%. This is in contrast to the European Union figures as regards aid, which are not straightforward. I shall go so far as to say they are dishonestly presented as development achievements. Some of the strongest economies in Europe count expenditure which is not development related as part of their achievement towards the 0.7%. This is very serious. Take just two items, for example, the Iraq and Nigeria debt cancellations. In the case of Austria it was 52% of what it claimed as its ODA achievement — Germany 32%, UK 31%, Italy 29%, France 19% and Belgium 20%. The figures have to be adjusted back to see what is the true position as regards achieving the United Nations target.

As regards the ten newer countries in the European Union, there is not a remote possibility that they will achieve 0.14% by their particular target date. This is not an academic exercise, far from it. There is cross-party support for Irish Aid as non-tied aid, and I welcome that and the fact that we present figures that are transparent. However, I suggest we are not winning the battle at a global level. The millennium development goals do not refer to the elimination of poverty, but rather its reduction. Nor do they speak about the universal provision of certain basic necessities. They speak about their gradual achievement. I would have preferred a strong hinge between the Irish White Paper and the millennium development goals for a reason which I shall make clear. The likelihood at present in terms of the commitments made at international conferences is that they will not be achieved by 2150. A question mark hangs over the European Union achieving its United Nations target by 2015. I am suggesting that there is no difficulty in Ireland achieving its target by 2012. That having been said, the atmosphere in which we are losing the battle against poverty is one in which 3 billion are living on less than \$2 a day, 30,000 are dying of starvation every day, 186 million are out of work and 12.3 million are in forced labour. What is happening, too, is that the income divide on the planet is increasing rather than decreasing.

The only academic point I will make is that in 1820 the ratio between rich and poor was about 3:1. By 1950 it was 35:1, by 1973 it was 44:1 and in 1999 it was 74:1. Gross inequality is growing at the same time as poverty is deepening. There have been reductions in the most acute levels of poverty, but the numbers who are condemned to low nutrition, deprived of sanitation and clean water are not becoming fewer. Instead the population push in some of the poorest countries is putting such people at risk. At the moment some 800 million people are starving, 1 billion are without clean water, 2 billion are without access to

sanitation, 2 billion are dying of AIDS and 175 million are caught up in international migratory movements and are particularly at risk. There are 940 million people who are illiterate and so forth. The context in which international aid must be assessed is, in fact, getting worse. Equally, I want to express deep disappointment at what has been produced at the level of the European Union, The EU Strategy for Africa, Commissioner Louis Michel's document, published in June 2006, which fails to draw clear conclusions. I have limitations of time, so I must come rather quickly to some of the fundamental points that should be part of the further discussion I hope will take place when the White Paper travels around the country.

It is a matter of disappointment to me that the White Paper was not able to say that Ireland would have ratified the United Nations Convention against Corruption. At the moment there are about 27 UN conventions which we have signed but not ratified. The one I ask about most frequently is the United Nations Convention against Corruption, but it is unlikely that it will be ratified in the lifetime of this Government. It is awaiting clearance from the Department of Justice, Equality and Law Reform, which suggests that there are several different areas in which it has to be examined before we can offer compliance. It will come into effect, however, because it will have achieved the appropriate level of signatures for ratification, during 2006. The White Paper would have been stronger if there was a clear reference indicating that the convention would be ratified in the lifetime of this Government, but it does not say so.

Again as regards corruption, it is important for western governments to take account of the good research that is taking place on the ground. I am thinking of Professor Svendsen's work from Sweden, for example, which showed something very simple in the case of Uganda, namely that if there is publication of the allocations in a newspaper that is read locally, the amount of funds disbursed dramatically increases. In one five-year longitudinal study it went from 23%, which made its way to schools, to 87%. There are practical measures that can be taken as regards getting full accountability.

If one is going to speak about the elimination of corruption, it behoves one to look at the mote in one's own eye. At the moment not one country in the European Union has ratified the United Nations Convention against Corruption. Again, I do not have the time to go into detail but I have shown how the figures give a gloss. The strongest economies in Europe are not meeting their targets as regards development. The Minister of State will be aware of the EU African Peace Facility. That will come out of the development budget. The figures are apparently going up, but they are not actually being spent on development. There is need for clarification, and it would have been worthwhile if there had been a more

detailed treatment in the White Paper of the concept of good governance. Good governance is fast becoming a discredited concept. I recall when sustainable development was introduced at the Rio conference on the environment, which I attended. I saw sustainable development as a concept become degraded as it was abused by those who had no commitment to its fundamental character. Equally, in the case of good governance, that has been studied as a single concept, for example, by the Raoul Wallenberg Institute in Sweden, which commissioned a set of scholars to examine exactly what was meant by this concept. If it means, for example, having democratic accountability in African states, that is one thing. On the other hand, if it means offering transparency to international capital *à la* the World Bank's prescriptions, that is an entirely different concept. The scholarly evidence at the moment is that it is the latter rather than the former and therefore it will be very difficult to hinge this concept into African experience.

I found the debate on development a good deal richer at the end of the 1970s and into the 1980s in respect of a number of other issues I would like to have seen treated more extensively in the White Paper, particularly technology transfer. In the 1970s we discussed the difference between, for example, indigenous, appropriate and advanced technology, which was creating high levels of dependency. What we meant by this was that the transitions that were taking place in agriculture, which affected 80% of the population, would have required a simpler technology. At the same time, however, the elites in the capital cities of many African countries, for example, found it easier to be dealing with multinationals in terms of very advanced technology without the follow-on expertise to repair and maintain equipment. Many of us who have been in Africa have seen abandoned pieces of machinery which cannot be repaired without the appropriate technologists, parts etc. Of course, many of these were not aid at all, but hidden exports. A close look at the Italian aid, for example, would tell a great deal in that regard.

I agree with previous speakers that the White Paper — a Government White Paper rather than a Department of Foreign Affairs White Paper — should have been a whole of Government approach. One cannot really speak about the development issue without speaking about aid, trade and debt together. As I have pointed out, the European Union countries have started fiddling figures to show, for example, that Nigerian or Iraqi debt relief can be counted in what is being achieved in development. That is not necessarily so, and it is having a secondary development effect.

With regard to agriculture, issues arising relating to trade are very important. It is unconscionable that there is an export of the terminator technology which is essentially putting genetically modified seed into Africa. People who have

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worked on the ground, including aid workers, will indicate that it is the pattern in Africa that when the second rains come and preparations are being made, seed is left at the bottom of the sack for planting. That is as we did in Ireland in the old days. This seed will now be infertile, and that is the seed now being dumped into Africa, particularly by US aid. When the product was banned in one country it was quickly moved to another. This is disastrous for African agriculture.

There are negotiations on finished and processed goods. If one looked at the amount of frozen chicken being sent from Germany to some African countries, one would find it is being done in a way that is little less than dumping, with the net effect of stopping small chicken farms coming into existence. Compliance in Africa under newly-negotiated bilateral trade agreements or Doha could have a negative effect. The primary products in Africa have been falling disastrously in price as a result. The figures are over 70%, relating to prices of cotton, cocoa and other basic products.

It is very important we realise that we must not have an imposed single model of development. I believe the White Paper did not deal with that in detail. It begs the question of how there can be different roads to development. For example, many countries will want to move through food security, food surpluses and simple exports, and onward to achieve an export-led form of growth. Although the World Bank denies it, the kind of model being imposed is very much a case of one size fits all.

The figures I have described are true in Africa, and the suggestion that what is needed there is a private enterprise model is nonsense. I noticed a great intolerance whenever I discussed the detail of NEPAD, for example. That requires about 12% seed money from Nigeria and South Africa. If people are living on a dollar a day, with 77 cents being spent on survival, 23 cents will be available for the management of the surplus.

It is one of the worrying features of Africa in particular that the flight of money out of Africa is not being made a matter of comment. Yet it is very real. A previous speaker mentioned that there are more doctors from Malawi working in Great Britain than in Malawi, and that is true. Many Western countries are bleeding very important skills, desperately needed for survival itself, from African countries.

With regard to a number of fundamental principles, when we write a future White Paper, its central piece will deal with water. If I was writing this White Paper or offering advice on it, I would suggest that the next White Paper should be within the framework of human rights. The Norwegian White Paper tried to do this. Human rights in this case means a human-rights informed policy, and a set of guidelines based on human rights practice. At the centre of such an approach would be, for example, the establishment as a uni-

versal right to water, or taking the Food and Agricultural Organisation's prescription of the right to freedom from starvation.

However, the White Paper is not a rights-based document in many ways. It advocates human rights. In future, as we have the discussion around the country, we should seek to craft it in terms of departing from human-rights based principles as policy and human-rights based principles as practice.

Mr. Connolly: I wish to share time with Deputies Finian McGrath, Gormley and Morgan.

As a contributor to the Third World, Ireland can be seen as one of the very generous nations in terms of finance and our people, both on a voluntary and missionary basis. We have spread right across the Third World, and we have missionaries in the developed world. As a small nation we are punching well above our weight in helping the needy of the world.

However, now that we are expected to give a fixed amount of our GDP, we should reassure the people that they are getting full value for money. They should be assured the money given in donations is hitting the target, that the donations are not being swallowed up by huge administration costs and that the euro given is equal a euro in aid, and not just 10 cent.

The only way we can achieve this is to concentrate the vast bulk of our donations on one country. That is, each developed country should adopt one of the Third World countries. This is the only way we can go forward. Only then will we know and be able to tackle on a long-term strategic basis the water supply to that country, the harvesting and growing of crops, education and the building of schools, houses and roads. We could follow long-term strategies and be in a real position to judge our value for money. It is the way to go, and I advocate such an approach in preference to a scatter-gun approach.

Year after year we have seen inevitable world tragedies, such as the Asian tsunami, Hurricane Katrina and major earthquakes. I would like to see us with the ability for a rapid response in such cases. We should not have to sit at home looking at the horrendous pictures and wondering what our Government will do about it. These events happen, and we should be in a position to respond rapidly.

With regard to world aid, I would like to refer to Romanian institutions. There is a policy of institutionalising people in Romania. That is not good enough for us in this country. We have the tremendous legacy of what happened in institutions, and now we as a nation are telling Romania it is good enough for it. I would like to see us adopt a policy of "communitisation", as our policies are diametrically opposed to each other. I would like to see the end of this. Although it is well-meaning, the money going there should be better directed.

Mr. F. McGrath: This is an important debate. All states have the responsibility to look after their citizens and respect and protect their human rights. One starts dealing with poverty issues in one's own back yard, and then in the wider and international community.

It really gets up my nose when I see and hear former or current colonial powers lecturing the world on poverty and injustice. It is nearly as bad as Bono lecturing us on world poverty when he will not even pay tax in his own country. It is time for these shapers and posers to get off the stage, stop lecturing and get on with finding real solutions to world poverty through foreign aid.

I wish to speak about poverty in our country, particularly the 100,000 children in consistent poverty in Ireland. There are also people forced to live in estates where drug dealing, violence and intimidation are part of their daily lives. This must form part of the wider debate on poverty and foreign aid.

A year ago, a devastating earthquake in Pakistan caused 73,000 deaths and left more than 3 million people homeless. Through organisations such as Concern, the Irish people made a direct response and had a major input into protecting and defending 158,000 people. A year on, we must be more supportive, and we should focus on the long-term work of helping people to rebuild their lives and livelihoods.

I wish to use this opportunity to pay tribute and offer my sympathy to the family of former Deputy Niall Andrews, a former Minister and MEP who made a major contribution to fighting world poverty and helping the poor of the world. Niall was a strong light for the poor of the world, and he will be deeply missed by all parties and Members in this House.

Statistics indicate 800 million people are chronically malnourished in a world full of wealth and resources. This is unacceptable in this day and age with the amount of money being spent on armaments, particularly on nuclear weapons and the nuclear industry. A constituent, Mr. Seán Coleman, is involved in highlighting injustice against the people of Darfur. We must speak out about this and I urge Deputies to support aid to the poor and developing countries.

Mr. Gormley: The White Paper has been warmly received by the NGO community and I welcome many aspects of it. During the summer I was in New York with the Taoiseach and the Minister of State, Deputy Conor Lenihan. On my return I stated that the Taoiseach's speech had been well received at the UN. Ireland's good work is acknowledged, particularly by those in sub-Saharan Africa. Ireland is playing a major role in aid.

I refer to the comments made by Deputy Michael Higgins. I attended a conference on sustainability in Johannesburg in 2002 and it was clear that we were witnessing the end of history. There is now only one model of development —

growth at all costs. Developing countries are taking on board all western values, which is fine as long as a certain number of people can benefit. We are seeing the development of a new elite in the post-apartheid era in South Africa. How long can this be sustained? There are high levels of corruption, wealth generation for a few people and great disparity between the rich and the extremely poor. This is a matter that must be addressed. We must think outside the box but it is not happening.

The matter of climate change is close to my heart but is being ignored. I have tabled questions to the Minister of State, who recognises the importance of the issue for development. The statistics are frightening and if the Minister of State believes there is a problem in Africa now, it will be more severe when the effects of climate change kick in. Climate change will result in hundreds of thousands of ecological refugees, major drought and starving people. There will be a high growth in malaria. By the 2080s there will be an additional 290 million people, a conservative estimate, suffering from malaria. The Government has not tackled this issue on an environmental basis or on a developmental basis. It has not considered the dire consequences for those people in Africa. Development agencies have been slow to consider this and I suggest that the Department of Foreign Affairs should have a climate change ambassador, as New Zealand has. Each member state needs to focus on climate change.

The Minister of State is aware that resources must be provided to Irish Aid. There is no point in farming out projects. Irish Aid must develop expertise, through institutional development, to deal with problems. The decentralisation to Limerick has caused problems but if the necessary investment is provided the White Paper will be implemented.

Mr. Morgan: The White Paper has been welcomed as the first such paper on this issue. It restores the objective of reaching 0.7% of GNP for overseas development aid. A commitment was originally given to reach that target by 2007, but that has been put back to 2012.

While I welcome the restoration of the commitment to 0.7% of GNP, Sinn Féin believes this should be a floor and not a ceiling. A state as wealthy as ours, the second richest in the world, should allocate a minimum of 0.7% of GNP to overseas development aid. We should set a target based on European best practice, namely, 1% of GNP. We should commit to a programme of incremental increases to achieve this objective. Luxembourg, Norway and Sweden have already committed to contributing 1% of GNP to the world's poor.

The paper's commitments to untied aid are welcome, as is the overarching objective of poverty reduction and the focus on the least developed countries and Africa. While the White Paper acknowledges that "the poorest people in

[Mr. Morgan.]

the world's poorest countries are those least able to adapt to the impacts of globalisation, increased trade liberalisation and climate change and those who gain least from global progress", the Irish Government has failed to live up to its responsibilities in the fight against climate change and has supported the imposition of damaging trade liberalisation policies on developing countries. As Deputy Gormley stated, climate change is a major concern and is the single biggest threat to long-term sustainable development. The impact is already felt in countries least able to deal with it. Climate change is exasperating the problem of chronic food insecurity in Africa in particular. There is irony in making commitments to help developing countries cope with climate change if we, as a wealthy developed state, are unwilling to combat climate change.

It is disappointing that this paper does not commit the State to work towards reform and overhaul of the world financial institutions, whose policies cause so much harm to developing countries. These institutions are neither accountable, transparent nor democratic. Commitments to overseas development aid without reform will not bring lasting change to developing countries. Sinn Féin demands the overhaul, reform and democratisation of the IMF and the World Bank. At present, every action they take is designed to benefit developed countries at the expense of developing states. They are structured in such a way that subjugates the interests of developing countries to powerful developed states and, in particular, the United States, in whose favour voting rights are stacked. The selection procedure for IMF and World Bank leaders is undemocratic, with the presidency of the World Bank always reserved for a North American. Voting rights in the IMF are based on the entry fee or share purchased by the country when it joins. It is unacceptable that the US has a blocking minority.

Citizens of developing countries are disempowered as economic policy is decided by the IMF and the World Bank through structural adjustment programmes imposed on indebted countries that dramatically aggravate problems. Structural adjustment programmes force governments to open up economies, export more and spend less. These governments are forced to drastically reduce public spending and open markets. This has had drastic consequences for the local population as living conditions have substantially deteriorated since the introduction of these measures. Overseas development aid and debt cancellation must be accompanied by the end of structural adjustment programmes and the thorough reform of international financial institutions.

Ms O'Donnell: I wish the Minister of State well in his responsibilities at a time of great challenge and change in Ireland's overseas development programme.

For too long the debate on Ireland's aid programme was dominated by a row about when we would reach the UN target of 0.7% of GNP, which the international community set over 30 years ago. Only a handful of developed nations, however, have actually achieved or exceeded that target. Thankfully that debate in Ireland is over and this Government has committed Ireland to reach the elusive target by 2012. That political commitment was not achieved easily but the decision had the benefit of cross-party support and that of the social partners, which was important.

When I was Minister of State at the Department of Foreign Affairs, I advocated that Ireland would reach the target and said that it was a test of our commitment as a nation to civilised values, and that remains the case. Perhaps because I and others here were so vociferous in advocating this we have a particular responsibility to ensure that the programme is properly managed and is as effective as possible. There has never been a more important time for Ireland, when it is experiencing unprecedented prosperity, to hold solidarity with the poorest communities in the world. Our race memory of famine and our history of colonisation, mass migration and chronic poverty predisposes us to this solidarity.

Our aid programme is a tangible expression of the humanity of the Irish people. Thousands of Irish people, lay and religious, have worked in development for decades and hopefully will continue to make that humanitarian contribution. Our economic success now provides the opportunity to make a real difference in the lives of the global poor, to allow them take control of their own destinies and improve their lives.

This support is not motivated by a humanitarian imperative alone. A more stable international order has a great bearing on our political and economic interests in the rich world. Apart from being unconscionable, a human set-aside of millions of impoverished people is a fertile breeding ground for terrorism, illegal migration and political unrest in the developing world. We ignore the unmet needs of the global poor at our own peril. A security approach to the problems of fundamentalist terrorism is only one way to deal with these problems. Developed countries must continue to increase overseas aid flows in order to create a more just and fair world order.

Our development policy is central to Ireland's overall foreign policy. In effect, it is now our principal foreign affair, as demonstrated by Vote 39. Our aid policies give substance and legitimacy to other aspects of our foreign policy. A country cannot persuasively urge a moral and humanitarian imperative on others unless its own policies enshrine such values. Ireland can be a more credible actor at the United Nations and another international fora when its statements of concern are backed, as they are, by meaningful action on the ground by way of a world class aid programme.

Now that the argument has been won on the level of Ireland's contribution to global human development it is vital that the focus of this House and of those of us interested in the progression and expansion of the programme moves to the management of that programme and how to ensure best value, best practice, and best quality outcomes in delivering aid. The White Paper sets out, quite properly, to evaluate and show the Irish people how and where their money will be spent.

The overall aid programme has grown rapidly from £40 million in 1992 to a staggering €700 million this year and will rise to €1.5 billion per annum when we reach the UN target in 2012. At that stage the aid budget will probably exceed the combined total of the current marine and defence budgets. With such a level of taxpayers' money at stake there is an absolute imperative to get the management, audit, accountability and effectiveness of the programme right. We should plan for the best rather than simply drift into a massively expanded budget wearing the same clothes as before.

I welcome the addition of Malawi and Sierra Leone as areas of concentration for the programme. This struggling country, Malawi, has been hitting the headlines for the most shallow reasons lately. Malawi will be Ireland's ninth programme country. It is one of the poorest countries with over 65% of the population living below the poverty line and is ranked 165th on the UN human development index. It has enormous needs, with 90% of the population engaged in subsistence farming, and suffers persistent food shortages. A total of 700,000 of its 1 million orphans have lost their parents through AIDS.

In Malawi, life expectancy at birth is 39.7 years, while in Ireland it is 77.7 years. These statistics put into proper context the hype and begrudgery about the adoption of one child by Madonna. I am glad that Ireland is engaging more deeply in Malawi where it has been providing humanitarian assistance since 2002.

I also welcome the development of the rapid response initiative to provide a roster of highly skilled individuals for deployment at short notice to emergency situations. I particularly welcome the establishment of a governance unit to give oversight on this area of the programme. One of the most frequent criticisms made of the overall aid endeavour, in this House and elsewhere, is that in emerging democracies weak and unevolved governance leaves aid open to corruption. That is no reason to discontinue assistance to a country. Weak governance in emerging democracies and developing countries is part and parcel of the aid challenge. It is the role and responsibility of the donor country to build in robust audit mechanisms and oversight to ensure money is not siphoned off for nefarious purposes or purposes not related to assisting the poor.

I do not, however, buy into the theory that the poorest people should be punished for the inad-

equacies of their governments. Corruption is not confined to the Third World. As we know from our own tribunals corruption is very much alive and well in the First World. I also welcome the initiative on volunteering to assist and facilitate those of our citizens who wish to work in the developing world. That will go some way to strengthening the people's sense of ownership of their aid programme.

As a former Minister of State with some experience of the programme, its weaknesses and its strengths in the context of the expanding budget, I wish to make one criticism of it. When I was Minister of State I chaired a review of the aid programme related to the Cabinet decision to reach the UN target. We sat for a year and consulted widely with key development actors and stakeholders in a way similar to a White Paper process with the benefit of many submissions. We surveyed the landscape of the programme and its geographical focus and produced a comprehensive policy and institutional framework to guide Ireland Aid through a period of rapid expansion. I see many of the key recommendations in that review replicated in the White Paper but I am disappointed in one aspect of this programme.

My comments are intended to help the Minister of State. There seems to have been little attention paid to the key operational issues relating to staff allocation and staff shortages identified in that review. The OECD and an analysis of management carried out by independent Consultants in 1999, the Cassidy report, attested well to the capacity deficit in Ireland Aid. The OECD noted then that the "development co-operation division has had to improvise and patch together temporary ways of reinforcing staff capacities in HQ and in the field within complex government staffing regulations". It went on to conclude that the management system was "fragile and vulnerable".

Both reports found staff numbers to be widely seen as "inadequate" and recommended their early reinforcement. Both studies were carried out prior to the Government decision to reach the UN target in 2007. The review committee in 2002 noted that a "substantial increase" in staffing numbers was required if there was to be an efficient and accountable management of the current programme, let alone a greatly expanded programme. A comparative analysis of the staffing levels in donor countries which had already reached the UN target indicated that with the managerial burden of 0.7% budget, current staff levels would have to be increased by between 300 and 350 between home and abroad over the period from 2002 to when the target was reached. We said at the time it was of the utmost importance that staff numbers in Ireland Aid keep pace with the expanding budget and that by the time the 0.7% target was achieved the full complement required to administer a programme of this size should be in place.

[Ms O'Donnell.]

We recommended this matter be kept under permanent review by the new advisory board for Ireland Aid. We examined the management models appropriate for an aid programme and the strengths and weaknesses of various organisational models. The committee opted for a development co-operation directorate or division in the Department of Foreign Affairs as the most suitable model as opposed to an independent agency. However, we were conscious of the shortcomings of the chosen model, in particular the serious understaffing caused by Department of Finance rules and lack of managerial flexibility. We were also conscious of the need to provide for auditing and involvement of stakeholder interests in the strategic direction of the programme. While plumping for the current model, efficient response and accountable management would not be achieved unless there was an increase in human resources coupled with action to enhance managerial continuity.

I am alarmed at the White Paper's section on management. It is thin gruel and simply a proposal for a review of management. This is a matter of concern. Such management changes simply cannot be postponed, given the scale of public funds involved. The document is discreet and short in detail, but what plans are in place to manage this large budget? The Joint Committee on Foreign Affairs should now intervene on the issue and assist the Minister of State if difficulties have arisen with the Department of Finance. It is reckless for the programme to be expanded to the extent that it is planned without these inadequacies being addressed. Organisations, such as Concern, manage much smaller budgets with more staff involved.

Mr. G. Mitchell: There is broad support across the House for development aid. It is necessary, however, that we generate ideas on best practice and do not repeat ourselves. I have had the privilege of being a member of the development committee of the European Parliament and its rapporteur on the development co-operation instrument which becomes law from 1 January 2007. It will replace 16 regulations in the area of EU co-operation with the developing world. It has been marathon work and a great opportunity for me to learn much about the developing world. Since becoming an MEP, I have had the privilege of becoming vice-president of the ACP-EU assembly, where ideas are exchanged between parliamentary members from both organisations, the respective councils of ministers and commissions on concerns over EU assistance to the developing world.

The EU project is about peace and stability from which flows prosperity. That philosophy should not be confined to the boundaries of the EU. In a globalised world, the EU must have as its priority international peace and stability. The world's population stands at 6 billion people; by

2050 it will have increased by 2 billion. Up to 90% of that increase will be in the developing world. A future conflagration will come from that part of the world if we continue to allow people exist in the dreadful circumstances prevalent there. Every year, 2 million children under the age of five die for the need of vaccines available in the West for the past 30 years. This cannot continue.

It is not just a question of selflessness but also of selfishness. If we treat the developing world with dignity and take it into our sphere of security, it will be our future trading partner. It will not comprise mass economic migrants, terrorism or those who want to fight their corner for justice. We have selfish and selfless reasons for wanting to ensure the issues of the developing world are top of the agenda.

Ireland has a great tradition of missionaries and NGOs working in the developing world. Ireland also has a recent historical experience of famine. When I was a child, I spoke to an elderly lady in Inchicore who had spoken to someone who had lived through the Famine. It is these experiences that give Ireland a special place in the developing world, particularly Africa.

I welcome the general thrust of the agreement on an all-party and social partnership basis that at last we will meet the 0.7% target. Our economy will not continue to grow the way it has in the past several years. There will be moments in the economic cycle when it will be down. In such times, €200 million, for example, will be taken from the budget for the developing world. If we reach the 0.7% target, we may not be able to maintain it. In a policy document, *Concerning our Neighbours*, which I published when I was the Fine Gael Party's spokesperson on foreign affairs, I argued for legislating for the 0.7% target to be paid directly from the central fund. It would not, therefore, have to come before the House to be voted on annually in the Estimates. As a result of legislation, interest on the national debt and judges' salaries, for example, are paid directly from the central fund. In the case of judges, their salaries cannot be reduced while they are in office because it may amount to influencing them in the course of their duties.

Through our new found wealth, our society is turning in on itself. One only has to look at the suicide rate and increased alcohol and drug consumption. The middle classes are now at this game. There has been a decline in religious practice and volunteerism. When I was growing up, it was a matter of fact that one joined a political party, the Society of St. Vincent de Paul or another organisation. It is time for us to take stock and ask what sort of leadership we should give to our children and grandchildren. It is time the nation's priorities were reoriented so we share our great good fortune with the world's least privileged. If EU member states wish to emulate best practice in development aid, the Irish example should be the one to follow. That will only happen if we take our responsibilities to

the developing world and put it at the top of our foreign policy agenda.

What can we do? It is right that we should provide money but that is not all we must do. We should twin Departments and local authorities with corresponding government bodies in Third World countries. I am familiar with Dublin City Council because I was a member for 20 years and served as Lord Mayor. There are council staff who would gladly give of their expertise in engineering, the provision of clean water and so on. We should also twin our hospitals and schools with those in the states to which we provide development aid.

Mr. C. Lenihan: I agree.

Mr. G. Mitchell: We should make development aid our first foreign policy objective and we can pursue that with credibility. Northern Ireland will always be on the agenda, as will our membership of the United Nations and the European Union. We can, however, credibly give leadership to other states in the area of overseas development aid.

I had the privilege of hearing the Commissioner for Institutional Relations and Communications Strategy, Ms Margot Wallström, explain how she planned to communicate the EU's message and the details of the constitutional treaty. I told her not to waste our time. As chairman of the task force on communicating Europe, I know what happens when one tries to get the EU's message across.

If we want people to know what the EU is all about and to influence people in this regard, we must look at what people are motivated to do. There are few people in pubs in Brussels or Dublin talking about the constitutional treaty. On the other hand, many people marched to Gleneagles because of their concern for the developing world. Our young people have goodness within them. They are not all in despair, suicidal or abusing drugs or alcohol. Even those who are in such difficulties are not beyond being given leadership in attaining greater meaning in their lives. We are elected to give them that leadership.

If the European Union is to become relevant to people's lives, we must not abdicate our leadership role to Bono and other well-meaning pop stars. Such persons have made a welcome and useful input but they come and go. We should structure this nation to give back some of the good fortune we enjoy and to commemorate our ancestors who died in terrible famine by making development aid the main priority of our foreign policy and by persuading other members of the EU to do the same.

Given that the scale of our expenditure on overseas development aid is set to increase, there is a case for laying these spending plans before the Joint Committee on Foreign Affairs each year for advance approval. I notice the Chairman of that committee, Deputy Woods, is in the House.

A special procedure should be put in place in regard to government-to-government aid, which should include provisions for accountability and measurement. Any proposed government-to-government aid plans, in particular, should be approved in advance by the Joint Committee on Foreign Affairs.

As NGOs are largely funded by a combination of Exchequer and private contributions from the public, the Comptroller and Auditor General should be asked to place a report before the Committee of Public Accounts every two years giving his independent assessment of the effectiveness of this expenditure. There is no point in us taking money from the public and sending it to the Third World not for the benefit of the poor but to be consumed by people earning large salaries. There must be an assessment of who benefits from this money and there is no better person for this task than the Comptroller and Auditor General.

Given the amounts of money involved and to ensure the assessment is complete, NGOs in receipt of Government aid should be obliged to open their books to the Comptroller and Auditor General so that he can report to the Oireachtas matters of concern in regard to duplication of effort or poor use of resources which he believes should be brought into the public domain. When reporting to the Committee of Public Accounts, the Comptroller and Auditor General should critically examine the procedures used for, and the effect of, setting priorities for overseas aid. This type of business-like approach must be adopted in respect of the scale of funding we are committed, on behalf of the public, to spend in these regions.

I am pleased there is at last a strong commitment, on both a cross-party and social partnership basis, to meeting our responsibilities to the developing world. We must not, however, engage in a cosmetic exercise. We must put our strategy on a footing that will not only make us proud because of the support we will provide for our neighbours — a hand up rather than a hand-out — but will be something that is uplifting for the nation. Our efforts should offer leadership to young people in particular and remind them of our responsibility to give something back in view of the good fortune we have enjoyed.

Dr. Woods: This is an important and timely debate as the publication of the White Paper on Irish Aid represents a landmark in the history of Ireland's development co-operation programme. The significance of the White Paper has been recognised on all sides of this House. It is sharply focused on tackling poverty and disadvantage by working in partnership with countries which receive our aid to achieve long-term sustainable results. Its main emphasis is on health, education, agricultural development, good governance and human rights. It provides us with a roadmap for

[Dr. Woods.]

the future and the money to turn our dreams for Africa into a reality.

The White Paper represents a continuation of our commitment to “untied aid” and avoids the creation of debt. It represents in Government policy the spirit and long tradition of Irish missionaries, NGOs and aid workers, and of the Irish at home who, by generous personal support, have been among the best contributors in the world. Its importance has been noted and welcomed in the press and in the media generally and by the development community in Ireland and beyond.

However, the White Paper has a significance beyond the fully justified warm welcome it has received. It represents more than just a policy statement on how Ireland proposes to plan and run its aid programme over the coming years. At a deeper level, the White Paper tells us about the people we are, our principles and values, the country we have become and what we want it to stand for, our sense of justice in an unjust world, our commitment to our fellow human beings in the developing world — the poorest of the poor — and to the marginalised and those who have been forgotten in the globalisation race.

For generations, these values were carried to Africa and other parts of the world by Ireland’s missionaries. This work is still being done although to a much lesser degree than in the past because of the decline in vocations. We should never forget that, in one sense, Ireland’s first aid programme was the work of the countless Irish missionaries, men and women who spent their lives on the important task of helping to educate the poor in Africa and elsewhere. Much of this missionary work was carried out even before the foundation of the State so there is a long tradition of Irish people’s belief in the need to help those in the world who, for whatever reason, were not in a position to help themselves. What is being done now, and what is set out in the White Paper, can be seen as a continuation into the 21st century of a long and honourable tradition of the Irish people’s commitment to helping the poor, the disadvantaged and the exploited of this world.

In another sense the White Paper speaks to us about the Ireland of today. It tells us something about ourselves and what this country has become, and what it believes it can and must do as an independent and prosperous member of the international community. I doubt whether the White Paper could have been published in its present form if there had not been such a complete transformation of the economy in the last decade. The plans and financial commitments set out in the White Paper could not have been made without the uniquely strong economic situation we find ourselves in today.

It is against these background thoughts that I wish to speak in more detail about the White Paper. I am pleased to say that as Chairman of the Joint Committee on Foreign Affairs, I

arranged to have the White Paper discussed by the joint committee just three weeks ago. On that occasion, the Minister of State at the Department of Foreign Affairs, Deputy Conor Lenihan, gave the joint committee an overview of the main contents of the White Paper and the members set out their views on it. Their overall response was one of praise and welcome for what was seen as an innovative and comprehensive statement on how Ireland proposes to manage its development co-operation programme in the years immediately ahead.

There are a number of points in the White Paper which I would especially like to highlight. I fully welcome the decision in the White Paper that Ireland will reach the UN target of spending 0.7% on development assistance by 2012. There has been an enormous increase in our aid spending over the last decade and I note that this year alone Ireland will spend €734 million in aid. I am sure all of us in this House will look forward to the day when Ireland has achieved the 0.7% target. It will put us in a very small club of countries which have achieved this target. It will certainly represent an astonishing achievement for Ireland.

I also welcome the fact that Ireland’s development co-operation programme is to be an integral part of Ireland’s foreign policy. This is a welcome decision and one which other countries, that have not already done so, could well emulate. More donor countries should place their development co-operation programmes at the centre of their foreign policies. This would certainly increase the likelihood that the scourges of poverty, malnutrition, disease and the total lack of sustained human development in the developing world can be tackled in such a way as to lead to their alleviation, if not their total eradication.

Ireland is setting an example in this respect. This decision will give greater credibility to our foreign policy and to our development co-operation programme. In the European Union, the United Nations and other international organisations of which we are members, Ireland, because of this decision, will be in a much better and a more authoritative position to speak on the major issues and problems facing the countries of the developing world. In a world of plenty, where paradoxically millions still do not have enough to eat, where millions of children die in infancy, where diseases such as HIV-AIDS, tuberculosis and malaria destroy whole generations and societies, it is entirely appropriate that, as a response, we should put these issues at the centre of this country’s concern for our fellow human beings.

I am particularly pleased that Sub-Saharan Africa will be the principal focus for Irish Aid and that Malawi is to become Ireland’s next partner country in Africa. We in Ireland are only too well aware of the problems of poverty and lack of development in Africa. I do not need to rehearse for Members the human development statistics for Africa. They make grim reading. In

almost every category of human development, African countries come out worst. Cycles of poverty, food insecurity, human rights abuses and disease are greatly exacerbated by seemingly endless cycles of war, famine and corruption. Basic human rights in many instances are non-existent.

Malawi is particularly in need of development assistance. It is ranked 165th in the United Nations human development index, with 65% of its population living below the poverty line. Some 90% of its population of 10.7 million is engaged in subsistence farming and it has suffered persistent food shortages in recent years. HIV-AIDS has devastated the country. Reports state that 700,000 of its 1 million orphans have lost their parents through AIDS. I have no doubt that the Government and people of Malawi will welcome Irish Aid as a partner in tackling some of the horrendous problems facing that country.

In my time as Chairman of the Joint Committee on Foreign Affairs, I and the members of the joint committee took a special interest in Africa and in Ireland's development work there. We visited Zambia, Ethiopia, Kenya, Rwanda, Uganda and South Africa and saw for ourselves the problems faced by the ordinary people of that Continent. We have also seen the excellent work being carried out by Irish Aid in our partner countries and I am aware from my experience of the high esteem in which Irish Aid is held wherever it has worked. I offer my congratulations to its staff.

Africa and other parts of the developing world are especially vulnerable to sudden and unexpected emergencies of one kind or another. These can be of a truly catastrophic character as in the 2004 tsunami which wrought such havoc and destruction and wholesale loss of life in countries in south-east Asia. Ireland responded magnificently and generously in helping tsunami survivors recover some semblance of normality in their lives after this terrible event. In light of this experience, I am glad to see the White Paper proposes the establishment of a rapid response initiative which will put us in a much better position to respond immediately and effectively to future humanitarian emergencies.

We in Ireland are fortunate in our geographic location in that we are spared many of the natural disasters which other countries unfortunately experience. This is all the more reason, when emergencies occur, we should help as quickly and effectively as possible.

Another initiative in the White Paper which I fully support is the decision to establish a hunger task force. Our history was for many years indelibly marked by our experience of famine. Generations were scarred by it. No other country in Europe has suffered such devastation from famine as Ireland. Our history and folk memory tell us what famines can do and the death and devastation they leave behind. With this knowledge, it is only right that in recent times Ireland has built a proud record of responding to the problems of

hunger, food insecurity and famine in poorer countries.

The proposed hunger task force will be a further step in this direction. I am very pleased that the White Paper proposes that the task force will draw on a wide range of experience from within and outside Government and that it will prepare a report within six months of its establishment. As Deputy Gay Mitchell said, there are many people in the community who are capable of co-operating with this drive. He also said he had spoken to someone who had talked to a person who lived through the Famine. I spoke to my great-grandmother at the age of 106 and she too had lived through the Famine. It brings to mind how close these events were.

The decision to open an Irish Aid information and volunteering centre and to provide support for development education in our schools is important. The proposal in the White Paper to establish a unit for conflict analysis and resolution is a very positive one.

There is a proposal that the joint committee should be called the Joint Committee on Foreign Affairs and Irish Aid. That proposal was broadly welcomed by members of the committee and it can be discussed further. I welcome the White Paper and congratulate the Minister and his staff on the excellent preparation that went into it.

Mr. Quinn: I wish to share time with Deputy Burton.

I offer my congratulations to the Minister of State, Deputy Conor Lenihan, and the Government on the production of the White Paper. If we do not deal with the issue of corruption and poor governance, this money will be wasted. The people in the Visitors Gallery and the taxpayers paying €700 million to €1 billion per year and who find it hard to understand why they cannot get remedial teachers for their grandchildren or children in schools will turn on this whole generation of generosity and say it is a waste of funds. I have examined the White Paper and looked particularly at the part which deals with good governance and so on, but it is not strong enough. The Minister's successors will have great difficulty in times of economic hardship persuading Ministers for Finance to give money if everybody knows it will be wasted.

Obviously, the development aid picture is much wider and more sophisticated than the presentation I will make, but the time constraint forces me to focus on one point. I will send the Minister a detailed paper that I offered in 1999 which was a proposal for the establishment of an institute of democracy. I listened to Deputy Gay Mitchell's contribution, a person with whom I seldom agree, but he was right in what he said. I went to a school run by Irish missionaries, the Holy Ghost Fathers. I had a direct relationship with men who had come back from Nigeria, Sierra Leone or Trinidad. They had first-hand experience of Africa and carried the marks of it,

[Mr. Quinn.]

including recurring illnesses. We owned parts of Africa because of their experience and unless that is transposed into the next generation, we will not build the kind of linkages that are necessary. Every county council should be twinned with an equivalent body somewhere in the designated recipient countries to which the Minister of State referred. There should be an institute for democracy focusing on teaching people how to do the business of Government. We have a long record of mistakes and lessons bitterly learned. The Local Appointments Commission, for example, which got rid of corruption and cronyism, and the evidence from the tribunals points to the fact that nobody is perfect and countries must live and relearn the lesson of clean government in every generation.

There is no point in giving money, either directly to recipient nations or to multilateral organisations which do not have the necessary scrutiny to ensure the money given ends up in the right place. Ghana achieved its independence in 1957 and had a higher *per capita* income than the Republic of South Korea at that time. However, today the Republic of South Korea produces Samsung televisions, Hyundai cars and many other products. Why is Ghana, which is among the few relatively successful African countries, a million miles behind the Republic of South Korea in terms of the quality of life of its citizens? Why does the gap exist and why is it widening? There is a number of explanations in this regard. The Republic of South Korea was a managed democracy for many years. It was a quasi-dictatorship and the recipient of much aid from the United States of America. For a variety of reasons, which time constraints prevent me from elaborating on, Ghana is the measure of the failure of Africa. The dark continent, as Dr. Livingstone described it, has got darker in my life time. It has gone backwards relative to the rest of the world.

The White Paper proposes to identify and prioritise Africa for reasons I broadly support, although there are other parts of the world which also deserve our attention. However, unless we deal with the issues of governance, corruption, honesty and transparency and link it back to people in Ireland, the current popular support for development aid will not be maintained. When Trócaire was established many years ago by the Irish Catholic bishops, a conscious decision was made to devote a certain percentage of total funds to domestic education and awareness raising around development issues. At the time, a number of conservative and relatively unprogressive people argued that this would be a waste of money. They maintained that all moneys raised should be given to the recipient countries. However, that investment in education and awareness has laid the foundations for the kind of generosity and political acceptability which the Department currently enjoys. If we do not nurture and reinforce it, the arguments from people

like Mr. John O'Shea of Goal concerning donating money to Uganda, which has a manifestly corrupt regime, will win out. If the Irish people realise we are funding crooks, they will be outraged and horrified. We believe that because we are giving money to the Third World, we are doing the right thing but we are funding gangsters in some parts of the world and unless we begin to deal with that in a variety of ways we will lose the popular political goodwill we currently experience.

I will not go into the arguments in detail, but the evidence is there, chapter and verse. I am aware that Mr. John O'Shea irritates many people because he is so outspoken but he has a track record to prove he has put his money where his mouth is, or his mouth where his money is, depending on one's viewpoint.

Mr. C. Lenihan: More the latter than the former.

Mr. Quinn: He has a point of view that is worth considering. I agree with Deputy Gay Mitchell that the moneys given to non-governmental organisations should be subject to public scrutiny and transparency. The public should see how their taxes and direct donations are spent.

Ms Burton: In recent weeks I had conflicting emotions when I read about Madonna and her adoption of David Banda, but it put Malawi on the map, particularly for young people. Sometime earlier, Ms Angelina Jolie and Mr. Brad Pitt had their baby in Namibia, resulting in that country receiving worldwide publicity. In Ireland, Bono and Mr. Bob Geldof, through Live Aid and Drop the Debt, have made the MTV generation aware of Africa. In that context, the Minister of State's proposal to send a summary of the white paper to every household in the country should be dropped. It will be an absolute waste of money. The amount of interest it will generate will not be sufficient relative to the cost incurred.

I welcome the fact the white paper devotes attention to fostering volunteering again. I spent three years working in Tanzania in the 1980s with Irish Aid programmes and was terribly disappointed when the Government destroyed APSO, at a cost of several million pounds. Now it must reinvest money to try to replace what was already in place.

The Irish Government should be a persuader and an advocate for reform of UN institutions and the IMF. We send blank cheques to many UN institutions. This year we spent €87 million on funding for Bretton Woods and IMF institutions but we do not make our voice heard there about reforms that would help poor in Africa.

The Irish Government should not be a soft touch for corrupt Governments. Unlike many Deputies, I went to Rwanda after the genocide and have been in Uganda. People can say what they like about President Museveni, but he put a

stop to the mass genocide in the Luwero Triangle, where 2 million people lost their lives in a killing spree that lasted for 20 years.

The capacity building emphasis of the Irish Aid programme is completely insufficient. Our aid programme was started by a generation of Irish missionaries, nuns and priests and I am proud to say I was friendly with many of them when I lived in Africa and learned a lot from them. They knew how to build capacity in terms of education, the health system and hospitals. The Irish Aid programme must build landmarks. There will be no more useful contribution to the tradition of Irish missionaries and development workers than to follow the lead given, particularly with regard to treating malaria, AIDS and other diseases which are killing children in large numbers.

Mr. Carey: I wish to share time with Deputy Mulcahy.

I welcome the publication of the white paper and congratulate the Minister of State, Deputy Conor Lenihan, and the Minister for Foreign Affairs, Deputy Dermot Ahern, on their work on this document. It is a very worthwhile document and has the capacity to generate debate. While I do not believe it is the be-all and end-all, it is important to reflect that many of the NGOs broadly welcomed it. Today I received correspondence from the 38 member organisations of Dóchas, which indicated the areas where they can strongly support the recommendations and the thrust of policy in the document.

With reference to what Deputies Burton and Quinn said, I also believe there is no quick-fix solution with regard to overseas aid. I also believe there are no quick fixes in the area of development and simply investing money is insufficient. However, the targets set are important and I encourage the Minister of State to advocate the provision of additional funding by the Minister for Finance in order that more can be done.

Ireland should play an important role in promoting good governance and combatting corruption. I have heard President Museveni, both in Uganda and South America, talk about his accomplishments. I have seen some of the work done on the ground in Uganda and there is no point in lambasting him or in asserting that everything he has done is evil or that everything that is being done there is corrupt. When a delegation from the Joint Committee on Foreign Affairs visited Uganda recently, my main concern was that its members were unable to do enough. Consequently, I welcome the proposal to establish a conflict analysis and resolution body in Ireland. For example, the delegation, which may have included Deputy Michael D. Higgins, visited some opposition leaders in jail, some of whom had been working with the Institute of Public Administration on governance issues. The delegation also met some people who were involved in conflict resolution with the Lord's Resistance Army in the Gulu region of Uganda. An expert-

ise could be developed in Ireland which could be put to good use.

While I may be naïve, I have a soft spot for the African Union and its inherent incipient possibility to be built on in order that Africa can take hold of its own development and opportunities. I welcome the peer review included by the Minister of State in the White Paper as it will be important in this respect.

The rapid response initiative is extremely important, as is the task force on hunger. However, I return to the point I made at the outset, namely, there is no short-term or easy way to build capacity, deliver education or fight HIV-AIDS despite what one is sometimes tempted to believe by television programmes. For example, I have been impressed by some of the initiatives undertaken by members of the construction industry, particularly in South Africa. However, such initiatives will grab headlines unlike painstaking work undertaken in fields such as water harvesting, food security and medical education in locations such as Ethiopia, Uganda, Ghana, Rwanda and South Africa.

I welcome the White Paper and the enormous potential arising from the fact Ireland is putting its money where its mouth is. As the Government is not above criticism, I welcome the opportunities that will be provided to have regular debates in this House on Ireland's development aid programme. While the work performed by the Joint Committee on Foreign Affairs is important in this regard, Members must realise that one only makes progress incrementally in this area of development.

Mr. Mulcahy: I thank Deputy Carey for sharing time. I also welcome the White Paper, which I have read thoroughly once or twice. It contains many good ideas, several of which have already been raised. I wish to emphasise a point that has also been raised by previous speakers. Our aid expenditure will reach €1.5 billion, which constitutes an enormous amount of money, and the public will want to be reassured that it is being well spent. While the issue of corruption has been mentioned, that money must be monitored carefully and all projects must be evaluated.

I am aware of a proposal to change the title of the Joint Committee on Foreign Affairs to the Joint Committee on Foreign Affairs and Irish Aid. While I am not opposed to this measure, it is inadequate. A separate Dáil committee on Irish Aid development should be established. Its sole function should be evaluating projects, deciding on policy and so on, because of the enormous sum of money involved. If this issue was incorporated into the work of the Joint Committee on Foreign Affairs, only a portion of the latter's agenda would be devoted to it. Members must consider this carefully. The Minister of State is aware of the Sub-Committee on Development Co-Operation of the Joint Committee on Foreign Affairs, which is chaired excellently by Senator

[Mr. Mulcahy.]

Kitt. It does much good work and the priority should be to enhance it to place a singular focus on Ireland's development aid.

I wish to praise the work carried out by non-governmental organisations and volunteers such as Deputy Burton, who have travelled to Africa and elsewhere and have given up some years of their lives. While I have discussed this issue with the Minister of State previously, I call for an awards or recognition system for people who went to the Third World as volunteers. It is high time Ireland recognised their contribution in some form. While this might simply take the form of a certificate, the good work carried out by volunteers should be recognised formally by the State.

In addition, there should be much greater co-ordination at EU level. There is no point to having Ireland, Sweden, Germany or wherever duplicate their efforts. Such efforts should be co-ordinated, particularly in Africa, on a country by country basis to ensure the avoidance of an overlap. A sponsoring system could also be adopted in which Ireland could take particular responsibility within the EU for a single country, Germany could take another country and so on. This would lead to the development of a singular expertise regarding the country.

I also wish to raise the subject of pensions for missionaries. The Minister of State is aware of and is working on the issue. Many Irish priests who went to Africa in the 1950s and 1960s did not receive any social welfare stamps and consequently are not entitled to a pension, contributory or otherwise, from the State. I am not prepared to allow bureaucracy stand in the way of this issue for much longer. The people involved are Irish citizens and there is enough money in the kitty to give these people, many of whom are in their 70s, 80s or 90s, some form of payment for the remaining few years of their lives. Only a few hundred people are involved. It is a shame this has not been done. While EU laws may prohibit such payments, where there is a will, there is a way. I ask the Minister of State to put the issue of pensions for missionaries who have served the world and Ireland at the top of his agenda.

Mr. Eamon Ryan: On behalf of my party, I support the publication of a White Paper on development aid. However, I am also my party's Dáil spokesperson for enterprise, trade and employment and a centrally important message should be sent to the Minister of State and the Government. Ireland cannot give with one hand while taking away with the other. This is an accurate description of Irish policy regarding trade, particularly with African and other less developed countries. Effectively, Ireland takes the wealth from such countries by exploiting its better trade conditions arising from its membership of the European Union, while simultaneously trying to

assist the development of such countries with its aid funding.

It is scandalous that on the one hand, Ireland has an aid policy that seeks to develop such countries, while on the other its trade policy only considers its own short-term self-interests. The continued use of that self-interest in the promotion of practices such as export subsidies for agricultural products, which do huge damage to the same agricultural economies that we try to develop, cannot be justified. If the issue of development is to be taken seriously, it will not simply be a matter of providing 0.7% of Ireland's GDP in aid. It will also concern amending our trade policies to have a proper balance in this respect.

I look forward to a future Government that will consider innovative ways to combine these two briefs, which might involve the establishment of a single ministry. Instead of having a Minister with responsibility for trade and development who might take one line while the Minister responsible for aid takes another, both roles could be combined into one to ensure aid and development, rather than trade and self-interest set the national agenda.

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): While I would like to agree that the trade and aid briefs should be integrated, I do not wish to say so, in case it sounds as though I am outlining a self-interested position.

I thank all Members who have contributed to this debate on the White Paper. As Minister of State with responsibility in this area, I am proud to have delivered this White Paper, within two years of taking up this brief, as a road map for the future expansion of the aid programme. I am also very proud as a Minister of State to have delivered the largest cash and percentage increases ever received by the Irish aid programme. It is reflective of our confidence and ability as a people and our affluence that we can afford to make these large volume cash and percentage commitments. It is a clear sign that the Irish people are willing to take up this challenge and springs, as many speakers in this debate have noted, from our history of conquest, colonisation and famine. I am very proud to stand here as a Minister of State and state that there is broad cross-party consensus on development issues in this House.

The clear challenge is how we can expand this programme with a view to ensuring we achieve maximum value for money from the perspective of our taxpayers and also ensuring our aid programme delivers for the people whom we claim to be helping. This is a significant issue, which is perhaps why I am the only Minister to come before Oireachtas committees and this House to ask for more Dáil scrutiny of Irish aid. More scrutiny is good news for the taxpayer, the people whom we claim and wish to help and this House.

I was very taken with submissions made in the course of this debate by Deputy Gay Mitchell and the former Labour Party leader, Deputy Quinn. I emphasise that we are not and will never be a soft touch for people who wish to purloin Irish aid and pervert it for other purposes, self-aggrandising or otherwise. However, we are very well evaluated. In the last two years, I have secured 20 additional staff for the purposes of evaluation and audit within my Department. This was achieved against a background of a Civil Service embargo on such recruitment so I have delivered in that respect. I am determined that the medium-term needs of this particular programme as it expands, particularly in respect of staffing, will be addressed. One of my predecessors, Deputy O'Donnell, made this point. She is correct in stating that we cannot continue to deliver this massive expansion in the programme with current staffing. Following recent discussions with the Taoiseach and the Minister for Finance, I am confident we can achieve an increase in staffing and I will insist that expansion is accompanied by staff increases that match the significant amounts of money now being committed to the cause.

Deputy Gay Mitchell's contribution was marked by his willingness to bring new ideas to the table. Some of these ideas, such as volunteerism and twinning our local authorities, are already being implemented. For example, twinning is being implemented through South Dublin County Council's involvement in Ethiopia. We want to see more people in this House participating and involving themselves in scrutinising our programme but we also want to leverage more of our new institutions which can be involved in development, be they local authorities or hospitals. We must be careful, as Deputy Eamon Ryan argued, that we do not give with one hand and take away with another. We must be careful we do not spend millions of euro on combatting AIDS in Africa and commit funding to doing so and at the same time rob Africa of its medical and health professionals. We have already taken action in this regard. The Health Service Executive is a signatory to what was loosely termed internationally as a non-poaching agreement and has committed itself to not aggressively recruiting health workers from particular countries in Africa where health personnel are leaving in droves. We are in line with international best practice with our aid programme and the practices we allow under the auspices of the aid programme.

Deputy Carey correctly noted that there is no quick fix for development. Many people become fixated about corruption in Africa and forget about civil disturbance and the chronic food shortages, insecurity and underspending there. These are significant long-term issues which, thankfully, are being addressed through the international community and our own efforts. I am not making any excuses for African regimes, corrupt or otherwise, but many of them were used as

playthings by superpowers during the Cold War at a period when they should have achieved what economists politely term economic take off or lift. They were robbed of this take off so one cannot, as Deputy Quinn attempted to do, make comparisons between countries in Asia and countries with lesser outcomes in Africa. They are different parts of the world with distinctly different histories and economic experiences.

We remain committed to helping the developing world. This White Paper, of which I am extremely proud, provides us with the road map. I acknowledge that it does not contain everything. I note that many speakers, including Deputy Michael D. Higgins, would have wished for the inclusion of other measures. I wish to be very clear in respect of Deputy Quinn's comment about corruption. We will not tolerate corruption on our programme and will be as tough as anybody else in the world in terms of protecting the basic integrity of our Irish aid programme, our taxpayers' money and our approach, which is undeniably motivated by the good wishes of the Irish people. We will ensure this money goes to the right people and is not purloined.

Acting Chairman (Dr. Cowley): The Minister of State must conclude.

Mr. C. Lenihan: This is a central part of the White Paper. It is also a growing issue in respect of the concerns of the international donor community. It would be criminal for us to sanction significant volume increases in aid without these increases being properly scrutinised and properly subjected to the stress testing which we apply to our domestic spending.

Mr. M. Higgins: They should ratify the convention.

Mr. C. Lenihan: We will ratify the convention, a measure which Deputy Michael D. Higgins is most keen we should take. I will make this point very forcefully to the Minister for Justice, Equality and Law Reform who, as Members are aware, always listens to contributions from this House.

Citizens Information Bill 2006: Second Stage (Resumed).

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

Mr. Dennehy: I reiterate the congratulations I already extended to the Minister for Social and Family Affairs when I previously spoke on this Bill. At the time, I referred to the concept behind the Bill and outlined a few reasons why it should be implemented. Since then, I have listened to radio advertisements relating to it in particular. It has taken off to a considerable degree. As I previously stated, I agree with the change of Title. This is not because I objected to the title of

[Mr. Dennehy.]

Comhairle as such but because the people most affected, namely, applicants, would identify more easily with the new title of the service. Hearing the new advertisements for citizens information, it appears so logical to have this type of title that one wonders why it was not the original title for the service. It is certainly hitting all the right buttons and I wish the service well with its efforts. It has become a highly visible brand after a very short time.

I also compliment the Minister on his appointment of Chris Glennon as the new chairman of Comhairle. Mr. Glennon covered all aspects of Dáil debate for many years and I am sure he will have heard at first hand the cases put by Members of all sides of the House and issues in which he has an interest dealt with. I know he has had a lifelong commitment to those most in need and I am sure he will do an excellent job. I wish him well in his new post.

As others noted, including Deputy Hayes, the service must be fully provided for and properly resourced. I am sure this will be done because, whatever else we may say about the Minister, anything he has tackled has turned out to be a significant success against the judgment of many people at the outset. I wish him well in this endeavour.

I previously made the point that the people towards whom this service is geared are often unfamiliar with modern methods of communication, such as text messages or e-mail, and it is essential that we bear this in mind. Like others, I wonder how such a person with a case will become aware of and acquire an advocate. I am sure the Minister has already considered this. Many questions arise. Can an advocate act on behalf of a group or is it strictly one-to-one? If it is solely one-to-one, the question arises as to where we will obtain the staff to carry out this kind of work.

Reference has been made to people in institutions and elsewhere. One Deputy argued that these people were isolated from their families and friends but I wish to put on record that this is not always true. We have all heard of cases where people have been left isolated but, by and large, families, friends and voluntary groups do a marvellous job in catering for and looking after such people. That was an inaccurate description. I believe people will wish to avail of the service and there must be a way of communicating with such people. We must consider how we can inform the potential applicants at whom the service is aimed.

I am sure the Minister will pick up on the many issues raised, especially on Committee Stage. For instance, one of the EU directives on health and consumer affairs is aimed at disabled air travellers. A strict regime is now in place and if embarkation is refused a person must be offered alternatives and facilities. Will an advocate such as we are describing be in a position to act for people

in such situations, especially if they have to be taken outside the State, as may be required if a case is heard in another European location?

Very often the individuals in question cannot take the case themselves as they are incapable of doing so. At times we would all benefit from having an advocate to assist us in dealing with many of the companies involved in business today. People with special needs require the assistance of someone acting on their behalf in certain situations. There was an instance of a particular airline taking advantage of people with wheelchairs. There is a need for one-to-one assistance in such cases.

The existing information services function reasonably well. Everybody is doing a particular job, for example, the citizens information centres, and they work successfully and fill a need in many areas. One of the difficulties currently is that these groups tend to work in isolation and there is a need to combine their efforts and to provide a back-up service. Under the new structure, the whole may be better than the sum of the parts.

We are all aware of how complex are rights and entitlement issues. People often struggle to find a way through the red tape and bureaucracy simply to get their entitlements. I am aware of public representatives who act as advocates. Groups such as Citizens Information sometimes give out the message that there is no need for public representatives to act in that capacity. However, there is a need for us all to act in that capacity. We all have experience of situations where people do not get their entitlements. I am not concerned about who achieves the objective of getting those entitlements. There is no conflict between us. We should work in tandem with each other. In many such cases it is a benefit to have people coming together from different angles to achieve the same end. I welcome any move towards making this process easier.

The new brand of Citizens Information will help to make people even more aware of the existing services. Many of us are illiterate when it comes to certain aspects of new technology. People take it for granted that young people will access the services for them. However, the people who need the service may be illiterate, not because they do not have the brains to learn something but because they did not have the opportunity. We must cater for them. This legislation will be a key aspect of dealing with this issue. We are all aware of how the social fabric has changed to include a multitude of difference. This has led to a significant demand for information and the need for a flexible response. A multiplicity of responses is required to include an on-line service, a phone service and a personal face-to-face service.

I am aware of a certain inflexibility in the past in the area of social welfare. Rules were interpreted strictly and this resulted in people with legitimate cases being penalised. While Ministers sometimes admitted that cases were deserving

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they could do nothing because the regulations left no room for leeway. I appeal to the Minister to write this legislation in such a way as to provide flexibility and discretion on the part of the director of services to make a reasoned judgment and not for him or her to be constrained by red tape. All Members will be familiar with situations which were never intended when the legislation was being drawn up. Because of the context of the Bill and who it is aimed at, the maximum amount of discretion must be available to the director.

The national disability strategy must be built around the same kind of thinking. Too often in the case of disabled drivers, or people entitled to benefits, the focus was on the letter of the law. We must ensure the legislation is as flexible as possible. I welcome the fact that so many areas in the public and social services are opening up in this integrated fashion. I also welcome the extensive funding this area has received. Despite the criticism that is collectively aimed at this side of the House, a significant amount of money has been invested in the area of special needs. I encourage others not to be critical of this approach. In 1997, less than 300 people were involved in special needs education but this figure has increased to almost 8,000 people. Because improvements have been geared towards the special needs area, especially in the primary sector in the past ten years, other educational sectors have voiced some criticism because they have not received the same benefits. While I accept other needs do exist, it is important to realise that at times one must discriminate in favour of certain groups of people.

The name change is one aspect of the legislation but its main thrust is the new personal advocacy service for people with disabilities. This gives rise to questions on the availability of staff, access to services and whether an advocate can act for more than one client. I am sure these items will be teased out. Like other Members, I have served on and chaired a health board. I accept that, in the main, the voice of these people was not heard for generations. I welcome the change which has come about through the efforts of disabled people themselves and their advocacy groups. The efforts of Oireachtas Members who have been made aware of the need must also be acknowledged. We have become much more educated in that area. At one time there was a cliché about people suffering from mental health to the effect that they did not vote or did not have a vote. That was a nasty way to consider matters. It was an extremely cynical approach and I never believed it was true. However, many people had a lack of knowledge or education on the needs that existed. That is changing rapidly. It is a good departure from the old days and long may it continue.

The Oasis website and the citizen's information service phone service function well. However, according to the figures given by the Minister, in 2005 the services were used by 3 million people. That phenomenal number shows the clear need for the service. Unfortunately, some of the services were provided in a fragmented fashion. I hope the new Bill will change that. I wish all involved well, particularly the director, the new chairman of Comhairle, Chris Glennon, and the Minister for Social and Family Affairs, Deputy Brennan.

Mr. Durkan: I am glad to have an opportunity to speak on this legislation. I am somewhat confused because only a couple of years ago I participated in the debate on the forerunner to this Bill, when the name of the agency was changed to Comhairle. I remember querying the purpose of that exercise. I could not understand why the name had to be changed nor could I see a benefit to anyone. The purpose of the agency was to dispense information to the widest possible audience in the shortest possible time with a guarantee on the accuracy of the information.

This Bill smacks of being a product of a Government or Fianna Fáil think tank. Having spent too much time in the tank with a build-up of condensation and pressure a need arose to act in the approach to the general election. It was considered that changing the name might be nice and would result in appealing to the public and people with disabilities and give the impression of being about to act.

It is utter hypocrisy for a Government at the eleventh hour to suggest an advocacy service for people with disabilities. The Government has had ample time to take the obvious step and make direct provision for people with disabilities.

Mr. M. Higgins: On a rights basis.

Mr. Durkan: Absolutely. That Government should back-up that provision and cut out the nonsense about people not knowing their entitlements. They know their entitlements. However, when they seek them, they meet so many blockades, hurdles, obstacles and obstructions they never receive them. They become exhausted trying to pursue their entitlements and rights.

I will raise a related matter on the Adjournment Debate today and I do not want to undermine it now. It is a classic case of a young person with a severe disability who, despite countless reminders and inquiries on entitlement to payment, waited ten years for that payment to be granted. When it was granted it was obvious arrears were due. When the great and giving Department reconsidered the situation it was decided to remove the payment completely. It felt it would have to cough up after being wrong in the first place. I will speak more on that later.

[Mr. Durkan.]

This House has seen countless meetings, debates and discussions on people with disabilities. We put down countless Dáil questions to the Minister for Education and Science on children, the Minister for Social and Family Affairs on adults and the Minister for Health and Children on back-up services provided by that Department. We always get the same bland replies containing the same old tripe we were told ten or 15 years ago. The world has moved on since then. It is important to provide support, advocacy and back-up services and to enable people to identify precisely what they should get. It is a different kettle of fish to give it to them and that is what we should now consider.

We hear from various people on the other side of the House about the large amount of resources now available to Government and we know it full well. If the Government coffers overflow to that extent, instead of supplying the visuals, why not supply the service? Why not supply occupational therapy or speech and language therapy?

I examined a series of files a few minutes ago. Speech and language therapy does not exist in my constituency. It is finished. What will an advocacy service provide for people seeking such therapy? Will it tell them we will have the service? When will it be? One can be sure it will be after the general election — about three years after it.

It annoys me intensely to see a Bill such as this, well-meaning though it might be. Unfortunately it avoids the real issue, which is to what degree it is intended to enhance the services which should be available to people with disabilities. To what extent will carer services be extended? To what extent will wheelchair access be provided to all buildings, public and private, throughout the country? To what extent is it intended to enhance quality of life and enable and encourage people with disabilities to become involved in the great national economy we all talk about? To what extent is any of that proposed under this Bill? Are we merely involved in optics once again?

A similar Bill came through the House two years ago. We had the same old carry-on and discussed the same nonsense. What happened in the meantime? I do not address my remarks to the Minister of State sitting across from me. I know him to be a decent and sincere man. I know in his heart he agrees with me. We all know we have been here and done that. The longer we stay and listen to it, the more cynical we are about the contents of this Bill.

Mr. M. Higgins: The old National Social Service Board spoke too much about rights. That is why it was abolished.

Mr. Durkan: Absolutely. That is exactly why it was abolished.

Mr. M. Higgins: It gave too much information.

Mr. Durkan: Exactly. Too much information was made available and people became too well-informed about their entitlements. As a result a change had to be made. Now, it looks as if another change must be made.

I congratulate my constituent, Mr. Chris Glennon, on his appointment to the board. I have no doubt he will be extremely helpful and knowledgeable in that area. I am sad to see he is the latest victim to be sucked into Government propaganda in the approach to the next general election. I wish him well and hope he does well. I know he will because he is deeply committed. Apart from that, both he and the organisation appear to have become victims of a greater and grander plan.

I will speak about the definition of entitlements, particularly regarding the Departments of Social and Family Affairs, Health and Children and Education and Science. One technique to be employed at all times on determination of social welfare entitlements is that the definition of an entitlement must be received from the right person. That does not always happen, even if one puts down a parliamentary question with the best intentions. Incidentally, one is supposed to receive an absolutely accurate reply to a parliamentary question. A reply in the House must be capable of standing up in court at any time. We do not always obtain such information. In certain cases, one must go back down the line and remind people what is the law.

The issues raised are how to get information, where to access it and what information to pass on as a result. How many times have we as public representatives dealt with cases where people were given wrong information, acted on it and deprived themselves of an entitlement? Why do we always have catch-22 situations whereby some little trick exists in the calculation of entitlements based on contributions? A thorn or barb pops up along the line to suddenly deprive a most deserving case for a simple payment. We should address that now and not wait until after the next general election.

I will consider schools and the entitlement of children with special needs. Long before I came to this House it considered the needs of children, who in most cases attend mainstream education, where there are constant requests for extra services, such as speech and language therapy services, which are important in formative years, or other special needs services. These services are necessary but what do we get? We get a bland reply which tells us the Government has spent so much money on these services in recent years and now spends more than ever. We did not expect that it would spend less. It would seem odd if it was only spending what was spent ten years ago. The Government should give itself no plaudits for coming up with the grand notion it is spending more. Of course it is spending more, but it is not

spending enough and is not addressing the issue, which is that countless parents are trying to cope while waiting for assistance to which they know they are entitled but which they will not get.

Let me turn to the issues of advocacy and information. Information is power. The more information at one's disposal, the greater the chances not necessarily of achieving one's entitlements, but of at least knowing whom to go to in order to get them. With regard to health matters, on which legislation is currently before the House, how often have we dealt with situations involving an elderly person in hospital? As an example, such an elderly person may have two or three family members and other commitments. He or she may own a house, which, if it is an average council house, may be worth €200,000 to €300,000 — such a house would be valued at €250,000 to €320,000 in my constituency, due to the Government's much vaunted high wage policy which makes it difficult for people to buy houses, although it is fine if one is selling.

The applicant must go through a strenuous examination of his or her circumstances to determine whether a subvention will be paid. This situation has continued for some time and, while I accept that legislation must cover this area, the regulations are very restrictive. If any way can be found to achieve it, the family will be forced to contribute or sell the house. At the end of the day, a subvention will be paid when all the resources the unfortunate person has worked and paid taxes to accumulate throughout his or her life have been dissipated. If that person does not sell the house and becomes destitute, he or she will not get attention. What a cruel, harsh society we have become — the so-called caring society of the Celtic tiger. I am annoyed when I see this kind of situation.

Let us assume that information is power. Is it not then ironic that immediately after the last general election, one of the first things the Government did was to prevent information being made available under the Freedom of Information Act? This was an extraordinary decision given that it is supposed to be an open system and the whole purpose of the exercise allegedly is to provide people with more information. Nonetheless, the Government introduced amendments to the Act to prevent information being made available to the public through the media and the Opposition. It was an appalling backward step. This Bill, which we are proposing to bring through the House, will allegedly help citizens with disabilities. That will be fun if it happens.

I remember a time when an Opposition Member could ask a question in the House on any subject and it was then a matter for the Taoiseach or Minister to reply. If they were not capable of replying, it was embarrassing. It was alleged this was not provided for in Standing

Orders but that was not sufficient for the Opposition Members of the time, who wanted more. They did not want an answer to a question; they wanted a debate every morning, as my colleague, Deputy Michael D. Higgins, will remember, on every subject, at their choosing. It was then that Standing Orders were changed. Now, we have a very much set piece, with very select admission of information and a narrow interpretation of what information should be made available to Members of the Opposition. It is a long way from the situation of a few short years ago.

Information is beneficial and the right to it should be guarded. The right of the individual to give or access information in so far as his or her entitlements are concerned should be strongly defended and guarded. I do not accept we are making any proposal, through this legislation or otherwise, to improve the flow of information to the public or, in this case, to people with disabilities.

The citizens information services have done a good job. They were often the meat in the sandwich and had to strive for information and to confirm its accuracy, as the rest of us had to do. Sometimes they got that information and sometimes they did not but at least they tried, and they provided a service to the people in their home localities. They gave the process a flavour of authenticity which even Departments had to recognise and respect. I do not know if the Bill will benefit the people or whether it will empower citizens or people with disabilities, and I do not know whether it will inform them as to their entitlements. It is new and has all the trappings of preparations for a general election. I hope it is capable of lasting somewhat longer than some of the general election promises that have come and gone in the past.

Many volunteers were involved at the beginning of the citizens information service. One of the things we are now statutorily replacing throughout the country is volunteering. The concept of volunteering will go eventually and we will have to build a huge bureaucracy to replace it because it is very difficult to replace a volunteer. The volunteering service went right across the social spectrum, from the health services to local social services, housing, the Society of St. Vincent de Paul and other groups too numerous to mention, all driven with a commitment that was local, based on local knowledge and born out of a willingness and an anxiety to help. That concept needs to be guarded in the future. If we discourage, by any means, that concept of volunteering, the country will be much the poorer.

I hope the Minister when replying will address some of the issues I have raised. I hope there will be a greater emphasis not on giving the information to which people are entitled, but on giving them what they are entitled to and removing

[Mr. Durkan.]

some of the barriers which prevent them from getting them.

Debate adjourned.

Ceisteanna — Questions.

Priority Questions.

Road Safety.

1. **Mr. McEntee** asked the Minister for Transport the way driver training and education can be improved; his views on the provision of special closed driver training grounds for learner drivers; and if he will make a statement on the matter. [36003/06]

2. **Ms Shortall** asked the Minister for Transport his proposals for the reform of the driver licensing system; and the timescale proposed. [36052/06]

Minister of State at the Department of Transport (Mr. Gallagher): At the outset, I apologise to the House for the inability of the Minister, Deputy Cullen, to attend as he has been ill in recent days. I have no doubt Members opposite will accept why he is not present.

I propose to take Questions Nos. 1 and 2 together.

Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (SI No. 477 of 2006), the Road Safety Authority, RSA, has responsibility for the oversight of the operation of the driver licensing system, including the preparation of proposals for draft regulatory provisions relating to driver licensing and testing. At the Minister's request, the Road Safety Authority has been examining the driver licensing system as to what further reforms might be introduced in the interests of road safety. The RSA has submitted to the Minister in recent days a range of proposals with a particular focus on licensing reform and on targeting drivers between 17 and 24 years of age. I share the concern of the RSA board about the high risk factors of death and serious injury to this category of drivers and, with the Minister, I will consider these proposals in the coming weeks.

The Minister met the chief executive of the RSA last week and asked that the authority come back to him as soon as possible with a structured approach to a complete transition, with time lines, from the current regime of provisional licences to a regime of learner permits and restricted category drivers and related learner drivers formation arrangements. Such a complete transition will take some time, but I genuinely feel that there is great potential for saving young lives in this approach. The Minister intends to

meet the RSA board in the coming weeks to discuss these matters.

The RSA is in the process of introducing the registration of driving instructors. One of the benefits that I hope will arise from setting standards of instruction is that there will be a greater emphasis on general driving skills and less on merely passing the driving test. It is proposed that driving instruction for all types of vehicle will be covered by the system of regulation. This will lead to a significant improvement in the quality of driving which will produce a road safety dividend for all road users. The provision of special closed driver training grounds for learner drivers is one of the matters the RSA will consider in responding to the request for a structured transition from provisional licences to learner permits and restricted category drivers.

In the area of driver education, the Road Safety Authority has the task of working in partnership with the Department for Education and Science to develop a specific additional road safety resource suitable for transition year pupils. I understand this work is currently under way and details can be obtained directly from the Road Safety Authority. In addition, the Road Safety Authority has a number of initiatives in place to ensure road safety is targeted at schools.

Mr. McEntee: Two weeks ago, we stood here and thought things were looking good. Then everything went wrong when many of our young people were killed. Young drivers must be brought to centres and trained properly, as in other countries where they are not allowed to drive on the roads until they have received a certain number of hours of instruction under different conditions, such as wet, snowy, frosty or dark. I was stupid to be fooled into thinking that the situation would improve, but we will continue to see multiple deaths until we teach our young people and train them in the same conditions as those in which we train the gardaí who drive our Ministers and Taoiseach around. Then we might be able to go at 110 mph and know we will be safe on our roads.

Fine Gael will propose five designated areas throughout the country where people can go to learn to drive a car properly under proper instruction and where parents can bring their 16 or 17-year-olds. Motorbike training would be available to 16-year-olds. Yesterday, the chief executive of the RSA, Mr. Noel Brett, told me he intends to have centres for motorcycles because the level of motorcycle deaths relative to the numbers of motorcycles is higher than that of cars.

If we want to stop these deaths, it is crucial we provide areas where people can learn. It is law in other countries that one cannot drive on the road until one has attended these centres. It will be part of our election manifesto and we will implement it. However, rather than waiting, I would like to see it brought forward and done now because much can happen in six months, many people will die in the next six months. We must tackle every aspect of road safety, including

training, alcohol and drugs. We all received an education in drugs yesterday. In Victoria, Australia, in 2003 some 31% of people killed in road deaths tested positive for drugs. However, the Tánaiste this morning said we have no law ready to come in to check if people involved in road accidents have taken drugs.

Mr. Gallagher: We have asked the RSA to consider the provision of closed driver training grounds and it is doing so. The Minister for Transport, Deputy Cullen, and I will have the opportunity to discuss this with the chief executive and the board in the near future. Regarding the request for a structural transition from the provisional licences to learner permits and restricted category drivers, the Deputy will also be aware that the 2006 Act makes provision for driver training and instruction.

The Members opposite will be aware that one can establish a driver instruction school without any qualification. We want to regularise this and can do so through the 2006 Act. The Deputy will recall that the consultation document on the registration of instructors was launched last May. Many submissions were received by 8 September and these are currently being considered by the RSA.

In this document, it is suggested that, from 1 July 2007, all new entrants into the industry as driver instructors must be approved and registered to operate as driving instructors and the RSA will set down clear criteria to which they will have to adhere. This will protect the drivers by ensuring the ability of the instructors. They will have to be fit persons, be tax compliant and record the details. There will be annual inspections, some announced and others unannounced. The RSA will be in a position to respond or to remove them from the register. That would commence in July 2007. We must take cognisance of the fact that many existing instructors do good work, but they will have to comply by July 2008.

We are proactive. While we might have different views and express them inside and outside the House, we are all anxious to reduce the level of fatalities and injuries on our roads. When there are multiple fatalities as we had in Monaghan recently and in Buncrana in February of this year, it focuses us more on the issue. If we can introduce all this legislation, all the necessary——

Ms Shortall: On a point of order, we have heard ten minutes of this waffle.

Mr. Gallagher: It is not waffle but fact.

Ms Shortall: Can we take it that ten minutes will be allowed for each of the priority questions?

An Leas-Cheann Comhairle: Priority questions have 20 minutes. Two questions are being taken together in 12 minutes.

Mr. Gallagher: I differ from Deputy Shortall. I am giving facts, not opinions.

Ms Shortall: The Minister should do something.

Mr. Gallagher: We are doing this and we have been working on this for a considerable time. I can tell Deputy Shortall the facts. We have the high-level Cabinet——

Ms Shortall: The Minister only talks about it.

Mr. Gallagher: We have strong political leadership on this with the full support of the Taoiseach.

Ms Shortall: What is the time limit for the Minister of State's second contribution?

An Leas-Cheann Comhairle: We are on priority questions. There is an overall time limit of 12 minutes.

Mr. Gallagher: I am answering the central questions that were put by——

Ms Shortall: There is a second question within that 12 minutes which has not been mentioned yet.

An Leas-Cheann Comhairle: There is, yes.

Mr. Gallagher: I am trying to maximise under time for the benefit of all of us.

Ms Shortall: The Minister of State is not, he is just filling in time.

Mr. Gallagher: I am not trying to filibuster in any way.

Ms Shortall: The Minister of State is.

Mr. Gallagher: Deputy McEntee has asked sensible questions in relation to——

Ms Shortall: The Minister of State's time is up. His four minutes are over.

Mr. Gallagher: I am not the Leas-Cheann Comhairle. We are looking at all these, working in consultation with the RSA.

Ms Shortall: Looking.

Mr. Gallagher: We are pleased to look at views and opinions expressed by the Deputy.

Ms Shortall: How long is left, overall, for this question?

An Leas-Cheann Comhairle: There are eight minutes, overall, for supplementaries and most of that has expired now.

Mr. Gallagher: We have not done anything about Question No. 2 yet.

An Leas-Cheann Comhairle: There is still one minute left.

Ms Shortall: It is entirely unfair, but in the one minute allowed for a priority question I want to ask the Minister of State whether he accepts that the senior Minister has spent the past two years looking at this issue, talking about it and doing nothing. Now, after two years in office, what he is proposing to do is pass the buck to the RSA. The former Minister for Transport, Deputy Cullen, and his predecessor in that office, Deputy Brennan, spoke about their intention to end this indefensible policy whereby learner drivers with provisional licences are allowed to drive unaccompanied. People who have failed their test are still legally permitted to drive. We know that 50% of those killed on the roads are aged under 25. It therefore makes sense that if the Government is serious about tackling the whole issue of road safety, this area of licensing and driver education must be addressed.

Deputies Brennan and Cullen, as Ministers for Transport, stated on numerous occasions that it was their intention to end the practice whereby provisional drivers can drive unaccompanied. Is the Minister of State now saying that the Government is serious about doing that and what is the timescale that is proposed?

Mr. Gallagher: The Minister requested the Road Safety Authority to make further proposals to him. It has done that very——

Ms Shortall: I am asking the Government, not the Road Safety Authority, what its policy is on provisional drivers.

Mr. Gallagher: The Road Safety Authority, of course, as I stated on numerous occasions, has responsibility for oversight of the operation of the driving licensing system. Of course, we must work together with——

Ms Shortall: What is the Government policy?

Mr. Gallagher: We have responsibility for our policy. If we——

Ms Shortall: The Minister of State should stop passing the buck on this. What is the Government's policy?

Mr. Gallagher: If we ignore the views of the Road Safety Authority——

Ms Shortall: It has just been set up.

Mr. Gallagher: ——the Deputy would be the first——

Ms Shortall: It has just been set up.

An Leas-Cheann Comhairle: Allow the Minister of State to speak.

Mr. Gallagher: I have to defend the Road Safety Authority. Under the chairmanship of Mr. Gay Byrne and its chief executive, Mr. Noel

Brett, the RSA has been doing excellent work over the past few months since it was established

Ms Shortall: Fall guys.

Mr. Gallagher: We set it up some time ago and it was not vested——

Ms Shortall: I asked the Minister of State about his policy in respect of provisional drivers.

An Leas-Cheann Comhairle: The Minister of State is in possession of the floor.

Ms Shortall: I am asking about Government policy, not what the RSA is doing. What is the Government policy in respect of provisional licence holders driving unaccompanied?

Mr. Gallagher: I will repeat, if necessary, that we must work with the Road Safety Authority. Is the Deputy suggesting——

Ms Shortall: Does he have any policy?

An Leas-Cheann Comhairle: The Deputy will please allow the Minister of State to speak.

Mr. Gallagher: The Deputy should hold on, please. I am not filibustering.

Ms Shortall: He is wasting time, waffling about it. I am asking him whether the Government has a policy in respect of provisional drivers.

An Leas-Cheann Comhairle: The Minister of State is in possession.

Mr. Gallagher: I am not the one filibustering. We have had proposals from the Road Safety Authority. The Minister met the chief executive and will meet the board in the near future. On top of that agenda——

Ms Shortall: I am asking if there is a policy. Does the Minister have any policy?

An Leas-Cheann Comhairle: Order now, please. The Minister of State should be allowed to speak.

Mr. Gallagher: We are looking at a structured approach to a complete transition, within time-lines, from the current regime of provisional licences to one of learner permits and restricted category drivers as well as related formation arrangements. Of course this will take some time. We will do this.

Ms Shortall: The Government has been looking at and talking about this for several years.

Mr. Gallagher: We are——

Ms Shortall: Does the Government have a policy in respect of provisional licence holders driving unaccompanied?

An Leas-Cheann Comhairle: Order, please. We must now proceed to Question No. 3.

Mr. Gallagher: I have just spelt it out for the Deputy.

Ms Shortall: What is the policy?

Mr. Gallagher: I have just told the Deputy.

Ms Shortall: No, the Minister of State said he was looking at it and discussing it with this, that and the other person. Does the Minister of State have a policy in respect of learner drivers driving unaccompanied?

Mr. Gallagher: I have just told the Deputy we are looking at the question——

Ms Shortall: They are looking at it. Has the Government any policy now? After all these years does it have any policy?

An Leas-Cheann Comhairle: We have used 16 minutes. I ask the Minister of State to proceed to Question No. 3.

Ms Shortall: Apparently, the answer is “No”.

Mr. Gallagher: It is not, we are proactive.

Aer Lingus.

3. **Mr. Crowe** asked the Minister for Transport the way he will protect the strategic interests of Ireland and address the concerns of Aer Lingus employees and the travelling public in view of the fiasco which has ensued after he and the Government chose to privatise Ireland’s former national airline. [36006/06]

Mr. Gallagher: From the outset as regards the Aer Lingus IPO the Government has been committed to ensuring that our strategic interests are protected. It was always the intention that the State should retain a significant minority shareholding for this purpose. The State’s shareholding currently stands at approximately 28.3% of the capital in Aer Lingus and will be approximately 25.4% from tomorrow following completion by the employee share ownership trust, ESOT, of the exercise of the share option agreed in advance of the IPO. A shareholding at this level is important for a number of reasons. It means that the company’s memorandum and articles of association cannot be changed and other changes requiring special resolutions cannot be made, without Government support; the safeguard arrangements for Heathrow slots, while requiring the support of other shareholders, are linked to the State’s minimum level of shareholding which was targeted at 25.1%. The safeguard arrangements are built into the company’s memorandum and articles of association. It ensures that another company cannot acquire the 75% shareholding

that is required to force delisting from the official list of the Irish Stock Exchange.

I reject Deputy Crowe’s assertion that the IPO has been a fiasco. On the contrary, as a result of the successful flotation of the airline, Aer Lingus now has the means to fulfil its potential and contribute in a positive way to the country’s economic development. The company’s capital requirements have been met through the IPO which will enable it to implement its business plan.

The hostile bid for Aer Lingus by Ryanair has been the subject of much media comment since it was launched. My view is that the Ryanair bid is unlikely to succeed. Ryanair has yet to achieve the majority it requires to gain effective control of the company and the prospects of it doing so now seem limited. Indeed, the Ryanair chief executive stated a press conference on 20 October that Ryanair would be “unlikely” to get 50.1% of the company without the support of the ESOT. While the ESOT has not publicly declared its position as regards the bid, it stated in a press release issued on 26 October that the figure quoted by Ryanair in its offer document as to the cash proceeds ESOT members would receive if the offer succeeded, was “inaccurate”.

Additional information not given on the floor of the House.

In addition to the difficulties Ryanair faces in achieving the majority that it requires to gain control of the company, it is also the case that the proposal will require regulatory clearance from a competition perspective and it cannot be taken for granted that such approval will be forthcoming. I have previously stated that the Government’s view is that Ireland’s strategic interest in aviation is best served by the provision of regular, safe, cost-effective and competitive air services linking the country to key business and tourism markets around the world and that the Government’s strategic objectives would not be well served by a takeover of Aer Lingus by Ryanair.

Earlier this week Ryanair applied to the European Commission for approval of its bid. My officials have already had initial contacts with European Commission officials to outline the Government’s position in relation to the proposed takeover and will make further representations to the EC on this in the coming weeks.

Mr. Crowe: I stand by my remarks about a fiasco as the airline is still in crisis. In his reply the Minister of State said the State had reduced its percentage share in the company from 28.3% to 24%. Is that correct?

Mr. Gallagher: That is correct.

Mr. Crowe: There is a crisis in the airline, certainly among the staff. We see the staff attempting to buy shares in the company and so on. The flotation has not created stability and certainly has not guaranteed jobs. Indeed the

[Mr. Crowe.]

situation now is that Aer Lingus is talking about shedding more jobs. Is the Minister of State aware that last week's British-Irish study on an all-Ireland economy recommended an all-Ireland strategy on the development of the airports and aviation? Does he realise that as much as such a strategy is needed, so is a national plan for the development of Aer Lingus? As the Government is a major shareholder in the company, when will he discuss that strategy with the House? As a shareholder, will the Government continue to have an interest in the running of the company and staff relations? How will that right be exercised?

The Minister of State has spoken of the Heathrow slots etc. Has he a view on Dublin remaining as the airline's operating base? It seems that for now the airline is on course to become a Ryanair light, when it has a significant role to play in freight transport and in keeping Dublin and Ireland as a major hub of international air travel. When will we have the joined-up national aviation strategy with Aer Lingus at its centre? Are we just witnessing the beginning of asset-stripping and more shedding of jobs within Aer Lingus? That is a concern of the staff as we have seen venture capitalists moving in. Some people are certainly making money out of it, but the insecurity is still there for staff. There is also insecurity pertaining to our strategic interests as an island nation.

Instead of improving the lot of Aer Lingus as a company, we have undermined it. The Minister of State may indicate that everything is rosy for the future, but there are not very many people among the staff or on this side of the House who have a similar view.

Mr. Gallagher: The Government's overarching objective is to provide the company with access to new equity to enable Aer Lingus to compete effectively and fund the growth of its business. Through the IPO, the company now has new equity in the order of €500 million. Some €104 million goes towards the pension funds and there will be an additional €400 million plus to go to the business plan and to fund the future development of Aer Lingus.

Deputy Crowe referred to the reduction, which will happen tomorrow, from 28.3% of our capital in Aer Lingus to approximately 25.4%. I presume the Deputy knows the reasoning behind that. Before the IPO, the employee share ownership trust had 12.6% of Aer Lingus and with the new shares that would have reduced to 7%. The trust holds €30 million and it is using that to buy up further shares in the company which will bring it back up to the 12.6% level. We facilitated that option to permit the trust to purchase the additional shares and return it to the previous level.

The strategy is of course to ensure we have an airline that will compete effectively. We will not be involved in its daily running. We will hold

25.1% — I do not want to delay the House as I gave all the good reasons for that. It will ensure safeguard arrangements are in place. Not alone have we done that but we have built them into the company's memorandum and articles of association. We also ensured that a body cannot secure 75%, which would result in delisting.

The discussion of the strategy in the House is a matter for the Whips. If it is raised by question or by way of general debate, I will be only too happy to address the issues.

Public Transport.

4. **Mr. McEntee** asked the Minister for Transport the work that has been undertaken to conduct cost-benefit analyses on all transport projects proposed under Transport 21; when such will be completed and published; and if he will make a statement on the matter. [36004/06]

Mr. Gallagher: All projects provided for in Transport 21 will be required to comply with the Department of Finance guidelines for the appraisal and management of capital expenditure and the Department of Finance circular of 25 January 2006 on value for money. The guidelines require that capital appraisals, including cost-benefit analysis, are carried out for all projects costing over €30 million. The implementing agencies are responsible for carrying out the required appraisals.

A significant amount of economic analysis has already taken place on various aspects of Transport 21. The Dublin Transportation Office's A Platform for Change provides the basis for the proposed investment in Dublin and this was subject to an independent economic evaluation, which is reported in the document itself. Iarnród Éireann carried out an appraisal of its greater Dublin integrated rail network plan. This was reviewed by independent consultants and found to be robust. A full appraisal was also undertaken of the strategic rail review by the independent consultants who prepared it.

Mr. McEntee: Transport 21 is a big issue and the more proper transport systems we put into the country, the better off we will be. We know there is €70 billion, a significant amount of money, for 40 projects, but the costs of the projects have not been indicated. I listened when my party leader asked the question and we could not get an answer on the reason we are not being given an actual price for these individual projects.

Everything can be brought back to a small issue rather than talking about €70 billion. If a person builds a house, a set of plans is submitted to a surveyor and the amount of doors, windows and slates is indicated, and the surveyor comes back with a price. There is no issue that could prevent the Minister telling the House or public how much it will cost to complete each of the 40 individual projects it is intended to carry out.

Thinking politically, the Government may feel it has €70 billion for 40 projects, but it does not

know which to carry out because it does not know which will be most effective with regard to elections. That is not the way for any Government to carry on. Everyone agrees the metro and the other systems should be completed, but it is a total abuse of taxpayers' money, particularly with an amount of €70 billion, not to tell the taxpayer what each project will cost.

I listened to the Minister speaking on the issue that day. Thinking about it for a day or two, his excuses were not good enough. To build a railway from Navan to Dunboyne, it would be known how many tracks, sleepers and land is required. It all adds up. It is not a big secret. It is totally contrary to the way we bought lands for a jail. We told the person in that instance that the price should not be in excess of €200,000 per acre.

An Leas-Cheann Comhairle: The Deputy should confine himself to the question.

Mr. McEntee: Yes, but that is a comparison. In this case we are doing the opposite. This has been politicised for the wrong reasons, particularly as we are dealing with taxpayers' money.

Mr. Gallagher: The Deputy has made the case for us. Whether the figure is €34.1 billion, €70 billion or €1 million, the principle is the same. The Deputy referred to the building of a house. Of course a person would have an estimated price from a surveyor, but the person would not indicate to all those invited to tender the price suggested by the surveyor. It is the same here. It is not a question of defending the Minister, the Department or the Government. It is prudent.

With regard to any of the projects in Transport 21, a project is first identified by one of the agencies. It will carry out a preliminary appraisal of the project. This would be a study of feasibility as to whether it is a runner, the funds required, the number of passengers, if the project would be a relief on roads and if it would be economically viable. If that passes the litmus test, a full cost analysis is carried out, with a full appraisal of projects over €30 million. The project would be totally scrutinised.

When we are aware of the estimated costs, I genuinely believe it would not be prudent or in the best interests of the Irish taxpayer to flag, for all and sundry interested in submitting a tender, a benchmark. We are out there to get the best value for money. That is the way forward.

I can confirm that we must work under the Department of Finance guidelines for the appraisal and management of the capital expenditure and the Department of Finance circular of January 2006 on value for money. We are going about it in the right way. Transport 21 is not in itself a project for which we can have a cost benefit analysis. Transport 21 is the financial framework, as opposed to a strategy. It represents the Government's decision on the amount of resources to be invested in development. It is a

forward-thinking ten-year plan, in sharp contrast to yearly plans we all pursued in the past.

Mr. McEntee: Why does the Department of Justice, Equality and Law Reform act differently from the Department of Transport? One contradicts the other.

An Leas-Cheann Comhairle: We must proceed to Question No. 5.

Ms Shortall: I do not expect to get an answer. We are all wasting our time.

Public Transport.

5. **Ms Shortall** asked the Minister for Transport if his attention has been drawn to the public concern regarding the proposal to run metro north above ground along Ballymun Road; his views on whether such a proposal will be injurious to the local environment; his views on whether this proposal will prevent the metro running at full capacity at any point in view of its interaction with road traffic and pedestrians; and if he will therefore request the RPA to revise their proposals in order to keep the metro underground until it has passed Ballymun estate. [36053/06]

Mr. Gallagher: I understand from the RPA that concerns were expressed, during the public consultation process, regarding plans to run the metro on elevated structures in Ballymun. These concerns were taken into account when deciding on the selected route. The RPA is working closely with Dublin City Council and Ballymun Regeneration Limited to ensure the design of metro complements the new townscape. There will be no elevated structures south of Ballymun town centre. A final decision on whether the station in Ballymun is elevated or at grade is yet to be made. Any potential impacts on traffic and pedestrian movements are being considered as part of this ongoing work. An environmental impact statement is currently being prepared for metro north and the findings will be published as part of the application for a railway order.

Ms Shortall: I asked if the Minister of State is aware of widespread concern about the proposal to run metro overground from DCU to Ballymun. Is he aware of these concerns? Does he accept that they are valid? There are three heavily congested major junctions on Ballymun Road. It defies logic to consider the metro on the surface through three busy junctions. Does the Minister of State accept that such a proposal will split Ballymun in two?

Does the Minister of State accept that if the project proceeds, there will be major investment in a metro that will never realise its capacity because it will be running at surface? It will never be able to run at a frequency of 90 seconds. Does the Minister of State accept that running it on the surface will inhibit the project? Will the Government review this aspect of the proposal and

[Ms Shortall.]

ensure the metro is kept underground until it passes north of the Ballymun estate?

Mr. Gallagher: There is congestion at the three road junctions. This has been considered by the RPA. Many would prefer if the line was underground but we must consider the cost of stations being underground as well as the line. The World Bank tells us that an underground metro costs five to six times the cost of a metro at grade. The cost is affected less by tunnelling than by the construction of underground stations.

Discussions and consultation between the RPA and Ballymun Regeneration Limited are ongoing. The design and plan of the metro will ensure it has little impact on residents and that it will complement the townscape. There are opportunities for discussions and I expect no intrusion into the lives of those living in the vicinity if it is overground.

I accept Deputy Shortall's point that it will result in longer journey times but believe this will not be an issue. The at grade station will be adjacent to the road junction. The metro will accelerate or slow down and the timing of the traffic signals can be synchronised with the departure of the metro. The RPA has estimated that a stop at grade would add less than a minute to journey times. The RPA does not believe that less people will use the service because it is at grade. I will bring the Deputy's views to the attention of the RPA and the Minister, even though I am sure she is in contact with them.

Ms Shortall: What is the cost difference between running the project at grade and underground?

Mr. Gallagher: The cost could be five to six times greater not just because of tunnelling costs, but because stations would have to be built underground.

Other Questions.

Public Transport.

6. **Mr. Ferris** asked the Minister for Transport if he will cancel his plans to part-privatise public bus transport here. [35842/06]

21. **Mr. Quinn** asked the Minister for Transport when he expects the 100 private sector operated buses to be fully deployed and operating in Dublin; the routes they will be operating on; the person who will decide the routes on which they will operate; and the timeframe for such decisions. [35771/06]

43. **Mr. Connaughton** asked the Minister for Transport the steps which have been taken to allow private sector operators into the Dublin bus market; when 15% of this market will be open to

the private sector; and if he will make a statement on the matter. [35812/06]

46. **Aengus Ó Snodaigh** asked the Minister for Transport if he has had meetings with the relevant stakeholders including trade unions regarding his proposals to open up the public bus transport market; and if he will make a statement on the matter. [35844/06]

98. **Mr. O'Shea** asked the Minister for Transport the reason for the delay in updating the bus licensing system; and when he expects to introduce legislation in this regard. [35772/06]

Mr. Gallagher: I propose to take Questions Nos. 6, 21, 43, 46 and 98 together.

In line with commitments in An Agreed Programme for Government, the Government has made a number of significant decisions recently that will provide a solid basis for expanded and improved bus services throughout the country over the coming years, ensuring better value for money for both passengers and taxpayers. The Minister is committed to the introduction of a modernised regulatory framework for public transport and will continue to advance this regulatory reform agenda.

The Government has decided that the regulation of the bus market and future decisions on the allocation of all public subsidies for bus services in the greater Dublin area will be taken by the new Dublin transport authority, which is being established under legislation that is at an advanced stage of preparation. The Dublin transport authority will have responsibility for contracting with all operators in the Dublin market, including Dublin Bus. It will also be responsible for monitoring the quality and cost of the service by all operators and ensuring value for money on all routes.

Under the Government's transport investment programme, Transport 21, it is anticipated that there will be a requirement in the greater Dublin area for an expansion of the number of buses providing scheduled services. This will require an increase in the total number of buses to around 1,800, with a requirement for at least 200 extra buses over the next two years. The Government has decided to meet this initial requirement by providing up to €30 million immediately to enable Dublin Bus to buy 100 additional buses. These buses will begin to enter service by the end of the year and the delivery will be completed by the end of January 2007. Their deployment is a matter for the company.

There are also 100 buses to be procured from the private sector by the Dublin transport authority to provide services on new routes. This is to be done by competitive tendering. This forms part of an initiative to facilitate the entry of private operators, by awarding franchises to operate routes accounting for 15% of services, approximately 200 buses. The identification of routes for these buses and the award of franchises

will be a matter for the Dublin transport authority, DTA. Following this period, all new routes will be subject to a competitive tendering process open to all operators, whether Dublin Bus or the private sector. The Government will approve the precise arrangements on the basis of proposals from the DTA. This approach will encourage new investment and innovation in the Dublin bus passenger market.

In the interests of stability and integration of the bus network, the legislation establishing the DTA will allow the DTA to enter into a direct contract with Dublin Bus, in accordance with EU law, on the basis that it will continue to operate without a diminution in the size of its bus fleet. It is proposed that the DTA will make all subvention payments in the greater Dublin area, to Dublin Bus and to new operators, on an objective, transparent and even-handed basis to maximise value for public money.

The integrated nature of the Dublin bus market will be underpinned by the DTA's responsibility for traffic management strategy, which will prioritise public transport, and for integrated ticketing, fares and information systems. The DTA will also be empowered to organise the allocation of routes to operators in such a way as to maximise their prospect of efficient operation and the coherent development of the bus network. The Government is also investing up to €50 million in Bus Éireann for the delivery of up to 160 buses in the period commencing in 2007 for non-commercial services outside the greater Dublin area.

New legislation is being prepared to replace the bus licensing regime under the Road Transport Act 1932 by a modern regulatory and licensing regime in line with commitments in the programme for Government. This will be designed in a manner consistent with EU law on public service obligations and State aids and in such a way as to create new opportunities and a level playing field for private operator involvement in the bus market. I hope the Minister will be in a position to publish legislative proposals later this year.

The combination of immediate investment in new bus capacity and structural reform to introduce competition and enhance incentives for efficiency, represents a balanced strategy to benefit bus passengers and taxpayers alike. It follows extensive consultation with interested parties, including with key stakeholders such as the CIE companies and unions, and study of mechanisms used internationally to achieve efficiency and effectiveness in bus markets. The Government's strategy will deliver immediate benefits and secure steady and continuing progress into the future.

Mr. Crowe: Does the Minister of State not accept that the introduction of franchising in Britain was a complete disaster, resulting in a 25% increase in fares across Britain while passenger numbers fell. Similarly, since the bus market

in Copenhagen, which has a similar population to Dublin, was deregulated in the early 1990s costs have risen, while passenger numbers and service reliability have fallen. Does the Minister of State accept that this is due to the lack of subsidy and the absence of extra buses, although more buses will come into the market? Delay is part of the problem. There is no alternative to car transport in many parts of this city and across the State, including in the Minister of State's county. Does the Minister of State agree that is where the investment should be made?

Will the private service be on new routes or existing routes? Is the Minister of State saying that decision will be left to the authority or does the Department have no view on it? My colleague, Deputy Ó Snodaigh, has put down a question about meeting the stakeholders. Has the Minister of State met the stakeholders and the trade unions about the roll-out of this package?

Mr. Gallagher: I do not accept that with the additional buses and competition, the fares would increase. The more competition there is, the better.

Mr. Crowe: Will fares decrease?

Mr. Gallagher: It is Government policy to liberalise the market. After the 100 buses join the fleet it is committed to opening 15% of the overall market to the private sector. The Dublin transport authority should look at new routes rather than overlapping with those on existing routes. The Dublin transport authority may feel it is necessary to restructure routes but many parts of Dublin do not have sufficient services and must be catered for. There will be a great demand from the private sector to be part of this new structure.

The Government has decided to invest up to €50 million in Bus Éireann for the delivery of up to 160 buses between now and 2008—

Ms Shortall: Some 200 were promised.

Mr. Gallagher: —for non-commercial routes outside Dublin. Those areas are being considered. Dublin Bus submitted a business plan, which we have approved, to fund 100 additional buses for 2006-07.

Ms Shortall: It asked for 200.

Mr. Gallagher: Dublin Bus received a subvention of almost €64.29 million in 2005. The subvention for 2006 will be €69.85 million, to be paid this year subject to compliance with certain performance criteria. The subvention has increased by almost €29 million since 2000.

Ms Shortall: The Labour Party disagrees totally with the Government policy on breaking up the Dublin bus market. The Government is using this tactic to avoid the issue of adequate subvention. Our subvention rate is approximately 25% whereas the average in most European cities is

[Ms Shortall.]

50%. The Government is failing utterly to tackle the basic issue of funding for public transport services. It is using this measure to delay expansion in the bus market. We have not yet seen the legislation to establish the Dublin transport authority. It has been long promised, but when will the DTA deliver buses? The level of bus service is not adequate to the demand. The cost of regulation will be excessive, for example, regulating the Dublin bus market is estimated at €35 million. That money would be better spent on the extra buses that are so badly needed.

I have three questions for the Minister of State. When will we see the DTA? Bus licences are being given away for a song under the 1932 Act. We were promised modern legislation to update the bus licensing system. When will we see that legislation? What is the Minister of State's estimate of the cost of the regulation of the Dublin bus market as proposed?

Mr. Gallagher: The Minister plans to make a formal announcement about the establishment of the DTA soon. Legislation to establish it is at an advanced stage of preparation. In line with the draft ten year social partnership framework agreement, Towards 2016, the Minister will consult the trade unions and other interested parties during drafting of the legislation. We hope the legislation will be published by the end of this session or this year.

Ms Shortall: The Minister promised it six months ago.

Mr. Gallagher: I am answering the question now.

Ms Shortall: Will it be ready by the end of the year?

Mr. Gallagher: He said that in good faith and we will not circumvent the unions.

Ms Shortall: In other words, the Minister does not know when it will be ready.

Mr. Gallagher: We have agreed to consult the unions as part of the ten-year social partnership framework agreement. The fact that the Deputy represents the Labour Party does not give her any more right to speak for them.

Ms Shortall: I did not mention the unions, I said that the Government promised legislation six months ago that it has not yet delivered.

Mr. Gallagher: No one can point fingers at us alone. The 1932 legislation is 75 years old. We are anxious to introduce legislation to cater for the demands of a modern transport infrastructure. While the 1932 Act provides for the licensing of bus services, the establishment of CIE later was not subject to this regime. We are anxious to create a level playing field.

Ms Shortall: When we will see the legislation?

Mr. Gallagher: We are working on it and it should be introduced some time next year. I cannot, however, give the Deputy a precise date.

Ms Shortall: Will the bus licences be given out under the provisions of the 1932 Act? That means they will be given away for nothing.

Mr. Gallagher: They are not being given away for nothing.

An Leas-Cheann Comhairle: Order, please. I call Deputy McEntee.

Mr. Gallagher: It has not changed dramatically. The Labour Party was in Government as well.

Ms Shortall: They are being given away for a matter of a few euro.

Mr. Gallagher: Until such time as the new legislation is in place, we cannot work outside that framework.

Ms Shortall: The Government has been in power for nine years and has done nothing about this matter.

An Leas-Cheann Comhairle: Order, please. The Chair has called Deputy McEntee.

Mr. Gallagher: We are providing substantial funds to Bus Éireann and Dublin Bus through subventions.

Ms Shortall: I asked about the estimated cost of regulation.

An Leas-Cheann Comhairle: The Chair has called Deputy McEntee.

Ms Shortall: Does the Minister of State have a figure for the estimated cost of regulation?

Mr. Gallagher: Deputy Shortall simply will not listen.

Ms Shortall: Has the Minister of State any idea of how much the regulatory system will cost?

An Leas-Cheann Comhairle: Order, please. The Chair has called Deputy McEntee.

Mr. Gallagher: We do not know exactly.

Ms Shortall: Why does the Government spend the money on buses instead? There are people standing in queues.

Mr. Gallagher: The number of buses we have provided is in sharp contrast to what the Labour Party provided when it was in Government.

An Leas-Cheann Comhairle: Order. The Chair has called Deputy McEntee.

Mr. McEntee: When one is caught in traffic on the Dublin roads, it is soul destroying to see an empty bus lane for 40 minutes. Any driver who breaks out on to it, if caught, will automatically receive penalty points. Students will often say that while waiting for a bus, many of them pass by full. We need extra buses and better use must be made of the bus corridors. People do not care whether the bus operators are private or Dublin Bus. Additional buses would see a reduction in the number of cars entering Dublin. Students travelling into Dublin do not get a fair service. Will the Minister of State take action in opening up the bus corridors? It is a waste of taxpayers' money. In Dunshaughlin, bus corridors were developed but no proper bus service was provided.

Mr. Gallagher: I recognise the difficulties experienced by drivers in Dublin each day. Plans are in place to extend the bus corridor routes.

Ms Shortall: Will the Government finish the existing ones first?

Mr. Gallagher: We have plans to do that. When it comes to funding, I challenge any Opposition party to match the Government's commitment to the provision of funds for a first-class transport system.

Ms Shortall: The Minister of State should tell that to people who sit in traffic for three hours a day.

Mr. Gallagher: The Government will provide an unequalled €34.1 billion in funds through Transport 21.

Ms Shortall: The Government has had nine years to sort it out.

An Leas-Cheann Comhairle: Order, please. I call Deputy Eamon Ryan.

Mr. Gallagher: It looks as if we will be in power longer.

Ms Shortall: Nine years and increasing times of sitting in traffic.

Mr. Gallagher: With the Labour Party standing at 10% in the opinion polls, it does not look as if it will have a chance—

Ms Shortall: The Government has failed to sort out public transport.

An Leas-Cheann Comhairle: The Chair has called Deputy Eamon Ryan.

Mr. Gallagher: The public is not recognising that in the opinion polls. I appreciate Deputy McEntee's concerns and we will continue to address them.

Mr. Eamon Ryan: I should not presume that the Government will be in power for the next ten years to make the same mess it has in the past ten years. Will the new regulator have the authority to compel Dublin Bus to change existing routes or service levels? If the Minister of State cannot respond to my question, will the Department or Minister write to me separately?

Mr. Gallagher: When the 15% kicks in after the 100 buses are provided, I expect the authority to examine new routes. We cannot be firm and fixed in our views. If the current routes can be improved with a mix of private and public operators, we would not tie the authority's hands in the matter.

Mr. Eamon Ryan: I did not ask about private operators. Will the new regulator have the authority to compel Dublin Bus to amend its existing routes and service levels?

Mr. Gallagher: Any regulator should have the responsibility to ensure the best services are made available from the funding that will be provided.

Mr. Eamon Ryan: I am wasting my time.

Ms C. Murphy: Have many new licences been issued to private operators in north Kildare under the 1932 Act? Will there be a competitive tendering process before the new Dublin transportation authority is instituted? Has any consideration been given to the practical issues of additional bus stops, termini, ticketing and timetabling? In my area, two operators provide two bus stops next to each other. People must stand in the middle and run for which ever one comes first. Granting of new licences becomes unworkable if there is no thought-out process in how the various services will integrate. Breaking up the services will only cause more problems rather than solutions in an area where we already have a crisis.

Mr. Gallagher: On whether there will be a rush prior to the introduction of the legislation, it is a matter for each individual company to submit their applications. Under the 1932 Act, it is the first company that applies, providing it meets all the criteria. There is no subvention in such cases.

Ms Shortall: That is not what the Minister for Transport, Deputy Cullen, said.

Mr. Gallagher: When the 1932 Act is amended, it will ensure a level playing field for all operators. The Department is examining bus service applications. There may be some scope for additional services. Commercial opportunities identified by the private sector may not be where additional bus service obligations are required.

Regarding north Kildare, the Department has authorised a significant increase in frequency of

[Mr. Gallagher.]

services by a private operator between Celbridge, Lucan and Dublin city centre.

7. **Ms O. Mitchell** asked the Minister for Transport when integrated ticketing will be fully operational; and if he will make a statement on the matter. [35811/06]

13. **Mr. Quinn** asked the Minister for Transport the steps he intends to take to ensure integrated ticketing is provided as soon as possible. [35773/06]

Mr. Gallagher: I propose to take Questions Nos. 7 and 13 together.

The Minister set out the position in regard to the integrated ticketing project in his response to Parliamentary Questions Nos. 13, 41 and 91 on 28 September 2006. The chairman of the integrated ticketing project board submitted the first report of the board to the Minister on Tuesday, 9 October 2006 and the Minister has since considered the report's findings. The chairman states that the project board is working well and is confident it can oversee a prudently phased and controlled introduction of the integrated ticketing system. The board is also satisfied there are no technical barriers to the introduction of integrated ticketing.

The chairman has requested that the board be allowed sufficient time to complete its deliberations and has indicated that it intends to bring a comprehensive proposal to the Minister for approval within two months. This will include proposals in regard to scope, time-lines and a definitive budget for the phased completion of the integrated ticketing project. The Minister has accepted the report and requested that the project board proceeds immediately with the preparation of its proposals.

Mr. McEntee: We were promised that an integrating public transport ticketing system would be in place five years ago. The €13 million that was initially spent on the project has been wasted and the budget has increased from €29 million to €42 million. Everyone is proud of Dublin city — it is one of the best cities in Europe in every respect — but it is unacceptable that it is necessary to purchase separate tickets for each mode of public transport. There is an increasing volume of requests for such a system, particularly from young people, given that one can travel to any capital city in Europe and need only purchase one ticket to avail of all public transport services. The lack of an integrated ticketing system is another factor in our traffic congestion.

When will the Minister get all the concerned parties together and tell them what to do? It seems there are disagreements among the three public transport providers and the Minister has not taken control of the situation. Progress will not be made until he does so by setting out what

must be done in the interests of Dublin city. When will this project finally be implemented?

Mr. Gallagher: As I outlined, we expect the report of the integrated ticketing project board to be made available to the Minister by the end of this month. There are genuine business issues in terms of the cost of the project and the phased timing of its introduction. On the question of implementation, we must, as always, abide by the procurement policies. Although it sounds simple, the development of the system is rather involved and its design and implementation must take account of such issues as how the revenue from each card should be distributed to the various providers. After all these issues are resolved, it will take a period of two years to develop the system. That is normal in projects such as this where we must go through the correct procedures.

Ms Shortall: It is difficult for anybody who has travelled to another European city where there is integrated ticketing to understand how the Government could have made such a dog's dinner of the project. Proposals in this regard were first made in 1994 and the project was awarded to the Railway Procurement Agency, RPA, in 2000. Some €9.5 million has been spent since then and it seems to have gone down the drain. Does the Minister of State accept it was a serious mistake to allocate responsibility for this project to the RPA, which has no experience or expertise in this field?

This saga can no longer be allowed to drag on. What is the estimated cost of introducing integrated ticketing? Will the Minister of State agree to publish the report of the expert group?

Mr. Gallagher: All of us would be pleased if the integrated ticketing system were already in place. However, I have outlined the facts of the case and pointed to the further information that will be available by the end of November. It will take two years before the system is in operation because of the various obstacles we must overcome.

It was in March 2002, not 2000, that the RPA was given statutory responsibility for the delivery of what could be described as a multi-operator system of integrated public transport ticketing use. As Deputy McEntee said, the cost was estimated at €29.6 million but is now projected to be €42.7 million. At the end of 2005, as Deputy Shortall observed, €9.5 million had been paid to the RPA in respect of the integrated ticketing project. Some progress has been made. Smart cards were issued by the RPA in April 2004 for use on the services of Morton Coaches and, later, on the Luas service. We must ensure we get everything right. There are genuine business concerns which remain to be resolved.

The report of the integrated ticketing project board will be made available as soon as possible.

Ms Shortall: When is that likely to be?

Mr. Gallagher: I hope it will be available in the Oireachtas Library before the end of the year.

Ms C. Murphy: The integrated ticketing system project was established as part of the Dublin transport initiative. EU funds were drawn down to finance it in view of the damage to the economy arising from the traffic congestion that resulted from the lack of such a system. Twelve years after it is was proposed, however, integrated ticketing is still not in place. In regard to the new licences being granted, is it a precondition that potential licence holders must agree to provide integrated ticketing services? Will it be the same in terms of the competitive tendering process? Given that this project, which is part of the programme for Government, is unlikely to be delivered in the lifetime of this Government, will it be part of Fianna Fáil's manifesto at next year's election?

Mr. Gallagher: As of now, the licences that are being issued, including one to Deputy Catherine Murphy's constituency this week, will not be based on a precondition that the holder must provide integrated ticketing. In future, however, we will do our utmost to ensure integrated ticketing is included. We cannot cover the entire country immediately——

Ms C. Murphy: There is little sense in not including as a precondition that all new licence holders should sign up to integrated ticketing.

Mr. Gallagher: We cannot cover the entire country immediately.

Ms Shortall: The Minister of State speaks of progress not happening "immediately", but this has been in the pipeline for 12 years.

Mr. Gallagher: It will be done on a phased basis. We will look at the greater Dublin area initially, after which we will endeavour to ensure the service is available throughout the State and that all those who receive licences are in a position to provide integrated ticketing facilities.

Road Safety.

8. **Mr. Deasy** asked the Minister for Transport when he will introduce compulsory basic training for motorcyclists; and if he will make a statement on the matter. [35832/06]

Mr. Gallagher: Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006, SI 477 of 2006, the Road Safety Authority has responsibility for the oversight of the operation of the driver licensing system, including the preparation of proposals for draft regulatory provisions relating to driver licensing and testing. In this context, the Road Safety Authority is responsible for bringing forward proposals for the intro-

duction of compulsory initial practical training for motorcyclists.

However, a prerequisite for the introduction of such training is the availability and registration of motorcycle instructors.

The Road Safety Authority is responsible for registering driving instructors. A consultation document, published jointly by the Department of Transport and the Road Safety Authority last May, sets out proposals for the registration of driving instructors and invited submissions to be made by 8 September. Those submissions are being considered by the Road Safety Authority and new instructors are to be registered, as I outlined in detail earlier, from 1 July 2007. It is intended that all instructors will be registered by 1 July 2008.

Mr. McEntee: The question related to motorcyclists who consist of 1% of all our road users but 10% of all our road fatalities. Yesterday, in his presentation to the Joint Committee on Transport, Mr. Noel Brett, said it was part of policy to introduce centres where motorcyclists can be trained, which I welcome. However, I wish to ensure that happens quickly and I ask the Minister of State to try to fast track it. It should be a priority for Mr. Brett and his committee. Centres should be provided where motorcyclists can learn to ride motorbikes properly and car users can learn to drive properly.

Mr. Gallagher: I understand the Road Safety Authority is on course to introduce such a scheme by 1 July next year. A working group comprising motorcycle interests has been considering the appropriate standards with which instructors will have to comply. Overseeing the introduction of such training is now the responsibility of the Road Safety Authority. I am sure the criteria laid down will be quite strict.

I draw the Deputy's attention to the fact the Department has funded the establishment of the Irish Rider Training Association, which was set up under the auspices of the Motorcycle Action Group, MAG, a number of years ago. Its purpose was to facilitate the development of a network of motorcycle instructors so that basic training would be readily available. Work had been done even before the establishment of the Road Safety Authority. I am confident the new regime will be in place by 1 July next year.

Ms Shortall: It is important we remind ourselves that we are talking about compulsory basic training for motorcyclists. There is the outrageous situation at present where any 16-year-old can buy a motorbike and ride off.

An Ceann Comhairle: Deputy Shortall should ask a brief question. I wish to facilitate Deputy Crowe who is also offering.

Ms Shortall: Does the Minister of State accept that compulsory basic training for motorcyclists

[Ms Shortall.]

was part of the 2004 road safety strategy and that he has utterly failed in that regard? Does he further accept that it was legislated for in this year's Road Traffic Act but that he has failed to commence that part of it? Does he also accept, given that almost half motorcyclists killed on our roads are aged under 25 years, he needs to address this area with far greater urgency than he has done to date?

Mr. Crowe: Approximately 70% of motorcyclists have never received any basic training. Does the Minister of State agree the current system where motorcyclists may ride motorbikes indefinitely on a provisional licence needs to be reformed?

Mr. Gallagher: I cannot dispute the fact that many young people on motorbikes are killed. We wish to ensure the new instructors, whether for cars or motorbikes, are registered from 1 July 2007. I take on board what the Deputy said about compulsory training.

An Ceann Comhairle: Did the Minister of State deal with Deputy Shortall's question?

Mr. Gallagher: We will take the opportunity to discuss compulsory training and the Road Safety Authority's proposals when we meet it in the near future.

Written Answers follow Adjournment Debate.

Message from Select Committee.

An Ceann Comhairle: The Select Committee on the Environment and Local Government has completed its consideration of the Electoral (Amendment) Bill 2006 and has made amendments thereto.

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 Broughan — that the Minister ensure that a school in Dublin 5 retains its critical educational and community role for local residents; (2) Deputy Neville — the small scale permanent accommodation grant for Athea national school; (3) Deputy Durkan — the decision to cease invalidity pension for a person (details supplied); (4) Deputy Deenihan — the recent spate of seriously vicious assaults in Tralee town; (5) Deputy Harkin — to discuss the provision of new schools in Ballinamore, County Leitrim, and Dromore West, County Sligo; (6) Deputy Sargent — that the Minister take action to ensure that the recommendations of the Government task force report on autism 2001 be implemented; (7) Deputy Cowley — the options the Minister is considering to assist drift net fishermen, their

crews and families; and (8) Deputy Seán Ryan — the crisis in post primary education in Donabate, County Dublin.

The matters raised by Deputies Deenihan, Durkan, Broughan and Sargent have been selected for discussion.

Adjournment Debate.

Crime Levels.

Mr. Deenihan: I thank the Ceann Comhairle for allowing me to raise this matter on the Adjournment. I am disappointed a Minister from the Department of Justice, Equality and Law Reform is not here. I raised this matter approximately one year ago and there was some response. There was an increase in the number of gardaí in Tralee but there is much more to do.

Recently, there have been a number of very vicious assaults on people in Tralee town. Last week alone, there were two assaults which were extremely brutal. During the early hours of Saturday morning, a man was attacked by three others in the Strand Street area. In a separate incident, a man was assaulted in the Mary Street-Abbey carpark area at approximately 12.30 a.m. on Sunday. Both victims were hospitalised. The mother of one of the victims spoke this week of her son's injuries, claiming that he had obtained a fractured cheek bone, bruising to an eye and cuts to the head which required stitches in what was a completely unprovoked attack. The psychological wounds, which cannot be seen so easily, are also very damaging.

A fortnight ago, the victim of another unprovoked attack in Tralee was close to losing an eye. The assault on two men which happened in the early hours of Sunday morning on Russell Street was described by an eyewitness as being particularly vicious. The wife of one of the victims of this assault said she and her husband were naturally very angry about the assault and she described what happened as unbelievable. Incidentally, these people were visitors to the town and they said they would be very slow to return to it again.

Residents along the old Tralee-Fenit railway line have been living in terror following a series of assaults in the area this year. Early this year, a cyclist in his 20s was assaulted on Killeen Road by two men brandishing weapons and wearing balaclavas. The man's assailants jumped from a car and began to beat him around the head and body with what was believed to be a baseball bat. The man who sustained head injuries was taken to Kerry General Hospital.

I have also received a considerable amount of anecdotal evidence that many more assaults take place in Tralee which are not reported to the Garda. From speaking to many young people who socialise in Tralee at weekends, the town has become a rather dangerous place in which to be

during the early hours of Saturday, Sunday and Monday mornings. Many of the people who cause trouble in the town are not locals.

Taxi drivers in the town have told me of many unprovoked attacks on their colleagues while working at night. Last year, representatives of the taxi association in Tralee were in the House when I raised this matter. They came up specifically to meet the Minister for Justice, Equality and Law Reform. They met the junior Minister on that occasion to point out what was happening in Tralee.

The gardaí are doing their best and I appeal to the Minister to ensure as many foot patrols as possible in the town from now until Christmas, in particular. This should be possible. The town's CCTV cameras are not functioning properly and, as a result, parts of the town which should be monitored are not being monitored. Surely it should be possible to have CCTV surveillance repaired to ensure it acts as a major deterrent to crime. I am sure we all agree it is pointless having cameras which do not work.

The local policing forum, which was recently established in Tralee, has a role to play in tackling this issue. However, the forum's membership should be more broadly based and it should meet more often. From a preventative perspective, parents, teachers and others who are in contact with young people must continue to educate them about the immorality and danger of the type of behaviour to which I have referred. I hope the Minister of State, in his reply, will give some guarantee that there will be additional Garda foot patrols in the town. I hope this matter is taken seriously and that all possible support will be given to the local gardaí to ensure they can stop the increase in anti-social behaviour in Tralee and, if possible, make it a matter of history.

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): I thank the Deputy for raising this matter on the Adjournment. I am speaking on behalf of the Tánaiste and Minister for Justice, Equality and Law Reform, who is unable to be present. I assure the Deputy that the Tánaiste and I share his concerns about recent incidents in Tralee. Earlier this year the Minister of State at the Department of Justice, Equality and Law Reform, Deputy Fahey, met Deputies from north Kerry, including Deputy Deenihan, and representatives of the Tralee taxi drivers to discuss this and other matters.

Before commenting on the matter raised by the Deputy, it is helpful to put the issue of crime into perspective. The level of headline crime in 2005 is lower than that for 2002 by 4.4%. Furthermore, in 1995, with a population of almost 3.6 million people, there were 29 crimes per 1,000 of the population, while in 2005, with a population of over 4.1 million, there were 24.6 crimes per 1,000 of the population. The most recent set of quarterly crime figures, for the third quarter, released for the first time by the Central Statistics Office,

shows a decrease for the quarter of 1.6%, compared with the same quarter last year.

The Tánaiste is giving the highest priority to providing the resources to the Garda Síochána to tackle and prevent crime. He is very pleased that the personnel strength of all ranks of the Garda Síochána increased to a record 12,762 on 8 September, following the attestation of 249 new members. This compares with a total strength of 10,702 in all ranks at 30 June 1997 and represents an increase of 2,060, or 19%, in the personnel strength of the force during that period. Furthermore, the Garda budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

The personnel strength of the Kerry division on 25 October this year was 290, while at the end of 1997 it was 230 in all ranks. This represents an increase of 26%, or 60, in the number of personnel allocated. With regard to Tralee Garda station, the personnel strength at the end of 1997 was 76 in all ranks, while on 25 October this year it had reached 95 in all ranks. This represents an increase of 25%, or 19, in the number of personnel allocation.

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 drive 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 in the 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 draw up plans on how best to distribute and manage these additional resources and in this context the needs of the Kerry division will be given the fullest consideration.

Strong provisions are already in place to combat anti-social and unlawful behaviour. The primary basis for the law regarding public order offences is the Criminal Justice (Public Order) Act 1994, which modernised the law in this regard. Furthermore, because of the Tánaiste's concerns about the abuse of alcohol and its contribution to public order offending and broader social problems, he brought forward tough new provisions to deal with alcohol abuse and its effect on public order in the Intoxicating Liquor Act 2003. The Criminal Justice (Public Order) Act 2003 provides the Garda Síochána with additional powers to deal with late night street violence and anti-social conduct attributable to excessive drinking.

The Deputy will be aware that the recently enacted Criminal Justice Act 2006 contains an essential updating of our criminal law to ensure that criminal offences can be investigated and

[Mr. Killeen.]

prosecuted in a way which is efficient and fair and which meets the needs of modern society. It also contains provisions to deal with anti-social behaviour by adults and juveniles. The Garda Síochána is working on the procedures that will enable the relevant parts of the Act to be commenced in the near future.

The Tánaiste attaches great importance to the development of a real partnership between the Garda Síochána and local authorities on matters affecting policing. His intention and that of the Oireachtas, as set out in the Garda Síochána Act 2005, is that joint policing committees and local policing fora established under them will provide arenas where the Garda Síochána and local authorities can co-operate and work together to address local policing and other issues.

The Tánaiste, with the assistance of the Ministers for the Environment, Heritage and Local Government and Community, Rural and Gaeltacht Affairs, and the Garda Síochána, has issued guidelines for the operation of a number of joint policing committees on a pilot basis. These committees, which are made up of Oireachtas Members, local authority officials, representatives of local community and voluntary organisations as well as members of the Garda Síochána, are intended to further strengthen connections between gardaí and local communities and improve input from democratic representatives into policing policies. Tralee is included in the pilot phase and I understand that the committee has commenced its work.

I am informed by the Garda authorities that, to date, there have been a total of 16 serious assaults reported in Tralee, 11 of which have been detected. The gardaí expect that further detections will be made, including for recent assaults. I am also informed that in a further effort to address public disorder in the town and reduce the numbers of people leaving licensed premises and food outlets at the same time, special exemptions until 2 a.m. only are now being granted by the District Court for the Tralee area. The CCTV system in place in the town is being reviewed to ensure optimum effectiveness. Additional patrols by uniformed and plain clothes gardaí have also been put in place by local Garda management to address the problems caused by unacceptable behaviour in the town.

Local Garda management will continue to utilise the resources necessary to combat this behaviour. The joint policing committee also has a central role to play in mobilising the local authority and the local community to do their part.

Social Welfare Benefits.

Mr. Durkan: I thank the Ceann Comhairle for affording me the opportunity to raise this matter. This is a particularly tragic story and I thought the Minister for Social and Family Affairs would have been here in person to address it, although

that is no reflection on the Minister of State, Deputy Killeen.

This is the story of a man and his wife who were self-sufficient. He worked in this country for a number of years, for the ESB and for several other employers. He then emigrated to Canada, where he also worked for a number of years. Then, tragically, he suffered a stroke and had to return home. All his family's aspirations had to go by the board. He did not even have a home when he returned from Canada. His case was first brought to my attention in May or June of last year and I tabled a question to ascertain why he was not in receipt of an invalidity pension, to which he was entitled. His wife had been told that he was not entitled to the payment because he did not meet the usual requirements. However, from my knowledge of the social welfare law, I believed he was entitled to a pension and, indeed, he eventually received the payment when a decision was made to award him the invalidity pension.

Subsequently, it transpired that he may have had an entitlement to an invalidity pension backdated to 2001. He was living in this country at that time, was eligible and should have qualified. I tabled a parliamentary question to that effect, only to be informed that the first decision made in his case was made in error. The Ceann Comhairle, being a medical practitioner, would have questions to ask in the face of such a decision. I also have questions to ask because I believe it is an appalling decision. Apart from that, however, it is also a wrong decision, based on social welfare law.

In the original decision, consideration was given to the awarding of 14 contributions which related to the 2001 tax year and the rounding up and down of figures for that short tax year. Somebody determined that this should not be calculable from the point of view of qualification. That decision is wrong in law and there is no basis for it. Once contributions have been awarded, they are calculable. An appalling injustice has been done to this unfortunate man and his family as a result of a callous decision which the Minister of State, Deputy Killeen, and the Minister for Social and Family Affairs, Deputy Brennan, would not allow had they been aware of it. If I were in the Minister's position, I would not allow it. Indeed, I was in that situation previously, as one invariably is when one holds that portfolio.

I know what the answer will be to my question today. The Minister of State does not even have to read out the response, I could quote it for him. A severe injustice has been done to the individual concerned. It behoves the Minister to ask for the file and to order the upholding of the original decision.

This is the least to which this unfortunate man is entitled and I ask the Minister of State to do so.

Mr. Killeen: I thank Deputy Durkan for raising this issue. I am responding on behalf of the Mini-

ster for Social and Family Affairs, Deputy Brennan.

The parliamentary question to which the Deputy refers concerns a person who is currently in receipt of an invalidity pension. Prior to being awarded an invalidity pension, he was in receipt of disability allowance with effect from 19 September 2001. The person concerned applied for an invalidity pension on 13 June 2006 and was awarded the pension from 15 June 2006.

Following a review of his entitlement, it was decided that the person concerned was not entitled to invalidity pension as he did not have a total of 48 PRSI contributions paid or credited in the 2005 tax and PRSI contribution year, which was the last tax year before his claim was made. The case has now been further reviewed and I can confirm that the person concerned does not have an entitlement to invalidity pension.

Mr. Durkan: He does.

Mr. Killeen: The error made when his claim for invalidity pension was originally decided arose from the award of PRSI credits at that time in respect of the period during which he was in receipt of disability allowance. In order to qualify for such credits, the person concerned must have had at least 26 reckonable PRSI contributions paid in the two years prior to the award of disability allowance. He has only 13 paid contributions in that period.

The Deputy will recall that the tax and calendar years were aligned from January 2002. Prior to that, the tax and PRSI contribution year ran from 6 April to the following 5 April. The alignment of the tax and calendar years meant that the last tax and PRSI contribution period prior to 2002 was shorter than usual, running from April to December 2001.

Regulations were made at that time to provide for award of special contributions in that short tax year 2001, to take account of the inability of PRSI contributors to pay the normal 52 contributions in that short tax and PRSI contribution year. Such special contributions are reckonable only for the particular purposes specified in the regulations.

Mr. Durkan: That is not true.

Mr. Killeen: They are not reckonable for the purpose of the award of PRSI credits.

The original decision to award invalidity pension in the case raised by the Deputy was dependent on the award of such credits.

Mr. Durkan: That is correct.

Mr. Killeen: As he is not entitled to PRSI credits for the period during which he was in receipt of disability allowance, he does not meet the PRSI contribution conditions for receipt of invalidity pension.

Mr. Durkan: He does and he will.

Mr. Killeen: The person continues to have an entitlement to disability allowance. Arrangements are being made to revoke the invalidity pension and restore the disability allowance.

Mr. Durkan: That is a lousy decision.

Mr. Killeen: The inconvenience caused to the person concerned arising from the incorrect award of invalidity pension is very much regretted.

Mr. Durkan: There will be several other debates in this regard before the matter is resolved.

Mr. Killeen: I will raise this matter with the Minister.

Mr. Durkan: I thank the Minister of State.

School Closures.

Mr. Broughan: Astonishingly, during the past two and a half years, this is the fourth time that I have been obliged to raise the issue of the historic Greendale community school in my constituency of Dublin North-East as an Adjournment matter. I thank the Ceann Comhairle for always facilitating me in this regard.

Around the time of the devastating announcement that Greendale community school was to close, I urged the then Minister for Education and Science, Deputy Noel Dempsey, to ensure that the school would remain open. Unfortunately, however, my plea fell on deaf ears at the time. Amazingly, when I raised the issue with the current Minister for Education and Science, Deputy Hanafin, the same situation applied. At the time of the closure announcement in 2004, I described it as a terrible body blow to both Kilbarrack parishes in Dublin North-East. The closure's aftershocks are still being felt and unless the campus is retained for community and educational purposes, there will be a hole in the heart of the community.

The principal, Mr. Anton Carroll, and his wonderful teaching staff during the past 32 years should be commended warmly for their exceptional work for the people of Kilbarrack and its environs, as well as for the inclusive ethos for which the school was so famous. It also had an extremely distinguished staff of hard-working teachers during those years, including the great Irish novelist Roddy Doyle, the great playwright Paul Mercier and the iconic Dublin football star, Brian Mullins, all of whom served at length. Consequently, it was not surprising that two and a half years ago people became distraught at the news that the school would close.

Local residents in the Greendale Road district of Foxfield St. John's parish are extremely concerned regarding the future of the campus.

[Mr. Broughan.]

Throughout Dublin North-East, it is feared greatly that the campus might somehow end up in the hands of a developer, thus resulting in a completely inappropriate high density high rise development in which profit, rather than the needs of the people, is the only criterion. Throughout Dublin North-East, massive high rise and high density developments are still under way. I have raised this issue in the House previously. The 2006 census returns measured a change from population decline to the beginning of an increase in population. Is it still possible that this school might be required for first or second level education uses?

Another great feature of the school is that it is still home to approximately 1,000 students on adult education programmes. Greendale has always been a second chance gateway to third level education through its association with Trinity College, Dublin. It carries out extremely valuable work and in an era of lifelong learning, the campus could have a future in the area of third level education.

It has also been a critical community resource over the years. Groups such as Kilbarrack and District Residents Association, the Kilbarrack Community Development Project, the Kilbarrack resource centre and many other groups, including our two great local clubs, Naomh Barróg GAA club and Kilbarrack United football club, have all used the facility. Hence, when I last raised the issue, the Minister of State at the Department of Education and Science, Deputy Brian Lenihan, stated that he would examine all possible uses. The key wish is that greedy developers' hands should be kept off the campus.

I wish to raise a final possible use for the campus. It has been noted that in areas of Dublin with low third level participation rates such as Tallaght and Blanchardstown, the establishment of institutes of technology resulted in a dramatic rise in participation rates. I represent a postal district that has the second lowest national participation rate in third level education. Is it possible to consider the Greendale campus as the planning and development centre for a new institute of technology on the north side? While its central campus could be located on the north fringe, an allied college could be established at Greendale. I call on the Minister to convene urgently a meeting between officials of the Department of Education and Science, the constituency's three Deputies, namely, the two Fianna Fáil Deputies and myself, the five local city councillors, all the local Kilbarrack local development projects and the Northside Partnership. Its purpose would be to consider finally what must be done regarding the future of this campus, because only five or six months remain in which to so do before the school's final closure.

A picture appeared recently in a local newspaper of the principal, Mr. Anton Carroll, some of his staff and parents. It was sad for all con-

cerned to realise that the end of this era approaches. It is the community's wish that the campus should remain in use for community and educational purposes. I urge the Minister of State and the Minister for Education and Science, Deputy Hanafin, to sanction this move.

Mr. Killeen: I thank the Deputy for raising this matter as it provides me with an opportunity, on behalf of the Minister for Education and Science, Deputy Hanafin, to outline to the House the current position with regard to the planned closure of Greendale community school, Kilbarrack, Dublin 5.

Greendale community school was built in 1975 to accommodate 800 pupils. The school expanded quickly to exceed its enrolment capacity. An extension to bring the school's capacity up to 900 pupil places was provided in the early 1980s. In line with demographic changes in the area, the school has experienced a steady decline in enrolments in recent years. Since 1996-97, enrolment has declined by 50% from 449 students to 215 students in the 2003-04 school year.

Greendale community school is located in the Howth deanery, a unit of 13 parishes in the archdiocese of Dublin. The school made an application to the Department of Education and Science for capital grant aid in 1999 for major refurbishment works. A feasibility study commissioned by the Department estimated that an investment of €2.4 million was required to address the remedial works necessary. In the circumstances, the Department did not consider that the level of capital investment required was a viable option. However, grant aid was made available to ensure immediate health and safety issues at the school were addressed.

The Department held meetings with the trustees in 2003 to discuss the future of the school because there did not appear to be adequate pupil numbers in the locality to enable it to regenerate. The trustees advised the Department in March 2004 that a decision had been taken to close the school in June 2007 and that there would be no further intake of pupils from September 2005. The Department of Education and Science concurred with this decision.

When Greendale community school closes in 2007, ownership of the school property, which is currently vested in the trustees, will revert to the Department. In the period leading up to the closure of the school, the Department will consider all available options in regard to the future use of the school property. I again thank the Deputy for raising this matter.

Special Educational Needs.

Mr. Sargent: Go raibh míle maith agat, a Cheann Comhairle, as ucht cead a thabhairt dom an cheist thábhachtach seo a ardú. Tá áthas orm go bhfuil an tAire Stáit inár measc, cé gur mhaith liom fáilte a chur roimh an Aire Oideachais agus

Eolaíochta í fhéin mar gheall ar an cheist thábhachtach seo.

The Minister has clearly stated that every child deserves the opportunity to reach his or her potential. She has stated that her aim is to create the environment in which this can be achieved. This laudable statement contrasts sharply with the tortuous and damaging uncertainty that the Minister and her Department have created for one of my young constituents in Balbriggan. One young constituent, Oisín Melia, who was born on 26 April 2002, made repeated visits with his parents to the Mater Hospital child guidance clinic in Swords and was finally diagnosed with autism in June 2005. Fortunately for Oisín, his parents are well informed and well able to fight his case and the Minister for Education has not heard the last of this matter. This matter needs to be resolved and the Minister needs to learn lessons from the progress, or lack of it, to date.

I am in possession of a report by researchers from California State University, Stanislaus, which was given to me by Oisín's parents. This report indicates that most experts in autism agree that the earlier the intervention is delivered, the better will be the outcomes. The report also questions the suitability of treating children with autism with a variety of intervention methods. Thankfully, Oisín's parents have taken this to heart and sought the constancy and routine which a child like Oisín requires to make progress. Considerable progress has, therefore, been made.

A letter from Nessa and Ciarán Melia stated that the Department of Education and Science sanctioned 20 hours' tuition per week. It then stated that Oisín began taking 25 hours' tuition per week in January 2006, with his parents covering the additional cost. The letter stated that since then, Oisín progressed well and began to communicate verbally in the following two months, albeit in a very basic way. His parents also made some progress in respect of toilet training for him. They argued that this would have been inconceivable prior to him receiving applied behavioural analysis, ABA, intervention and stated categorically that this intervention was reaping rewards for their son and gradually opening up potential for the future. The letter went on to state that while they were encouraged by Oisín's progress, they were extremely concerned about the home tuition system under which he received his funding. According to the Minister, such funding is re-examined every six months and the criteria under which it is awarded are currently and distressingly put in doubt.

I ask the Minister to take on board the plight of this family. Life is difficult enough for it without putting it in a position which creates uncertainty. Not only is the Minister creating uncertainty for this family, there is no list of tutors qualified in ABA tuition in the Department of Education and Science. The parents advertised in a newspaper and, luckily, received an excellent Montessori-trained ABA teacher. However, this teacher is

finding her position in doubt because of the Department's position. In sanctioning 20 hours, the Department is effectively saying that the hours are acceptable but that it is not too sure about the tuition and who will administer it. This is unacceptable. I ask the Minister to take on board the real and very good advice I have received, which basically reflects on a letter to a Government colleague where the Minister stated that the home tuition scheme provides funding for parents for education at home and it was extended in recent years to facilitate tuition for children awaiting a suitable educational placement.

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

Mr. Sargent: I will conclude by saying that there is no authority citing the requirement for a school placement. The area administered by Fingal County Council only has 11 places for a population of 250,000, even if everyone was suitable for a school placement. The Minister will, hopefully, have to meet the parents and tutor in question and visit the location where the tuition is taking place to be satisfied that the best possible tuition is being given to this child at a bargain basement price for the Department.

An Ceann Comhairle: I ask Deputy Sargent to conclude as he has exceeded his allotted time.

Mr. Sargent: I ask the Minister to take on board the advice. A total of 30 to 35 hours is required internationally for children with autism. Some 20 hours is insufficient and, at least, the Department should leave the tutor in place.

An Ceann Comhairle: It is unfair to the staff of the House for the Deputy to exceed his allotted time.

Mr. Sargent: I am not keeping them any longer than is strictly necessary.

Mr. Killeen: I thank the Deputy for raising this matter as it provides me with the opportunity to clarify on behalf of the Minister for Education and Science the position of the Department of Education and Science in respect of the educational provision for pupils with autistic spectrum disorders, ASD, and, in particular, associated issues under the home tuition scheme.

The Deputy is aware of the commitment of the Department of Education and Science to ensure that all children, including those with ASD, receive an education appropriate to their needs. The variety of current provision in this regard includes pre-school classes for children with autism, special classes for children with autism attached to special schools and mainstream schools, special classes for children with Asperger's syndrome, as well as a range of supports for pupils with autism integrated in main-

[Mr. Killeen.]

stream classes. A pilot scheme has facilitated the establishment of stand-alone facilities providing an ABA specific methodology.

The Department is of the view that children with autism, in common with all children, should have access to appropriate provision delivered by suitably qualified teachers within the school system where the children can mix with their wider peer group and have maximum opportunities for integration. Pupils benefit from having a wider range of ASD teaching methodologies, fully qualified national school teachers, a school structure and the option of integration into mainstream classes immediately available, depending on each child's ability and progress.

Mr. Sargent: Can we talk about the child whose case I raised?

An Ceann Comhairle: Deputy Sargent should allow the Minister of State to speak.

Mr. Sargent: We are talking about a universal situation.

An Ceann Comhairle: The Minister of State, without interruption.

Mr. Killeen: Schools have the support of the special education support service which is committed to providing continuing training as appropriate.

The newly established National Council for Special Education and its team of more than 70 special educational needs organisers are also working across the country to ensure that new services are put in place where needed so that children with special needs, including those on the autistic spectrum, have access to appropriate school-based provision.

Mr. Sargent: That would be for children in school, not for those receiving home tuition.

Mr. Killeen: The home tuition scheme administered by the Department provides funding for parents to educate children at home who, for a number of reasons such as chronic illness, are unable to attend school. The scheme was extended in recent years to facilitate tuition for children awaiting a suitable educational place-

ment, including children diagnosed with ASD. The child in question has been sanctioned 20 hours per week, which is the maximum allowable under the terms of the scheme.

Mr. Sargent: That is not enough internationally.

Mr. Killeen: On review of a number of applications for home tuition, details concerning the qualifications of some of the proposed tuition providers gave rise to concern. As home tuition takes place outside the normal school framework, the Deputy will appreciate the need to ensure that tuition providers are appropriately qualified to educate the children concerned.

Mr. Sargent: Why does he not explain this?

An Ceann Comhairle: I ask the Deputy to behave.

Mr. Killeen: The usual requirement is a fully qualified teacher. However, other qualifications are acceptable, depending on the individual needs of the child. In this context, a review of qualifications is under way in consultation with the Department's inspectorate. 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.

I thank the Deputy for raising this matter as it provides me with the opportunity on behalf of the Minister to clarify the position of the Department of Education and Science in respect of the educational provision for pupils with ASD and, in particular, associated issues under the home tuition scheme.

Mr. Sargent: That is not enough, the child needs certainty.

The Dáil adjourned at 5.20 p.m. until 2.30 p.m. on Tuesday, 7 November 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 8, inclusive, answered orally.

Road Network.

9. **Mr. Neville** asked the Minister for Transport if his Department has been involved in the negotiations in relation to the proposed buy-out of the M50 toll bridge; when this process will be completed; the alternative arrangements which will be put in place [35821/06]

Minister for Transport (Mr. Cullen): At the outset, I should explain that overall responsibility for the planning, design and implementation of national road improvement projects, including the M50, is a matter for the National Roads Authority (NRA) and the local authorities concerned. I have no function in relation to the day-to-day operation of these projects.

In addition, the statutory power to levy tolls on national roads, to make toll bye-laws and to enter into toll agreements with private investors in respect of national roads, including the M50, is vested in the National Roads Authority (NRA) under Part V of the Roads Act 1993 (as amended by the Planning and Development Act 2000).

As the Deputy is aware, last January, the National Roads Authority (NRA) decided to terminate discussions with National Toll Roads plc (NTR) in relation to the upgrading of the West-Link toll facility. Instead, the NRA is separately procuring a barrier free toll system which will become operational with one tolling point in 2008. NTR will be compensated in accordance with the existing West-Link Agreement.

The exact details of the arrangements, including compensation, remain to be finalised between NRA and NTR and as these discussions are ongoing at present, I would not wish to pre-empt their outcome.

With regard to barrier free tolling, I should explain that automated toll collection is currently

available on existing toll plazas and will be used on all future toll schemes. It is not, however, operated on a barrier free basis as toll operators consider that the enforcement powers available to deal with non-payment are not robust enough.

While existing legislation is adequate to facilitate the introduction of barrier free tolling, it is not considered to provide a sufficient deterrent or penalty to cater for toll violations in a barrier free environment. Currently, the physical restraint of the barrier is the main enforcement tool.

For this reason, I sought and received Government approval on 17 October for the drafting of legislation which, inter alia, will strengthen the enforcement regime through implementation of appropriate deterrents for non-payment of tolls. I hope to bring the Bill before the Oireachtas by the end of this year.

Automated toll collection in a barrier free tolling environment can deliver an improved level of service by increasing the throughput capability of a toll plaza and reducing queues.

Specifically in relation to the M50, the NRA has engaged consultants to advise on the barrier free technology and intend to submit proposals for the barrier free toll arrangement for Government approval in due course.

Public Transport.

10. **Mr. Broughan** asked the Minister for Transport the progress in expanding Dublin's quality bus corridor network; and the extra capacity that can be expected in the next 12 months by QBC route. [35770/06]

Minister for Transport (Mr. Cullen): Transport 21 is designed to inject a large amount of additional capacity into the public transport network over the next ten years, with a total investment of over €16bn in the GDA between now and 2015. Provision is made in Transport 21 to

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double the length of bus priority infrastructure in the GDA within the 10-year period of the programme.

In January of this year, the Dublin Transportation Office reviewed the bus priority programme in the context of the goal set in Transport 21.

Extra capacity will be delivered by end-2007 by projects that are currently under construction. These include the Blackrock QBC (Merrion Road and Dún Laoghaire — Rathdown Section), Snugborough Road, Kilmacud QBC, South Clondalkin QBC (Phase 3 — Long Mile Road to Dolphin's Barn), Pearse Street Bus Priority Scheme (Phase 2), Dunshaughlin, Bracetown, Earlsfort Terrace/St. Stephen's Green, Naas Road QBC (Phases 2 and 3), and Waterloo Road Bus Priority Scheme. In addition, the tender process is underway for schemes at Santry Avenue and Coolock Lane/Oscar Traynor Road.

Road Network.

11. **Mr. Crawford** asked the Minister for Transport if he is confident that the upgrade of the M50 will be substantially completed to coincide with the opening of the second terminal at Dublin Airport; and if he will make a statement on the matter. [35792/06]

Minister for Transport (Mr. Cullen): I understand that Terminal 2 at Dublin Airport is due to be completed by late 2009. This is broadly in line with the 2008 — 2010 completion dates for the phased completion of the M50 upgrade. The principal agencies involved in these projects — i.e. Dublin Airport Authority, Fingal County Council and the National Roads Authority have cooperated and consulted closely in the planning stages of the Terminal 2 project. I have encouraged this consultation and cooperation. I envisage this cooperation continuing to ensure that the completion of these essential infrastructure projects is harmonised, to the maximum possible extent.

The overall responsibility for the planning, design and implementation of national road improvement projects, including the M50 upgrade, is a matter for the National Roads Authority (NRA) and the local authorities concerned. I have no function in relation to the day-to-day operation of these projects.

In addition, the statutory power to levy tolls on national roads, to make toll bye-laws and to enter into toll agreements with private investors in respect of national roads, including the M50, is vested in the National Roads Authority (NRA) under Part V of the Roads Act 1993 (as amended by the Planning and Development Act 2000).

The upgrade work on the M50 is being undertaken in three phases.

Phase 1 comprises the widening of the carriageway between the N4 (Galway Road roundabout) and Ballymount interchanges and

the upgrading of the N4, N7 and Ballymount interchanges. This work is currently under way and is expected to be completed in mid-2008.

Phase 2 which is being administered as a Public Private Partnership project will comprise of the widening of the remainder of the M50 (other than the 3.2 km West-Link section between the N3 and N4 junctions) and the upgrade of the other interchanges. The contract for Phase 2 is to be awarded in 2007 and construction is expected to be completed in 2010.

Phase 3 comprises the widening of the 3.2 km West-Link section between the N3 and N4 junctions which is expected to be completed by mid 2008.

Separately the NRA is procuring the replacement of the current West Link toll plaza with barrier free tolling. It is intended that this will be introduced during 2008 in tandem with the completion of phase 1 of the M50 upgrade.

Road Traffic Offences.

12. **Mr. Howlin** asked the Minister for Transport when he proposes to extend the powers of traffic wardens in respect of traffic enforcement. [35760/06]

Minister for Transport (Mr. Cullen): The range of offences in the Local Authorities (Traffic Wardens) Act 1975 which may be enforced by local authority traffic wardens was expanded by statutory amendments made in 2002 and 2006. Three specified offences, one of which relates to display of an NCT disc and two which relate to motor tax disc offences, have not yet been brought into the range of the fixed charge offences that traffic wardens can enforce.

Enforcement by traffic wardens of offences under the new fixed charge system is in operation since 3 April 2006 in respect of the range of offences that were enforceable by traffic wardens under the previous on-the-spot fine system.

I will give consideration, in due course, to the declaration of the additional 3 specified offences to be fixed charge offences enforceable by local authority traffic wardens. However, the timing of doing so depends on the proper administrative and IT systems being in place in local authorities.

As the matter stands at present the three offences that are outside the remit of traffic wardens are enforceable by the Garda Síochána.

Question No. 13 answered with Question No. 7.

Road Network.

14. **Ms McManus** asked the Minister for Transport the opening date for the Dublin Port Tunnel; and the final cost of the scheme. [35768/06]

81. **Mr. P. Breen** asked the Minister for Transport the opening date of the Dublin Port Tunnel; if his officials have held discussions with relevant

parties in relation to contingency plans to deal with the increased traffic on the M50 as a result of the opening; and if he will make a statement on the matter. [35794/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 14 and 81 together.

At the outset, I should explain that overall responsibility for the planning, design and implementation of national road improvement projects, including the Port Tunnel, is a matter for the National Roads Authority (NRA) and the local authorities concerned, in this case, Dublin City Council.

As regards the opening of the Tunnel, I understand that the main construction and installation work in the Tunnel was completed in July. The latest indication from Dublin City Council and the NRA is that the Tunnel will open in December. However, in the interest of public safety, the exact opening date will be contingent on satisfactory completion of the testing and commissioning of the Tunnel's operational and safety features, including the training of operational and emergency services staff.

I understand from the NRA that the estimated cost of the Tunnel remains at €751 million, which has been the estimate for some time.

With regard to traffic management arrangements following the Tunnel's opening, I should explain that traffic management, in general, is a matter for the appropriate local authority in the area and in this case, that authority is Dublin City Council. I understand that Dublin City Council and the NRA are working together on traffic management measures within and on the approaches to the Tunnel involving road widening, lane configurations, speed limits, etc. to ensure the introduction of a co-ordinated strategy for the opening of the Tunnel.

My Department is also keeping in touch with all stakeholders, including the NRA and Dublin City Council, on a regular basis to ensure that a co-ordinated strategy is developed for the opening of the Tunnel, including its implications for the M50.

Traffic Management.

15. **Mr. Crawford** asked the Minister for Transport if his Department met with all interested parties to discuss measures to reduce congestion on the M50 during the upgrade works; and if he will make a statement on the matter. [35793/06]

Minister for Transport (Mr. Cullen): At the outset, I should point out that traffic management in general is a matter for the appropriate local authority. In the case of the current upgrade works on the M50, that authority is South Dublin County Council with, I understand, Dublin City Council's assistance in managing the junctions and the associated traffic signals.

The M50 has experienced massive traffic growth over recent years in line with economic and employment growth and increased car ownership rates. Average annual daily traffic flows on a number of sections of the M50 exceed 85,000 vehicles and major congestion occurs at peak times.

There are no simple quick-fix solutions to resolve motorway congestion. In the case of the M50, the solution entails the construction of additional lane capacity, the upgrading of the junctions along the route and the replacement of the existing tolling arrangements with barrier free tolling.

The M50 upgrade is a major infrastructure project being undertaken under live traffic conditions. This imposes serious constraints both on those carrying out the works and on motorists using the facility. It simply is not possible to carry out a project on this scale without some temporary worsening of traffic conditions. Nevertheless, while these works are taking place, the NRA, the Local Authorities and the Gardaí are co-operating very closely to ensure that everything possible is done to mitigate the impact of the works on traffic flows. The Authorities and the Gardaí are in regular contact and the situation is kept under constant review. Both the Local Authority and the contractor have dedicated personnel working full-time on traffic management. My officials and I are keeping in touch with all stakeholders and, in the circumstances, I am satisfied that no effort is being spared by those responsible for traffic management and law enforcement to alleviate the problems on the M50 insofar as that is possible.

I expect that significant improvements in the situation on the M50 will take place on completion of Phase 1 of the Upgrade in 2008. Further improvement will take place on completion of the later phases of the upgrade in 2010. In the meantime, traffic management in the area is being monitored on an ongoing basis with measures being taken where possible to alleviate traffic congestion resulting from the road works.

Public Transport.

16. **Mr. Gilmore** asked the Minister for Transport the action he is taking to improve the take-up of tax-saver commuter tickets, particularly outside of Dublin; and if he will make a statement on the matter. [35781/06]

Minister for Transport (Mr. Cullen): This is a day-to-day operational matter for the public transport companies concerned and not one in which I have no role.

Road Safety.

17. **Mr. P. Breen** asked the Minister for Transport when the learner permit driving system will be introduced; and if he will make a statement on the matter. [35795/06]

53. **Mr. O'Shea** asked the Minister for Transport the changes to driver licensing law he proposes; and the timeframe for their introduction. [35757/06]

102. **Mr. Coveney** asked the Minister for Transport the proposals expected to be introduced in relation to a graduated licence; when such proposals will be implemented; and if he will make a statement on the matter. [35802/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 17, 53 and 102 together.

I refer the Deputy to my reply to a priority question today, in which I said that the RSA has submitted to me in recent days a range of proposals with a particular focus on licensing reform and on targeting drivers between 17 and 24 years old. I equally share the concern of the RSA Board about the high risk factors of death and serious injury to this particular category of drivers and I will be considering these proposals in the coming weeks.

I also met with the Chief Executive of the RSA last week and asked that the Authority come back to me as soon as possible with a structured approach to a complete transition, with time lines, from the current regime of provisional licences to a regime of learner permits and restricted category drivers and related learner/drivers formation arrangements. I know that such a complete transition will take some time, but I genuinely feel that there is great potential for saving young lives in this approach. I intend to meet the RSA Board in the coming weeks to discuss these matters.

Dublin Transportation Authority.

18. **Mr. Bruton** asked the Minister for Transport when the Dublin Transportation Authority will be established; if it will have authority over CIÉ; and if he will make a statement on the matter. [35809/06]

19. **Mr. Stagg** asked the Minister for Transport when he proposes to establish the Dublin Transportation Authority; the consultation he has had with the four Dublin local authorities and the local authorities in the Dublin commuter belt; and if he will make a statement on the matter. [35761/06]

39. **Mr. Gogarty** asked the Minister for Transport when he expects to appoint the new regulator for the Dublin bus market; and if that regulator will operate within the Dublin Transport Authority. [35859/06]

49. **Mr. Cuffe** asked the Minister for Transport when he expects to establish the new Dublin Transportation Authority; and the way in which, in the absence of a legislative mandate, he

expects same to operate in the interim. [35858/06]

Minister of State at the Department of Transport (Mr. Gallagher): I propose to take Questions Nos. 18, 19, 39 and 49 together.

The Minister for Transport established a Team following the launch of Transport 21 to make recommendations on the establishment of a transport authority for the Greater Dublin Area. He also asked the team to give advice on the content of legislation required to establish such an Authority and to make recommendations on what interim arrangements should be put in place pending the enactment of the legislation. The Team reported to the Minister earlier this year.

Before finalising its report, the Team engaged in a consultation with relevant stakeholders, including the city and county managers of the local authorities in the Greater Dublin Area, whom I understand had two meetings with the Team and who also submitted their views to them in a written submission. Members of the Team also met with the Lord Mayor and the Chairpersons of the Strategic Policy Committees of Dublin City Council, at their request. The Dublin and Mid-East Regional Authorities also made written submissions.

The Government, having considered the report, approved the drafting of legislation to establish a Dublin Transport Authority on a statutory basis. Substantial progress has been made in recent months in preparing draft legislation.

The Government decided in September that the new Dublin Transport Authority would undertake the regulation of the bus market and future decisions on the allocation of all public subsidies for bus services in the Greater Dublin Area. Provisions to give effect to this decision are being incorporated in the draft legislation to establish the Dublin Transport Authority.

The Government gave a commitment in the Ten-Year Framework Social Partnership Agreement "Towards 2016" to engage in consultation with interested parties during the drafting of the legislation. In accordance with this commitment the Minister intends shortly to publish the report of the Dublin Transport Authority Establishment Team and undertake a short intensive consultation process with interested parties before finalising his legislative proposals to establish the Authority on a statutory basis.

It is the Minister's intention to publish a Bill establishing the Dublin Transport Authority before Christmas.

The Minister is currently considering the establishment of an interim Authority with a mandate to progress the putting in place of necessary organisational arrangements, such as the recruitment of a senior management team, prior to the enactment of legislation. It is not envisaged that the interim Authority would seek to discharge substantive functions pending the enactment of

legislation to provide statutory authority for its work.

Road Network.

20. **Mr. Morgan** asked the Minister for Transport the situation involving the M3 motorway and the Hill of Tara. [35846/06]

Minister for Transport (Mr. Cullen): The planning, design and implementation of national road improvement projects, including the M3, is a matter for the National Roads Authority (NRA) and the local authorities concerned. I have no function in relation to the day-to-day operation of projects.

Question No. 21 answered with Question No. 6.

Road Traffic Offences.

22. **Mr. Hayes** asked the Minister for Transport if he is developing proposals, in conjunction with other relevant parties, to overcome the large percentage of drivers who receive penalty points but which are never applied; and if he will make a statement on the matter. [35829/06]

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 now has responsibility for the endorsement of penalty points on licence records.

The operation of the penalty point system is kept under review by all the State Agencies involved including my Department, An Garda Síochána, the Court Service, the Vehicle Registration Unit of the Department of the Environment, Heritage and Local Government, the Road Safety Authority and the Department of Justice Equality and Law Reform through a working group chaired by the latter Department. Where improvement is desirable this will be pursued.

Rail Network.

23. **Ms B. Moynihan-Cronin** asked the Minister for Transport the position on the extension of rail services to Navan; and the timescale proposed for these works. [35785/06]

27. **Mr. Neville** asked the Minister for Transport the progress being made on the re-opening of the Navan line; and if he will make a statement on the matter. [35820/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 23 and 27 together.

The planning and design of the Navan Rail Link is a matter for Iarnród Éireann in the first instance.

I understand that 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. The current position regarding this phase is that detailed design work is underway and Iarnród Éireann expect to submit a Railway Order application in 2007 for statutory approval to enable the railway upgrade works to proceed with a view to completion of Phase 1 in 2009 as provided for in Transport 21.

Under Phase 2 it is proposed to extend the rail line to Navan within the period of Transport 21. Iarnród Éireann and Meath County Council are developing terms of reference for a scoping study for the extension to Navan. I understand that the scope of work for the feasibility study has been defined and the procurement process for the engagement of consultants to carry out this work is expected to be completed this month. The study is expected to commence shortly thereafter.

24. **Mr. Noonan** asked the Minister for Transport his views on whether the proposed Irish Rail interconnector tunnel will be completed by 2015; and if he will make a statement on the matter. [35818/06]

Minister for Transport (Mr. Cullen): The Interconnector is intended to be the final phase of a programme to extend and reconfigure the DART and suburban services and to provide higher capacities, frequencies and integration of services to meet forecast demand levels in the Dublin inner-suburban area and to develop an integrated transport system for the capital.

There are a number of projects currently under way that are necessary to prepare for the development of the interconnector including the Kildare Route Project, feasibility study on the electrification of the Maynooth line and two complementary planning studies on the Interconnector. Iarnród Éireann and the Railway Procurement Agency are also working well together to ensure that planning for both the Interconnector and the Metro is properly integrated. On this basis I am confident that the timeframe for the delivery of the Interconnector is achievable.

Decentralisation Programme.

25. **Mr. Stanton** asked the Minister for Transport the assistance given by his Department to assist with the promotion of Mitchelstown as an attractive relocation destination to Bus Éireann employees; the efforts his Department has made to assist in securing a suitable location for the proposed headquarters; if one has been secured; if anyone has indicated a wish to decentralise to the town to date; and if he will make a statement on the matter. [33224/06]

Minister for Transport (Mr. Cullen): As part of the Decentralisation programme, 86 Bus Éireann Headquarters posts are to be relocated to Mitchelstown.

[Mr. Cullen.]

Implementation issues, including the identification of accommodation, are being pursued by Bus Éireann. However, to date, no employee has indicated a wish to move and this continues to be examined by Bus Éireann itself.

Airport Security.

26. **Mr. Timmins** asked the Minister for Transport if his Department has held discussions with civil aviation authorities on the provision of a visible armed presence at airports here; and if he will make a statement on the matter. [32273/06]

Minister for Transport (Mr. Cullen): My Department which has responsibility for aviation security policy liaises on an on-going basis with the Garda Síochána concerning issues relating to airport security.

In the context of wider national security, An Garda Síochána is responsible for monitoring any terrorist threat and recommending appropriate security measures to address any such threats.

Question No. 27 answered with Question No. 23.

Rail Network.

28. **Mr. Stanton** asked the Minister for Transport further to Question No. 67 of 7 June 2006, the status of the public inquiry under section 42(1) of the Transport (Railway Infrastructure) Act 2001 in respect of the Iarnród Éireann application for a railway order for the Cork to Middleton railway line which he received on 15 May 2006; if and when railway order will be granted; and if he will make a statement on the matter. [35753/06]

Minister for Transport (Mr. Cullen): I received Iarnród Éireann's application for a Railway Order for the Cork to Middleton Railway line on the 15th of May 2006. On the 26th of May, I directed that a Public Inquiry be held into the application. On the 14th of June I appointed Mr. Pat Butler S.C. as Inspector to the Public Inquiry under section 42(1) of the Transport (Railway Infrastructure) Act 2001. The Public Inquiry commenced on the 31st of October. Whether or not a Railway Order is granted and the timing of same will depend on the outcome of the Public Inquiry.

Park and Ride Facilities.

29. **Mr. Perry** asked the Minister for Transport the level of take-up of park and ride funding by local authorities; if he is satisfied with the pace of the development of such facilities; and if he will make a statement on the matter. [35827/06]

Minister for Transport (Mr. Cullen): I am making capital funding available to local authorities under Transport 21 for park and ride facilities in

the Greater Dublin Area, and also in the Regional Cities. It is a central aim of my Department that we want to attract as many people as possible out of their cars and onto public transport.

In 2005, 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 (GDA). Each of the regional cities also has land use or transport strategies in place. It is a matter for the local authorities 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. The procedure for allocation of funding to specific projects is that my Department will consider applications by public bodies on a first-come, first served basis. These applications will be evaluated according to their business cases, and against the strategic value they offer, as assessed against the DTO strategy in the case of the GDA, and against the relevant land use or transport plans in the case of the regional cities.

I am anxious to see a strong commitment by local authorities to the development of park and ride facilities and my Department is inviting applications from local authorities. I understand that several authorities are considering possible sites.

Proposed Legislation.

30. **Mr. Sherlock** asked the Minister for Transport the progress made on ensuring that a confidential reporting system for pilots and airline staff exists here to allow the reporting of unsafe practices by airlines; when he will introduce whistleblower legislation to cover this sector; and if he will make a statement on the matter. [35779/06]

Minister for Transport (Mr. Cullen): Directive 2003/42/EC of the European Parliament and of the Council of 13 June 2003 on occurrence reporting in civil aviation includes an option for Member States to develop a confidential reporting system. Work is under way to transpose this Directive into Irish law.

Road Network.

31. **Mr. Eamon Ryan** asked the Minister for Transport the cost of each stage of the M50 upgrade; and the financing operations that are in place for said upgrade. [35853/06]

55. **Mr. Wall** asked the Minister for Transport the position regarding phase two and phase three of the upgrade of the M50; and the timescale proposed for these works. [35786/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 31 and 55 together.

At the outset, I should explain that overall responsibility for the planning, design and implementation of national road improvement projects, including the M50 upgrade, is a matter for the National Roads Authority (NRA) and the local authorities concerned. I have no function in relation to the day-to-day operation of these projects.

In addition, the statutory power to levy tolls on national roads, to make toll bye-laws and to enter into toll agreements with private investors in respect of national roads, including the M50, is vested in the National Roads Authority (NRA) under Part V of the Roads Act 1993 (as amended by the Planning and Development Act 2000).

I understand that the upgrade work on the M50 is being undertaken in three phases. Phase 1 comprises the widening of the carriageway between the N4 (Galway Road roundabout) and Ballymount interchanges and the upgrading of the N4, N7 and Ballymount interchanges. This work is currently under way and is expected to be completed in mid-2008 at a projected cost of approximately €244m. This phase is being funded by the Exchequer through the National Roads Programme.

Phase 2 which is being administered as a Public Private Partnership project will comprise of the widening of the remainder of the M50 (other than the 3.2km West-Link section between the N3 and N4 junctions) and the upgrade of the other interchanges. The contract for Phase 2 is to be awarded in 2007 and construction is expected to be completed in 2010. The exact cost of this contract will be finalized following receipt of tenders for the project.

Phase 3 comprises the widening of the 3.2km West-Link section between the N3 and N4 junctions which is expected to be completed by mid 2008. This phase is being funded by the Exchequer through the State's proceeds of the toll revenue from the West-Link Toll Facility and the expected final cost will be established following receipt of tenders for the project.

The total projected cost of the M50 upgrade is approximately €1bn, of which about 75% (i.e. Phases 2 and 3) will be funded from the future stream of toll revenue.

Separately the NRA are procuring the replacement of the current West Link toll plaza with barrier free tolling. It is intended that this will be introduced during 2008 in tandem with the completion of phase 1 of the M50 upgrade.

I expect, therefore, that significant improvements in the situation on the M50 will take place in 2008. Further improvement will take place on completion of the later phases of the upgrade in 2010. In the meantime, traffic management in the area is being monitored on an ongoing basis with measures being taken where possible to alleviate traffic congestion resulting from the road works.

32. **Mr. Gormley** asked the Minister for Transport the cost benefit analysis carried out on the

major roads programme laid down in the 2000 to 2006 National Development Plan; the time reduction targets set for major roads; and the most recent measured journey times on national roads here. [35862/06]

Minister for Transport (Mr. Cullen): Cost benefit analyses are carried out on national road projects by the National Roads Authority (NRA) under the provisions of the Roads Act 1993.

Cost benefit analysis is carried out on a project-by-project basis in respect of major national road improvement schemes constructed under the National Development Plan (NDP) 2000-2006. This practice fully accords with the Department of Finance's "Guidelines for the Appraisal and Management of Capital Expenditure Proposals in the Public Sector".

Target travel time savings were set for the five major inter urban routes (Dublin to Galway, Limerick, Cork, Waterford and the Northern Ireland border) mandated in the NDP. These targets were published in the Economic and Social Infrastructure Operational Programme (ESIOP) 2000-2006. The objective was to save a total of approximately 188 minutes in journey times on these five routes by the end of 2010. A number of interim travel time saving targets were also specified. The relevant target for the end of 2006 is a total travel time saving of 86 minutes on these five routes. The most recent figures available relate to June 2006 and are available in the ESIOP Progress Report on Programme Implementation to end June 2006. These figures show that total travel time savings of 91 minutes have been achieved, thereby already exceeding the relevant target for 2006.

Driving Tests.

33. **Mr. Kenny** asked the Minister for Transport if his attention has been drawn to the projected number of learner drivers over the next five years; and if he will make a statement on the matter. [35796/06]

Minister for Transport (Mr. Cullen): I understand that the Road Safety Authority, in the context of its responsibility for the delivery of the driving test, is carrying out an analysis of likely future demand for driving tests.

Aer Lingus.

34. **Mr. Gogarty** asked the Minister for Transport the communication he has had with the European Commission regarding competition within the aviation sector here; and the outcome of said communication. [35860/06]

Minister for Transport (Mr. Cullen): I refer the Deputy to the reply to Priority Question No. 3 on Aer Lingus today.

Rail Network.

35. **Mr. M. Higgins** asked the Minister for Transport the position on the reopening of the western rail corridor; and the timescale proposed for these works. [35784/06]

83. **Mr. G. Murphy** asked the Minister for Transport the progress made to date on the reopening of the western rail corridor; and if he will make a statement on the matter. [35800/06]

91. **Mr. Ferris** asked the Minister for Transport the progress of the plans for the western rail corridor. [35841/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 35, 83 and 91 together.

I refer the Deputy to my answer to Question No. 117 of 28th September which sets out the timetable for this project.

Light Rail Project.

36. **Mr. Callely** asked the Minister for Transport if his Department has received safety audit reports on the Luas; if issues have been raised in relation to the tracks, particularly where there is a bend or turn in the track; and if he will make a statement on the matter. [35594/06]

Minister for Transport (Mr. Cullen): Responsibility for the regulation of safety issues with respect to the rail network, including Luas, rests with the Railway Safety Commission (RSC) which acts on an independent statutory independent basis in the performance of its functions. Prior to its formal establishment on 1st January this year, the RSC operated on an interim basis under the aegis of my Department.

Passenger services commenced on the Luas in June 2004 following approval by the Interim Railway Safety Commission of the infrastructure, rolling stock and of the operator through the latter's operational safety case. I understand that the Interim Railway Safety Commission also carried out a safety audit of Veolia Transport, formerly Connex, the operators of Luas, in 2005. In addition, as required by the Railway Safety Act 2005, I am informed that Veolia has submitted its up-dated safety case to the RSC.

The safety of the Luas network is being managed by both the RPA and Veolia and there are no current or past safety issues relating to the Luas track. As the Deputy will be aware, the main Luas contractor was obliged to remedy, at no cost to the RPA, problems that emerged with the rail supports at certain sections of the track. This issue was the subject of prior discussions between the RPA and the RSC. These works have now been completed.

Road Safety.

37. **Mr. Perry** asked the Minister for Transport when he expects the next national road safety

strategy to be implemented; if he is satisfied with the implementation of the current strategy; and if he will make a statement on the matter. [35828/06]

45. **Mr. Crowe** asked the Minister for Transport his proposals to improve road safety in view of the ongoing carnage on roads here. [35837/06]

52. **Mr. Gormley** asked the Minister for Transport the measures proposed by the Road Safety Authority to improve road safety; and the steps he will take to implement said proposals. [35861/06]

74. **Caoimhghín Ó Caoláin** asked the Minister for Transport the success of the National Road Safety Strategy of 2004 to 2006 to date in contributing to road safety and reducing deaths on roads here. [35839/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 37, 45, 52 and 74 together.

The Government Road Safety Strategy 2004-2006 sets a primary target of a 25% reduction in road collision fatalities by the end of 2006 over the average annual number of fatalities in the 1998-2003 period.

This was always an ambitious target and one that required the continued commitment to a strategic, integrated approach by all of the road safety agencies.

A major independent review of the previous strategy confirmed that basing the primary target on the achievement of progress in the areas of speeding, drink driving and seat belt wearing remains the correct approach and these remain the key areas central to the implementation of the Strategy.

Significant initiatives identified in the Strategy that have been realised to date include the introduction of a new system of metric speed limits, the further extension of the operation of the penalty points and fixed charge systems from April 2006, and, the establishment of the Garda Traffic Corps. The Corps, provides the basis for the achievement of the significant gains in road safety that emanate from consistent high levels of traffic law enforcement.

Other major proposals identified, such as the plans to establish a system of private sector operation of speed cameras under the auspices of the Garda, are well advanced.

The Road Traffic Act 2006 has been enacted and a number of key measures commenced. These include the provision to combat drink driving through enabling roadside Mandatory Alcohol Testing (MAT) and a ban on the use of hand-held mobile phones while driving.

Since the commencement of MAT checkpoints by the Garda the number of road deaths and collisions have fallen. The number of deaths in August 2006 was 17, the lowest number for any month since November 1999, compared to 24 in

August 2005 and 35 in 2004. This downward trend has continued into September 2006 with 22 deaths as compared to 31 for September 2005 and on into October 2006 with 31 deaths up to 31 October 2006 compared to 44 deaths in 2005.

We are making progress across the wide range of initiatives identified in the current Strategy, which is now coming to an end, and I am satisfied that all of the agencies involved are fully committed to the achievement of the goals that underpin the Strategy.

The Road Safety Authority (RSA) is working on developing a new road safety strategy for the period for 2007 onwards and went out to public consultation on this matter last week. Proposals can be e-mailed to strategy@rsa.ie. It is expected that this Strategy will be finalised in the first quarter of 2007.

The RSA has also submitted to me in recent days a range of proposals to further augment road safety initiatives with a particular focus on licensing reform and on targeting drivers between 17 and 24 years old. I equally share the concern of the RSA Board about the high risk factors of death and serious injury to this particular category of drivers and I will be considering these proposals in the coming weeks.

I also met the Chief Executive Officer of the RSA last week and asked that the Authority come back to me as soon as possible with a structured approach to a complete transition, with time lines, from the current regime of provisional licences to a regime of learner permits and restricted category drivers and related learner/driver formation arrangements. I know that such a complete transition will take some time, but I genuinely feel that there is great potential for saving young lives in this approach.

I intend to meet the RSA Board in the coming weeks to discuss these and related matters.

Public Transport.

38. **Mr. Connaughton** asked the Minister for Transport if ongoing investigations are being carried out on the safety audits undertaken by Bus Éireann on its buses; when these will be published; and if he will make a statement on the matter. [35813/06]

Minister for Transport (Mr. Cullen): At my request Bus Éireann has undertaken an examination of its company's systems and procedures for the management, operation and maintenance of its fleet and Bus Éireann has advised that its systems and procedures for its own fleet meet industry and international standards, and the requirements of the National Roadworthiness Test for goods vehicles and buses.

Separately, I have requested the Road Safety Authority to undertake a fundamental review of the arrangements for the compulsory periodic roadworthiness testing of goods vehicles and buses and this review is underway.

Question No. 39 answered with Question No. 19.

Light Rail Project.

40. **Ms Shortall** asked the Minister for Transport if his attention has been drawn to the public concern regarding the proposal to run Metro north above ground along Ballymun Road; his views on whether such a proposal will be injurious to the local environment; his further views on whether this proposal will prevent the Metro from running at full capacity at any point in view of its interaction with road traffic and pedestrians; and if he will therefore request the RPA to revise its proposals in order to keep the Metro underground until it has passed Ballymun estate. [35780/06]

Minister for Transport (Mr. Cullen): I refer the Deputy to my reply to Priority Question No. 5 today.

Rail Freight Services.

41. **Mr. Sargent** asked the Minister for Transport the number of tonnes of goods transported by rail to date in 2006; the estimated annual total for 2006; and his plans for the future regulation and development of national rail freight. [35864/06]

77. **Mr. Naughten** asked the Minister for Transport his views on the termination of freight services by Irish Rail; his Department's response to such a scenario; and if he will make a statement on the matter. [35823/06]

79. **Caoimhghín Ó Caoláin** asked the Minister for Transport his views on the moving of freight from rail to road; and the discussions he has had with Iarnród Éireann on this issue. [35840/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 41, 77 and 79 together.

Iarnród Éireann informs me that the company has carried over 1.07 million tonnes of rail freight in 2006 to date and estimates that 1.2 million in total will be carried in the full year.

Iarnród Éireann's goal is to return the rail freight business to profitability. To help achieve this turnaround, Iarnród Éireann has withdrawn from loss-making groupage, palletised and single container rail transport. However, Iarnród Éireann continues to pursue a policy of growing its rail freight business where opportunities present such as in bulk and trainload traffic.

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

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between the West of Ireland and the South East;

- 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; and
- has modified surplus platform wagons to provide a trainload service for containers between Ballina and Waterford Port.

I should add that Iarnród Éireann has undertaken extensive engagement with industry and transporters around the country to try and identify long-term sustainable business opportunities. They have had genuine difficulty in identifying business opportunities that offer reasonable volumes of business on a regular basis. It is not feasible to run trains with one or two containers and Iarnród Éireann has not identified sufficient business to group a number of separate activities together to form a viable trainload. Most Irish industry is focused on 'just in time' transport and as our road network continues to expand and improve across the country, the role of rail freight becomes more problematic because all rail journeys involve road movements at each end of the logistics chain. Furthermore, in Ireland distances are short. The experience across Europe is no different. Rail freight activities are most economic where distances are long, where there are large volumes to be transported and where the freight to be carried is not time sensitive.

As part of the engagement with industry, Iarnród Éireann works closely with port authorities, such as in Dublin relating to transport of lead and zinc and Waterford relating to container traffic, to increase rail based freight. The Government's Ports Policy Statement recognises the need for the integration of ports as a fundamental link in the supply chain, with other transport modes, including rail.

As regards the regulation of rail freight, I have introduced the European Communities (Access to Railway Infrastructure) (Amendment) Regulations 2005 (S.I. No. 780 of 2005), implementing EU Directive 2004/51 on the development of the Community's Railways. These Regulations open the freight market to competition from both domestic and foreign operators, from 1 January 2006 in the case of international freight, and from 1 January 2007 in the case of domestic freight operations.

I am open to any views on how we can expand rail freight. The market for rail freight will be fully liberalised in a matter of months and if there were opportunities I would welcome expressions of interest.

Park and Ride Facilities.

42. **Mr. Durkan** asked the Minister for Transport when he expects adequate parking facilities

to be provided in the vicinity of all railway stations throughout the commuter belt or enhanced feeder bus services in lieu thereof; the extent to which he expects to encourage and facilitate commuter rail transport in the next two years; and if he will make a statement on the matter. [35717/06]

67. **Mr. Noonan** asked the Minister for Transport the situation regarding parking capacities at the Rush and Lusk, Portmarnock, Skerries, Balbriggan and Malahide train stations; his plans to expand these facilities in view of the significant growth in population in these areas; and if he will make a statement on the matter. [35819/06]

103. **Ms Shortall** asked the Minister for Transport the number of official park and ride sites currently operating in Dublin, Cork, Galway and Waterford with a breakdown for each city and the mode of transfer from that site in each case; and the further park and ride sites that are scheduled to be provided within the next two years with a breakdown by location, capacity and mode of transfer. [35769/06]

197. **Mr. Durkan** asked the Minister for Transport the number of car parking spaces expected to be provided adjacent or convenient to each of the commuter rail stations throughout County Kildare; and if he will make a statement on the matter. [36063/06]

198. **Mr. Durkan** asked the Minister for Transport the daily passenger throughput and capacity at the Kilcock, Maynooth, Leixlip, Confey, Hazelhatch, Sallins, Newbridge, Kildare and Monasterevin railway stations; the extent to which it is expected to increase such volume in the near future; the amount of car parking currently available; the amount anticipated or required in the short term; and if he will make a statement on the matter. [36064/06]

202. **Mr. Durkan** asked the Minister for Transport when he expects adequate parking adjacent to all railway stations to become available with particular reference to the need to encourage motorists onto rail transport thereby alleviating road traffic congestion; and if he will make a statement on the matter. [36068/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 42, 67, 103, 197, 198 and 202 together.

Park and ride facilities are an important component in encouraging people to transfer from private cars and onto public transport. I have therefore made funding available under Transport 21 for the capital costs of developing park and ride facilities. These developments will be taking place at the same time as both intercity and commuter rail services are expanded over the coming years. However, information regarding

passenger carryings and the capacity of services at each station is an operational matter for the company.

Iarnród Éireann has park and ride facilities at the majority of the 134 railway stations throughout its network. These vary from small on street facilities to large pay facilities at major stations. The largest of these are at Greystones, Coolmine, Kildare and Newbridge. In addition, Dún Laoghaire Rathdown Council operate a pay car park at Salthill station. Both Connolly and Heuston Stations have dedicated pay car parks for Intercity users. There is a pay parking facility at Cork Station and Galway Station has a limited number of spaces for public use. There is also car parking at Waterford. Iarnród Éireann plans to expand the parking facilities at Cork and at Galway.

Iarnród Éireann have been extending car parking facilities at all locations where Iarnród Éireann has land available. Over the past few years this has included Portmarnock, Newbridge, Killester, Clontarf Road and Skerries. Iarnród Éireann is currently undertaking car parking extensions at Mallow, Ennis and Leixlip Louisa Bridge. However, the actual capacity of car parking facilities is an operational matter for the company.

My Department is also funding, as part of Transport 21, a study by Irish Rail into the prioritisation of car-park initiatives across the rail network, with a view to developing a strategic, programmed approach to the provision of car-park facilities in the future. In the meantime, all new station developments on commuter networks in the GDA and the rest of the country are designed to include car-park facilities. There are currently four park and ride sites along the existing Luas network at Red Cow, Sandyford, Stillorgan and Balally. The mode of transfer in each case is primarily between car and Luas.

The RPA proposes to open a new park and ride facility adjacent to the Luas Tallaght stop within the next two years.

There is a highly successful bus-based park and ride facility at Black Ash in Cork. This is currently the only bus-based park and ride facility in operation in the regional cities, but I understand that several authorities are considering possible sites.

The Dublin Transportation Office (DTO) continues to consider any opportunities that may arise for the development of bus-based park and ride facilities, where the facility provides a competitive journey time, compared with a similar journey by car.

Question No. 43 answered with Question No. 6.

Marine Safety.

44. **Mr. O'Dowd** asked the Minister for Transport his position on the provision of a national

emergency tug vessel; when a decision will be reached on the need for such a vessel; and if he will make a statement on the matter. [35825/06]

Minister for Transport (Mr. Cullen): I have on many occasions pointed out to the House that I am aware of the importance of providing emergency towing vessel (ETV) facilities, including in an EU and Ireland-UK context.

While the benefits of having an ETV facility are known, the very significant cost of the facility has meant that, in the context of other marine emergency response priorities, it has not been possible to date to put permanent ETV arrangements in place.

The Coast Guard is looking at this issue and will advise me on suitable options. It is not, therefore, possible at present to bring forward specific measures for an ETV facility.

Question No. 45 answered with Question No. 37.

Question No. 46 answered with Question No. 6.

National Car Test.

47. **Mr. Hayes** asked the Minister for Transport if there is a provision for a road worthiness test for imported vehicles; and if he will make a statement on the matter. [35830/06]

Minister for Transport (Mr. Cullen): In accordance with EU Directive 96/96/EC, motor vehicles and trailers are liable to compulsory periodic roadworthiness testing. Passenger cars are liable to testing when they are 4 years old and every 2 years thereafter while commercial vehicles are liable to testing when they are 1 year old and every year thereafter.

As a consequence of the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the Road Safety Authority is now responsible for vehicle standards including vehicle testing.

Light Rail Project.

48. **Mr. Boyle** asked the Minister for Transport when he expects the proposed metro to go to tender; and the cost benefit analysis of the project that has taken place internally within his Department and within the Department of Finance. [35855/06]

51. **Mr. Kenny** asked the Minister for Transport the reason he is not in a position to reveal the estimated cost of the Metro north project; and if he will make a statement on the matter. [35797/06]

70. **Ms Enright** asked the Minister for Transport if a decision has been reached as to who will be responsible for funding the cost of developing

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an underground rail station at Dublin Airport; if he has a personal view on this issue; the discussions which have been undertaken between his Department and other relevant parties on this issue; and if he will make a statement on the matter. [35816/06]

105. **Ms Lynch** asked the Minister for Transport when he intends to publish the full costings and business case for Metro north; the amount this project has cost to date; and when he expects to invite tenders for the construction of this project. [35762/06]

186. **Mr. Callely** asked the Minister for Transport the expected time schedule for the delivery and operation of the Dublin Metro system; the costs associated with same; the level of funding that has been allocated; and if he will make a statement on the matter. [35888/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 48, 51, 70, 105 and 186 together.

Metro North is a key component in the overall public transport network that this Government proposes to develop as part of its investment framework, Transport 21.

Subject to an enforceable Railway Order, construction of Metro North is due for completion in 2012.

I announced the preferred route for Metro North on 19 October last. This 17 kilometre route was approved by the Board of the RPA, following a robust evaluation and a detailed public consultation process, which involved consideration of four possible route options.

The next step in this process will focus on consultations in relation to the design and possible construction methods of the tunnels, track layout and stations along the chosen route.

Metro North will be procured as a public private partnership (PPP), funded through annual availability payments, over a period of approximately 30 years. The PPP pre-qualification process is likely to commence in the next few months. I am advised by the RPA that it expects the proposed Metro North project to go to tender in the summer of 2007.

The strategic transportation and economic case for the Metro and Luas network is contained in the Dublin Transportation Office's (DTO) "A Platform for Change" strategy document published in 2001. Following detailed transportation modelling and thorough analysis, the DTO strategy recommended the development of an integrated public transport network including a Metro and additional Luas lines. The DTO strategy was the subject of an economic evaluation by independent consultants which is reported on in the published document.

The RPA undertook detailed economic and transportation analysis which confirmed the case

for Metro North and concluded that the project has a positive benefit to cost ratio. This work formed part of the commercially confidential Outline Business Case.

In addition, further independent evaluation of the Metro project was undertaken on behalf of the Department of Finance. The Joint Oireachtas Committee on Transport also commissioned an independent consultant's report, which supported the RPA analysis. This is available on the Oireachtas website. All of this independent evaluation supported the RPA's prudent approach in the Outline Business Case.

I have continually stated publicly that I am not in a position to release details of the costs for the Metro route because the details are commercially sensitive from the point of view of protecting public funds and getting best value for money. A further consideration is that this approach is in compliance with section 2.7.9 of the Department of Finance Public Private Partnerships Guidelines. This section of the guidelines deals with the Public Sector Benchmark (PSB), which must be prepared in the case of PPP projects and include estimates of the capital cost of the projects; the section reads as follows and I quote:

Current policy is that the final PSB, or any elements thereof, is not made public, on the basis that revealing the amount that the State is willing to pay for a service may give tenderers an opportunity to increase their asking price above what they might otherwise seek. For this reason, where the public sector is likely to want to procure a similar project in the same or other sectors in the foreseeable future, such information should not be released even after the completion of the procurement process.

In the case of a once-off project, where there is not likely to be any similar procurement in the future, the release of the PSB after the contract has been signed could be considered.

On this basis, consideration will be given to the release of information regarding the costings of Metro North after the signing of the contract for the project.

I can advise the House that €14.4m has been spent on the Metro project to date. This cost includes work on route selection, preparation of the business case, environmental assessments, preparation for the procurement of metro and design for a railway order application, as well as detailed geotechnical investigations.

In relation to the underground station in Dublin Airport, I understand that the RPA have requested assistance from the Dublin Airport Authority (DAA) for funding of this station. Discussions are ongoing between the RPA and the DAA on this matter.

Question No. 49 answered with Question No. 18.

50. **Mr. Rabbitte** asked the Minister for Transport the position regarding the proposed extension to Luas and new Luas lines; and the time-scale proposed for these works. [35787/06]

Minister for Transport (Mr. Cullen): The Railway Procurement Agency (RPA) has made substantial progress on the Luas projects contained in Transport 21.

The current situation relating to these Luas projects is as follows.

- *Luas Spur to City West (A1)*

Following agreement with developers in relation to contributions to the cost of the proposed spur off the Tallaght Luas line to City West, the RPA launched an up-dated public consultation in August 2006. The up-date concerns a new proposed terminus at Saggart involving an extra 0.8km of Luas track; the overall revised length of the proposed spur to City West is 4 km. As a result of the negotiations to extend the line and the lands covered by a development levy and subject to an enforceable Railway Order, the scheduled completion date for this project is 2010.

- *Luas Extension to Cherrywood (B1)*

I signed the Railway Order for the Luas extension to Cherrywood on 14 August 2006. However, in early October a third party sought leave in the High Court to challenge the grant of this Order, by way of judicial review. This matter is now before the courts. The scheduled completion date for this project is dependent on the outcome of the High Court proceedings. An early and successful conclusion to these proceedings would permit a scheduled completion date of 2010.

- *Luas Extension from Cherrywood to Bray (B2)*

Public consultation on the further extension of the Luas from Cherrywood to Bray was launched on 14 August 2006. Subject to an enforceable Railway Order, the scheduled completion date for this project is 2015.

- *Linking of Luas lines in City Centre (BX/D)*

The Railway Procurement Agency (RPA) began a public consultation on five potential routes for connecting the two existing Luas lines in November 2005. I understand that the RPA is engaged in dialogue with Dublin City Council, Dublin Bus and the Dublin Transportation Office in relation to the implications of the potential routes for bus services and other road users. Subject to a satisfactory outcome of those discussions, the RPA expects to identify a preferred option in the coming months and following this an application for a Railway Order will be made. The construction timescale will be dependent on the route chosen following the public consultation and the discussions with stakeholders and on the outcome of the statutory approval process.

A further stage of this project will extend the line to Liffey Junction via Grangegorman and Broadstone. Subject to an enforceable Railway Order, the scheduled completion date for this project is 2012.

- *Luas Extension to the Point Depot (C1)*

The public inquiry into the proposed Luas extension 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 all the relevant documentation, including the Inspector's report, and will make a decision on the RPA's application for a Railway Order in due course. Subject to an enforceable Railway Order, the scheduled completion date for this project is 2008.

- *Lucan to City Centre (Luas F)*

A feasibility study on route alignments for the Lucan Luas line is ongoing. Subject to an enforceable Railway Order, the scheduled completion date for this project is 2013.

- *Extension of Trams on Tallaght Line*

The capacity enhancement project on the Tallaght Luas line is on schedule to deliver an additional 40% in capacity by 2008 through the extension of the trams from 30 to 40 metres. The first of the extended trams is scheduled to enter service in mid 2007.

Question No. 51 answered with Question No. 48.

Question No. 52 answered with Question No. 37.

Question No. 53 answered with Question No. 17.

Traffic Management.

54. **Mr. Costello** asked the Minister for Transport his proposals in respect of Operation Freeflow in Dublin City for the Christmas 2006 period; when it is proposed to commence and finish this operation; and the resources that will be allocated for same. [35789/06]

Minister for Transport (Mr. Cullen): The planning of Operation Freeflow is a matter for the Operation Freeflow Committee, which is chaired by An Garda Síochána and brings together the relevant local authorities and public agencies.

I understand from the Dublin Transport Office that Operation Freeflow 2006 will be launched on 27 November 2006, and will run until 7 January 2007. I understand that full operational details and the resources required are being finalised by the Freeflow Committee, and will be promoted in advance of the launch. As in previous years, Operation Freeflow will include a range of measures to improve traffic flow in Dublin during

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the Christmas and New Year period, including the deployment of additional Gardaí on traffic duty in the City.

Question No. 55 answered with Question No. 31.

Aer Lingus.

56. **Mr. S. Ryan** asked the Minister for Transport the action he intends taking to block the proposed Ryanair takeover of Aer Lingus. [35776/06]

97. **Mr. P. McGrath** asked the Minister for Transport the measures he will pursue to safeguard the taxpayers' interest in Aer Lingus; and if he will make a statement on the matter. [35834/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 56 and 97 together.

I refer the Deputies to the reply to my Priority Question No. 3 today.

Public Transport.

57. **Mr. Crowe** asked the Minister for Transport the way he intends to encourage greater use of public transport in view of the increasing volume of traffic, particularly in the greater Dublin area, and in view of a number of serious incidents on buses in the Dublin area. [35838/06]

99. **Mr. G. Mitchell** asked the Minister for Transport his plans to announce further public transport projects for Dublin. [35597/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 57 and 99 together.

Investment in public transport is a critical element of Government policy on transport for the Greater Dublin Area (GDA). Transport 21 is designed to inject a large amount of additional capacity into the public transport network over the next ten years, with a total investment of over €16bn in the GDA over its investment period.

By developing Metro North, Metro West, by extending the Luas network; by providing greater capacity on the DART and suburban rail network and by increasing significantly bus capacity, the annual number of public transport passenger journeys in Dublin will almost double. The objective is a four-fold increase in the numbers using suburban rail, while it is expected that over 100 million passengers will take the Luas and Metro every year when Transport 21 is delivered in full. Combined with a 60% increase in bus capacity, the target for passenger journeys in 2015 is 375 million as against approximately 200 million today.

Substantial traffic management measures in the Greater Dublin Area will also be required.

Transport 21 includes substantial funding provision for traffic management measures as an integral part of the transportation strategy for the Greater Dublin Area. The strategy aims to increase the modal share of public transport through infrastructure and service improvements and by encouraging a transfer of trips from the private car to more sustainable modes of transport.

In January of this year, the Dublin Transportation Office reviewed the bus priority programme in the context of the goal set in Transport 21 to double the length of bus priority infrastructure in the GDA within the 10-year period of Transport 21. A number of projects are now being implemented during the first 5 years of the period. In addition, last month, the DTO agreed to develop a public information programme to encourage less frequent use of single occupancy cars in the peak travel periods.

I should add that issues of personal security on buses are dealt with directly between the bus operators concerned and the Garda Síochána.

Traffic Management.

58. **Ms O. Mitchell** asked the Minister for Transport if his Department has held talks with the new Dublin director of traffic; and if he will make a statement on the matter. [35810/06]

Minister for Transport (Mr. Cullen): The Director of Traffic of Dublin City Council is a member of the Steering Committee of the Dublin Transportation Office and officials of my Department have met him in that capacity and also directly on matters related to traffic management.

State Airports.

59. **Mr. Sargent** asked the Minister for Transport the cost benefit analysis carried out on the second terminal for Dublin Airport; the proposed access links between the south and north second runway; and the proposed traffic management measures for the accommodation of the projected increase in passengers through the eastern campus of the airport. [35863/06]

Minister for Transport (Mr. Cullen): The Aviation Action Plan, adopted by Government in May 2005, mandated the building of a second terminal in Dublin airport by the Dublin Airport Authority (DAA). This decision was driven by the urgent need to provide for additional capacity at the airport in response to the phenomenal growth in passenger numbers there in recent years.

Given this mandate it is now the responsibility of the DAA to proceed with meeting the Government's objective of having this new terminal in place by 2009. The DAA is required to take full account of the capital appraisal guidelines issued by the Department of Finance and responsibility

for compliance with the guidelines rests with the board of the company.

The present position with regard to the proposed new terminal is that the planning application was approved, with conditions, by Fingal County Council last week. The application was submitted following wide-ranging consultation with users, statutory authorities and other interested parties. Subject to the outcome of the planning process, construction of the new terminal will begin in summer 2007.

The site selected by the DAA for the second terminal is considered to be the optimal location for a new terminal in the context of the long term, cost effective development of the airport. The site makes best use of the existing utilities and was selected with advice from a team of international aviation design experts.

The consultants appointed by my Department to verify the specification and cost of T2 concluded that the methodology, approach and execution of the planning objectives and considerations for passengers adopted by the DAA accords with best practice. They also found that the estimated cost of the new terminal is within industry norms for this type of project in a European capital city.

The proposed access routes to the airport between the existing southern runway and the proposed new northern runway will be upgraded as conditioned by Fingal County Council in their notification of decision to grant permission for T2.

The T2 planning application also included proposals for an upgraded internal campus road scheme with capacity to cater for increased traffic volumes from the projected increase in passenger numbers. The scheme includes plans for new roads, widening of existing roads, set down and pickup areas for both public and private transport, bus lanes on all entry and exit routes and the provision of upgraded bus and coach facilities. In addition, the scheme also safeguards an area for an underground metro station adjacent to both T1 and T2.

A Mobility Management Framework Plan was also submitted as part of the planning application. This plan outlines how the Dublin Airport Authority proposes to achieve a sustainable balance in the mix of public and private transport among all users of Dublin Airport.

Insurance Industry.

60. **Ms B. Moynihan-Cronin** asked the Minister for Transport the action he is taking, to support competition in the general vehicle insurance market, and particularly in the insurance markets for motorcycles and wheelchair accessible hire vehicles. [35778/06]

Minister for Transport (Mr. Cullen): Competition Policy issues are a matter for my colleague the Minister for Enterprise, Trade and Employ-

ment and all Government Ministers are prevented by EU law from intervening in the motor insurance market. I would like to state that I welcome competition in the motor vehicle insurance market.

By means of the Government Insurance Reform Programme initiated in 2002, much has been achieved which has led to a fall in motor insurance premia of almost 31.5% between April 2003 and September 2006. Wheelchair accessible hire vehicles are classified within the general motor vehicles classification. Motor cycle insurance premia have not shown a similar reduction but have remained at the same level between February 2004 and September 2006 which means that motor cycle insurance premia have reduced in real terms.

Because of the number of fatalities and serious injuries among motor cyclists which result in high insurance claims, some motor insurance companies are reluctant to enter this segment of the motor insurance market.

Port Development.

61. **Mr. Naughten** asked the Minister for Transport his views in respect of the relocation of Dublin Port; if this is Government policy; and if he will make a statement on the matter. [35822/06]

78. **Mr. Cuffe** asked the Minister for Transport if he has carried out an analysis on the possible relocation of activities from the Dublin south port to allow for future developments to take place in this area. [35857/06]

Minister of State at the Department of Transport (Mr. Gallagher): I propose to take Questions Nos. 61 and 78 together.

As I indicated in (i) response to Parliamentary Question No. 155 of 3 May 2006 and (ii) a Seanad Éireann Adjournment Debate of 27 June 2006, my Department has no proposals to move Dublin Port from its current location.

Dublin Port is a State-owned company established under the Harbours Act 1996. The Act provides that the company is required to take all proper measures for the management, control, operation and development of its harbour. Decisions regarding the use of the land within the port estate are primarily a matter for the port company and its board. Changes to the use of land may also require planning permission.

The Government's 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. It recognises that one of the key challenges that lie ahead is the provision of adequate in-time port capacity, particularly for unitised trade (LoLo and RoRo).

Dublin Port is the country's premier port in terms of throughput and turnover, and as such is

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of vital strategic importance to our trading economy. Dublin Port currently handles some 76% of the State's RoRo trade and some 59% of the LoLo trade.

My Department recently published the broad conclusions of a study it commissioned to determine whether national port capacity requirements could be met adequately by a combination of projects currently being planned and progressed by the ports sector.

As part of this study, submissions were received from seven ports around the country with expansion plans, including Dublin Port Company. Dublin Port Company outlined proposals both to increase capacity at some of its existing container terminals and to build new terminals as part of its proposal to reclaim 21 hectares of foreshore.

Drogheda Port Company also made a submission regarding a separate proposal to build a new multi-purpose port at Bremore, in north County Dublin. The Bremore proposal is being advanced by Drogheda Port Company as a stand-alone project and is not dependent or linked to any relocation of activities in Dublin Port.

The National Spatial Strategy does identify strategic merit in relieving pressure on Dublin Port through targeted interventions in building up port capacity elsewhere. The recent study concludes that all the projects are generally consistent with the objectives of the National Spatial Strategy. All projects are located in or close to the five main gateways and six of the seven are outside Dublin city.

The focus of the Government's Port Policy is on national capacity issues. I have not carried out analysis specifically on Dublin south port. I am aware that in January 2005, Dublin City Council launched a Framework Plan for the Poolbeg peninsula. The plan sets out a vision for the peninsula, which includes extensive residential and other development on lands owned by, among others, Dublin Port Company. Dublin Port Company made a submission to the Council outlining its objections to the framework plan.

I also understand that the City Council is currently commissioning a wide ranging economic, amenity/recreational and environmental study of Dublin Bay, including the port area, with the aim of identifying and agreeing with key stakeholders, a guiding framework for its future overall development.

Road Safety.

62. **Mr. J. O'Keefe** asked the Minister for Transport his views on mandatory blood testing at the site of serious road accidents, or shortly after; and if he will make a statement on the matter. [35805/06]

Minister for Transport (Mr. Cullen): The Road Traffic Acts provide that a member of the Garda

Síochána may require a person in charge of a mechanically propelled vehicle to provide a preliminary breath specimen where the vehicle is involved in a road collision. Garda discretion in relation to the use of preliminary roadside tests in such circumstances is necessary, having regard to possible injuries sustained, and I do not propose to alter that position.

The Road Traffic Acts also place an obligation on a person to provide a blood or urine sample in a hospital. This applies where an event occurs involving a vehicle which results in a person being injured, or a person claiming or appearing to have been injured, where the person is admitted to or attends a hospital, and a member of the Garda is of the opinion that, at the time of the event, the person had consumed an intoxicant. An intoxicant includes alcohol and drugs or any combination of alcohol and drugs.

State Airports.

63. **Mr. Deenihan** asked the Minister for Transport if the complete break-up of the three State airports is now permanently on hold; and if he will make a statement on the matter. [35815/06]

Minister for Transport (Mr. Cullen): The State Airports Act, 2004 provides the framework for the establishment of Shannon and Cork as independent airports. Under the Act, both the Minister for Finance and I will have to be satisfied as to the state of operational and financial readiness of the three airports before any vesting of assets can take place.

All three Airport Authorities are currently working on the production of business plans for the post-independence era. Recognising that the three airports will require coordinated strategies for the achievement of operational and financial readiness, the Dublin Airport Authority (DAA) is overseeing the consistency of the assumptions and strategies of each business plan.

The actual timing of airport restructuring will be contingent on the creation of the appropriate conditions that will ensure the financial sustainability of all three State Airports.

I can assure the Deputy that Airport restructuring has not been put on hold, but I have not imposed any artificial deadlines for the completion of the process. My Department will continue to liaise with all three authorities on the business planning timetable.

Railway Stations.

64. **Mr. Ring** asked the Minister for Transport the progress made in respect of a new rail station at Spencer Dock; if he is confident that this station will be opened during 2007; and if he will make a statement on the matter. [35826/06]

Minister for Transport (Mr. Cullen): Work on all aspects of the project, track and signalling, platforms and the station building itself, are

underway and I understand that Iarnród Éireann is targeting April 2007 as the date for completion.

65. **Ms C. Murphy** asked the Minister for Transport his views on the need for improved footpath access, lighting, feeder bus service, and other associated services for train stations in order to facilitate ease of access for potential and existing users; the discussions that have taken place with interested parties, including local authorities, regarding the continued improvement of such modes of access and services; and if he will make a statement on the matter. [35836/06]

Minister for Transport (Mr. Cullen): The issues raised by the Deputy are primarily operational matters for Iarnród Éireann.

Under the National Development Plan 2000-2006, substantial Exchequer funding has been provided for improvements at stations throughout the network. Such improvements include upgrade works on stations and access to stations, platforms, lighting, signage, car-parks, etc.

Where new stations are being built, for example as part of the Cork Commuter Services project and the Kildare Route Project, a high standard of customer facilities is specified in the design, including for extensive car parking facilities and for pedestrian and cyclist access.

Access and services are further enhanced through the requirement that all investments in both new and existing facilities comply with the Department's Sectoral Plan under the Disability Act 2005. This Plan establishes a framework for a high standard for access generally to public transport services, and was developed in consultation with disability and other user groups.

Iarnród Éireann has informed me that regular liaison meetings are held with local authorities with regard to new station developments and station upgrade schemes.

Iarnród Éireann also informs me that it operates a number of feeder bus services jointly with Dublin Bus at Sutton; Blackrock; Dún Laoghaire and Connolly (for Heuston station).

Light Rail Project.

66. **Mr. Boyle** asked the Minister for Transport when he expects to join the two existing Luas lines in Dublin City centre; and the preferred route option for such a connection. [35856/06]

106. **Ms Enright** asked the Minister for Transport the progress made in relation to the proposal to join up the two existing Luas lines; when this will be completed; and if he will make a statement on the matter. [35817/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 66 and 106 together.

The Railway Procurement Agency (RPA) began a public consultation on five potential routes for connecting the two existing Luas lines in November 2005. I understand that the RPA is

engaged in dialogue with the City Council, Dublin Bus and the Dublin Transportation Office in relation to the implications of the potential routes for bus services and other road users. Subject to a satisfactory outcome of those discussions, the RPA expects to identify a preferred option in the coming months and following this an application for a Railway Order will be made.

The construction timescale will be dependent on the route chosen following the public consultation and the discussions with stakeholders and on the outcome of the statutory approval process.

Question No. 67 answered with Question No. 42.

School Transport.

68. **Mr. Morgan** asked the Minister for Transport if, in view of the number of accidents, he has had or intends to have meetings with the Department of Education and Science and the relevant stakeholders in connection with enhancing the safety of public school transport. [35845/06]

Minister for Transport (Mr. Cullen): The Minister for Education and Science is responsible for the State school transport scheme. As a consequence of the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) responsibility for matters relating to vehicle and driver safety standards, including with respect to school transport, is now assigned to the Road Safety Authority.

Cycle Facilities.

69. **Mr. Eamon Ryan** asked the Minister for Transport the role he has played in developing a national cycle way network as laid out in the National Development Plan 2000 to 2006; the amount spent on the project to date; and his plans for the future development of the network. [35854/06]

Minister for Transport (Mr. Cullen): This Government has committed itself to promoting cycling as a viable alternative mode of transport, as is made clear in the Programme for Government, which states: "We will invest in expanding the national network of cycleways in order to encourage more people to cycle and to promote cycling as a safe and healthy mode of travel" — Programme for Government, Page 14, June 2002. It is Government policy to make provision for the bicycle as a separate mode in the design and maintenance of roads.

While the provision of cycle ways and cycle parking is, in the first instance, a matter for the relevant local authorities, my Department provides funding to local authorities for such facilities.

Approximately €30m has been provided by my Department to the Dublin Transportation Office for the provision of cycling facilities in the

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Greater Dublin Area since 1994. €1m was provided in 2005 and €2.2m in 2006. The investment of bus priority funding and cycling-only spending over the years has resulted in some 300 kms of cycle facilities being provided, as well as cycle parking facilities throughout the GDA.

The DTO cycletrack design manual (“Provision of Cycling Facilities: National Manual for Urban Areas”), published in 1997, provides guidance on the design of cycle facilities in Ireland. It is available on the DTO website at www.dto.ie/web2006/chapter1.pdf.

The manual is supplemented by the DTO Traffic Management Guidelines, published in September 2003 in conjunction with the Department of Transport and the Department of Environment, Heritage and Local Government.

The DTO Steering Committee adopted a Cycle Policy for the Greater Dublin Area (GDA) at its September 2006 meeting. The policy proposes to enhance the cycling environment in the GDA and promote cycling by a variety of means, including creating a continuous cycle-friendly environment on cycle routes and training and education measures.

Outside of Dublin, the framework for the promotion of cycling in the regional cities is set out in the relevant land use and transportation strategy or in the relevant Development Plan or Local Area Plan. The Cork Area Strategic Plan contains proposals to improve facilities for cyclists and promote safe cycling in the city, and Cork City Council has since also developed a cycle network strategy. In Galway, the City Development Plan includes proposals for improving facilities for cyclists. Limerick City Council approved a cycle strategy for Limerick in May 2004, while the Waterford City Development Plan includes proposals for improving facilities for cyclists.

My Department is working with these authorities in the development of their plans and providing funding for their implementation.

Question No. 70 answered with Question No. 48.

Port Development.

71. **Mr. Allen** asked the Minister for Transport his plans in place to increase port capacity nationally; and if he will make a statement on the matter. [35798/06]

Minister of State at the Department of Transport (Mr. Gallagher): While the Government, both as shareholder and policy maker, has a clear interest in ensuring the provision of adequate, cost effective port capacity for our growing economy, the development of the necessary capital projects is primarily a matter for the individual port companies and their boards. This is in line with the commercial mandate given to the port companies under the Harbours Act 1996.

The Government’s 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 (LoLo and RoRo). The Policy Statement sets out a framework to ensure that capacity needs are identified, planned and progressed in a coordinated manner.

As part of this process, in September 2005 my Department appointed 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 seven 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 and in July 2006 the Government noted its conclusions. An Information Paper outlining the broad conclusions of the report was published recently on www.transport.gov.ie.

In summary, the study concludes that there is currently significant available capacity for LoLo traffic at Irish ports. Current available capacity for RoRo traffic also exists, although less so than in the case of LoLo. The conclusions of the study clearly demonstrate that the projects being progressed by the ports sector have the potential to deliver adequate capacity going forward, in line with the Government’s Ports Policy.

My Department will closely monitor the progress of these proposals, and for its part will certainly do what is necessary to ensure the statutory and other corporate governance requirements are dealt with expeditiously.

Regional Airports.

72. **Dr. Cowley** asked the Minister for Transport if he will provide the necessary investment for Ireland West Airport, Knock, to enable this ever expanding regional airport to expand and to work at its full potential; and if he will make a statement on the matter. [33225/06]

Minister for Transport (Mr. Cullen): The level of Exchequer funding for capital expenditure at Ireland West Airport Knock and at the other regional airports in the years ahead will be determined within the framework of a new scheme recently introduced by my Department to ensure that such funding is in compliance with the legally-binding EU guidelines on financing of air-

ports which were published towards the end of last year.

Under the Capital Expenditure Grant Scheme, applications from the regional airports will be assessed by reference to a planning and implementation framework extending to 2010 and a budget of €65 million out of the total of €100 million for which Transport 21 provides up to 2015. As well as the continuation of grant assistance for essential safety and security capital expenditure under the NDP, all regional airports are eligible for capital expenditure grants where demand for additional air services can be demonstrated and where an economic case can be made to justify increased investment.

At my Department's request, all of the regional airports including Ireland West Airport Knock have submitted proposals for funding under the new scheme. These grant applications are being assessed and prioritised by my Department with the assistance of expert advice and I expect to be in a position to announce each airport's allocation under the scheme before the end of the month.

Road Safety.

73. **Mr. Deasy** asked the Minister for Transport if he will introduce measures to deal with the problem of spraying from HGVs in wet weather conditions; and if he will make a statement on the matter. [35831/06]

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 vehicle standards.

Question No. 74 answered with Question No. 37.

75. **Aengus Ó Snodaigh** asked the Minister for Transport his views on whether seat belt reminders in all new cars should be mandatory; and if he will make a statement on the matter. [35843/06]

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 vehicle standards.

76. **Mr. McGinley** asked the Minister for Transport his views on the introduction of roadside drug driving testing; when he will introduce same; and if he will make a statement on the matter. [35806/06]

Minister for Transport (Mr. Cullen): It is illegal in Ireland to drive while under the influence of drugs to such an extent as to be incapable of having proper control of the vehicle. The evidential testing in a Garda station for the presence of drugs is already provided for in the Road Traffic

Acts. Currently, there is no legislative provision to allow for preliminary roadside testing for drugs as there is no available approved method for the taking of such a test. However, significant research in relation to this issue has been and continues to be pursued, and the Medical Bureau of Road Safety is keeping abreast of developments in this area.

Question No. 77 answered with Question No. 41.

Question No. 78 answered with Question No. 61.

Question No. 79 answered with Question No. 41.

Aviation Security.

80. **Mr. Timmins** asked the Minister for Transport his views on whether the absence of an air marshal training programme is a deficiency in Ireland's approach to preventing terrorism; and if he will make a statement on the matter. [32272/06]

Minister for Transport (Mr. Cullen): The Department of Transport has a primary role in relation to aviation security matters. Policy regarding air marshals involves close co-ordination between my Department, the Department of Justice, Equality & Law Reform and An Garda Síochána. Currently there are no plans to introduce an air marshal training programme. However, the matter is kept under continuous review.

Question No. 81 answered with Question No. 14.

Air Services.

82. **Mr. Durkan** asked the Minister for Transport his plans for the future of Aer Lingus; and if he will make a statement on the matter. [35716/06]

Minister for Transport (Mr. Cullen): This is a matter for the management of Aer Lingus, which is now a publicly listed company, and a matter in which I have no function.

Question No. 83 answered with Question No. 35.

Proposed Legislation.

84. **Mr. Howlin** asked the Minister for Transport when he proposes to fully commence all sections of the Road Traffic Act 2006. [35759/06]

Minister for Transport (Mr. Cullen): The Road Traffic Act 2006 was passed by the Oireachtas on 6 July 2006 and was signed by the President on 16 July 2006. I signed a Commencement Order in

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July which brought a number of the provisions in the Act into effect from Friday 21 July 2006. The provisions which were commenced included the key policy provisions promoted in the Act of Mandatory Alcohol Testing (MAT) checkpoints, a ban on the use of hand-held mobile phones while driving, and the legislative provision supporting the operation of privately operated speed cameras. The key policy initiatives set out in the Act were commenced without delay, and Mandatory Alcohol Testing Checkpoints have been operating effectively by the Garda since July. In addition, Section 16 of the Act was part-commenced with effect from 1 September 2006 in order to enable penalty points to apply to the offence of driving while holding a mobile phone. The remainder of that section (which introduces a number of new penalty point offences) has not yet been commenced.

Section 5 of the Act provides for the introduction of a fixed charge and disqualification for certain drink driving offences. This was not commenced immediately, pending the necessary administrative and enforcement preparations, which are now in hand. Neither section 5 nor the remainder of section 16 can be commenced until such time as the administrative and enforcement procedures are in place. Both sections require adjustments to the Garda Fixed Charge Processing and IT systems and in this context, it is not proposed to commence these sections at this time. A number of sections in the Act relate to the imposition of disqualification orders and fines by the courts. Consideration is being given to the commencement of these provisions in the near future. Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006, the Road Safety Authority (RSA) has responsibility for the oversight of the operation of the driver licensing system. Section 11 of the Road Traffic Act 2006 provides for the introduction of learner permits. This provision will be commenced when a supply of learner permits is available to licensing authorities to issue. It is a matter for the RSA to arrange for the supply of learner permits to licensing authorities. Similarly, sections 10 and 13 cannot be commenced until local authorities are in a position to issue learner permits.

Parking Regulations.

85. **Ms Burton** asked the Minister for Transport when he intends to update parking regulations to allow more flexibility to local authorities. [35764/06]

Minister for Transport (Mr. Cullen): The Road Traffic (Traffic and Parking) Regulations 1997 to 2005 are kept under continuous review and any proposals received from local authorities seeking amendments thereto are examined in my Department to determine if legislative changes are warranted and feasible.

Road Safety.

86. **Mr. McGinley** asked the Minister for Transport his views on a zero alcohol limit for learner drivers; if he will introduce same; and if he will make a statement on the matter. [35807/06]

Minister for Transport (Mr. Cullen): The Road Safety Authority is currently developing a new Road Safety Strategy for the period 2007–2012. The Strategy is expected to be finalised in the first quarter of 2007. With regard to the possibility of reducing the blood alcohol concentration limit for learner drivers to zero, I expect the Road Safety Authority to carry out a detailed examination of this issue, taking into account matters such as EU and best international practice. I would be happy for my Department to engage with the Road Safety Authority on the outcome of such a detailed examination.

Road Signage.

87. **Mr. Stagg** asked the Minister for Transport his policy regarding signage for alternative routes where roads or motorways are subjected to toll charges; if he is satisfied that this policy is being implemented fully and fairly; and if he will make a statement on the matter. [35595/06]

Minister for Transport (Mr. Cullen): Under Section 19 of the Roads Act, 1993, the National Roads Authority has overall responsibility for the planning and supervision of works for the construction and maintenance of national roads. More specifically, the NRA has responsibility, under Section 19(1)(c) of the same Act, to prepare, or arrange for the preparation of, schemes for the provision of road signs. In the circumstances I have no function in the matter.

Rail Network.

88. **Mr. G. Murphy** asked the Minister for Transport if he has signed the rail order to allow for the upgrade works on the Kildare line to begin; and if he will make a statement on the matter. [35801/06]

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 in relation to 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.

Air Services.

89. **Mr. J. O'Keefe** asked the Minister for Transport the position in relation to the conclusion of an Open Skies agreement between Ireland and the US; and if he will make a statement on the matter. [35804/06]

100. **Mr. Coveney** asked the Minister for Transport the position in relation to the bilateral transatlantic aviation agreement; and if he will make a statement on the matter. [35803/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 89 and 100 together.

The EU US Open Skies deal was discussed at the Transport Council on 12 October 2006. The Council underlined the importance it attaches to the conclusion of the EU US air transport agreement. It reaffirmed its unanimous satisfaction with the text of the draft agreement negotiated in November, 2005 but regretted the further delay in the US rule-making procedure relating to the ownership and control issue. The November, 2005 text includes the transitional measures relating to Ireland that I had agreed with my counterpart in the U.S. relating in particular to a phased change in the arrangements relating to Shannon.

The Council requested the Commission to continue its efforts, on the basis of further contacts with the United States to secure a satisfactory and balanced outcome with the necessary safeguards, including the transitional provisions, with a view to a decision at the December Transport Council. This would fulfil the commitments set out in the conclusion of the June 2006 EU US Summit in which both parties reaffirmed the commitment to reach agreement by the end of the year.

I again drew attention to the negative consequences of failure to finalise the agreement for those Member States that do not have open skies agreements in place already. I emphasized therefore the urgency of concluding this matter in December. In the meantime the existing arrangements in the Ireland US bilateral agreement will continue to apply.

I have given an undertaking to Aer Lingus that, in the event that an EU US agreement is not achievable within a reasonable timeframe, I intend to seek to implement, in accordance with applicable Community law, the essential elements of the transitional arrangements relating to Ireland by way of an amendment to the Ireland/United States bilateral treaty.

Public Transport.

90. **Ms C. Murphy** asked the Minister for Transport when the 200 extra buses allocated to Dublin Bus will be operational in their fleet; when the second round of the Dublin Bus network review, including the introduction of feeder

bus services, will be commenced; and if he will make a statement on the matter. [35835/06]

94. **Mr. Costello** asked the Minister for Transport if he will confirm the allocation of funding to Dublin Bus for the promised 100 new buses; the time scale for this delivery; and when they will be brought into service. [35783/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 90 and 94 together.

On the 28th of September 2006, my Department approved funding of €30m for the purchase of 100 additional buses and a further €2m for the upgrading of garage facilities at Broadstone. I understand from Dublin Bus that the additional buses will begin to enter into service by the end of the year. Delivery of the buses will be completed by end of January 2007. The deployment of the additional buses, including for feeder services, is a matter for Dublin Bus. In line with my announcement of 28 September, 100 buses are also to be procured by the proposed Dublin Transport Authority from the private sector, by way of competitive tendering. This forms part of an initiative to facilitate the entry of private operators by awarding franchises to operate routes accounting for 15% (approximately 200 buses).

Question No. 91 answered with Question No. 35.

Air Services.

92. **Mr. S. Ryan** asked the Minister for Transport the status of the Aer Lingus business plan on which the IPO was based in view of the recent announcement to cut job numbers in the company. [35782/06]

Minister for Transport (Mr. Cullen): This is a matter for the management of Aer Lingus, which is now a publicly listed company, and a matter in which I have no function.

Road Network.

93. **Mr. Wall** asked the Minister for Transport the progress in providing barrier free tolling on the M50; and when he expects same to be operational. [35788/06]

Minister for Transport (Mr. Cullen): The statutory power to levy tolls on national roads, to make toll bye-laws and to enter into toll agreements with private investors in respect of national roads, including the M50, is vested in the National Roads Authority (NRA) under Part V of the Roads Act 1993 (as amended by the Planning and Development Act 2000).

As the Deputy is aware, in January of this year, the NRA decided to replace the West-Link toll on the M50 by a single-point barrier free toll in 2008. The installation of barrier free tolling is a crucial element of the M50 upgrade which is

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underway at present. In that context, the NRA has initiated a tender competition for the provision of free flow tolling services with the objective of having free flow tolling arrangements operational on the M50 by mid 2008.

In relation to barrier free tolling legislation, I received Government approval on 17 October to the drafting of the Roads Amendment Bill 2006 which will include provisions to strengthen the statutory basis for barrier free tolling. I hope to bring the Bill before the Oireachtas by the end of this year.

Question No. 94 answered with Question No. 90.

Road Safety.

95. **Mr. Broughan** asked the Minister for Transport the progress made on the consideration of the use of non-transparent windows in vehicles; and when he expects to announce regulatory change in respect of such windows. [35758/06]

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 is now responsible for vehicle standards.

Light Rail Project.

96. **Ms Burton** asked the Minister for Transport when the route alignment proposals for Metro west will go before public consultation; and the time line thereafter for progressing the project. [35763/06]

Minister for Transport (Mr. Cullen): The Railway Procurement Agency has made good progress on identifying feasible alignments and I understand that a number of possible route options will be presented for public consultation in the coming weeks.

It is expected that a preferred alignment will be identified in 2007, taking into account the outcome of this stage of public consultation. Thereafter a design will be developed, an EIS will be prepared, a business case for the project will be prepared and a formal application for a Railway Order will be made.

In line with the timeframes set out in Transport 21, Metro West is scheduled for completion in 2014.

Question No. 97 answered with Question No. 56.

Question No. 98 answered with Question No. 6.

Question No. 99 answered with Question No. 57.

Question No. 100 answered with Question No. 89.

Traffic Management.

101. **Mr. G. Mitchell** asked the Minister for Transport his plans to introduce legislation to permit congestion charges in Dublin; and if he will make a statement on the matter. [35596/06]

Minister for Transport (Mr. Cullen): Transport 21 provides funding for demand management measures associated with the introduction and upgrade of transport infrastructure. I have constantly said that demand management, including congestion charging, will only be considered when a significant element of the new infrastructure is in place. Consequently, I have no immediate plans for legislation in this matter.

Question No. 102 answered with Question No. 17.

Question No. 103 answered with Question No. 42.

Road Traffic Offences.

104. **Mr. Allen** asked the Minister for Transport the additional measures which need to be put in place to allow for the introduction of mutual driving disqualification between Ireland and the UK; if this measure will be introduced in April 2007; and if he will make a statement on the matter. [35799/06]

Minister for Transport (Mr. Cullen): I refer the Deputy to my reply to Questions Nos. 6, 10 and 103 on Thursday, 28th September, 2006.

The framework for the mutual recognition of driving disqualifications is contained in the European Union Convention on Driving Disqualifications (98/C 216/01). The Convention relates to disqualifications arising from a range of specified traffic offences including drink-driving, speeding and dangerous driving. Irish legislation to support the application of the Convention is already in place and is contained in the Road Traffic Act, 2002.

In advance of the Convention fully coming into force and following a Ministerial meeting of the Transport Sectoral Group of the British-Irish Council on 9 February 2006, I have formally agreed with the UK Minister of State for Transport to enter into bilateral arrangements on the mutual recognition of driving disqualifications as envisaged in the EU Convention.

The UK Minister for State for Transport wrote to me recently advising me that the UK and NI authorities are working to have the necessary legislative and consultative processes complete to enable mutual recognition to be in place by April 2007. Officials continue to work to ensure that the necessary administrative arrangements are in place to enable relevant administrations to recog-

nise and take action on driving disqualifications occurring in the other jurisdiction.

Question No. 105 answered with Question No. 48.

Question No. 106 answered with Question No. 66.

Rail Network.

107. **Mr. Deenihan** asked the Minister for Transport his views on a rail link between Limerick and Shannon Airport; and if he will make a statement on the matter. [35814/06]

Minister for Transport (Mr. Cullen): In April of this year I requested that Iarnród Éireann undertake a feasibility study into a rail link from Ennis to Shannon. My Department is currently providing funding for this study. The company has engaged consultants to undertake this work. A steering group has been established, and includes a wide range of local interests. The study is expected to be completed by the end of the year.

Road Network.

108. **Mr. O'Dowd** asked the Minister for Transport if he will introduce legislation compelling local authorities to ensure the highest safety standards at road works by properly informing the public about road works and disposing of hazard signage when no longer needed; and if he will make a statement on the matter. [30971/06]

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. A separate category of orange coloured signs is provided by direction of the Minister for Transport in the Traffic Signs Manual for use at road works. The provision and subsequent timely removal of these signs at any location is a matter for each road authority.

Coroners Service.

109. **Mr. McHugh** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will introduce measures to ensure that all MRSA deaths are reported to the relative coroner where it is clear that the existence of the infection is either the primary or contributory cause of death and to have this fact properly reflected on the patients death certificate; and if he will make a statement on the matter. [35879/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The circumstances under which a death is reported to the relevant coroner falls within the jurisdiction of that coroner, being a quasi judicial authority charged with the independent investigation of death. Simi-

larly, it is a matter for the coroner to determine what information regarding a death he or she requires in order to carry out this function. I have no role in this process but I understand that there has been contact between the Health Service Executive and the Dublin City Coroner's office on the specific matter raised by the Deputy.

Citizenship Applications.

110. **Mr. Naughten** asked the Tánaiste and Minister for Justice, Equality and Law Reform the status of an application for citizenship by a person (details supplied); when the application will be completed; and if he will make a statement on the matter. [35881/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The reference number provided by the Deputy is a generic number assigned to persons who have submitted application forms for naturalisation which are defective in some way. These forms are returned to the applicants either for amendment or for resubmission of freshly completed application forms, depending on the nature of the defect.

In the absence of more details including the name of the individual concerned, it is not possible to provide a more complete response.

Tribunals of Inquiry.

111. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the names of the lawyers representing members of An Garda Síochána who have been afforded legal representation before the Morris Tribunal; and the amount paid to the aforementioned legal representatives at the latest date for which figures are available. [35882/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Approximately 70 members and former members of the Garda Síochána are not represented by the State either because they have so elected or where their actions are considered by the Garda Commissioner to be clearly in conflict with their positions as members of the Garda Síochána from the outset.

The State reimburses the legal costs of individuals including members of the Garda Síochána who are not represented by the State at the end of each module to the extent directed by the Tribunal in accordance with the relevant legislation. In that context, to date an amount of €609,538.46 has been paid to solicitors for the Garda Representative Association for work associated with the first module. Care was taken in the settlement of this bill of costs to ensure that all aspects of Judge Morris's ruling were complied with, particularly in respect of members whose costs were reduced or refused by reason of their non-cooperation or obstruction.

[Mr. McDowell.]

Finally, the names of the members of the legal team who represent the Commissioner and An

Garda Síochána at the Morris Tribunal and the amounts paid to them to the end of October 2006 are set out in the following table.

Garda Legal Team	2002	2003	2004	2005	2006
	€	€	€	€	€
Mr. Patrick Marrinan SC	142,027.00	549,943.00	552,304.00	476,437.50	435,600.00
Mr. Michael Durack SC	—	207,817.00	554,098.00	571,725.00	441,014.50
Ms Tara Burns BL	—	122,815.00	355,740.00	319,440.00	292,215.00
Mr. Paul Gormley BL	—	93,926.00	107,561.00	98,993.53	112,636.42
Mr. Eamon Leahy SC (RIP)	138,393.00	254,553.00	63,978.00	—	—
Ms. Nuala Butler SC	—	243,815.00	60,802.00	—	—

112. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the costs to the latest available date paid to lawyers representing him at the Morris Tribunal; the names of the lawyers representing him; and the

amount paid to each of the aforementioned. [35883/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The information sought by the Deputy is set out in the following table. The details are up to and including the 31 October 2006.

Department Legal Team	2002	2003	2004	2005	2006
	€	€	€	€	€
Mr. Paul O' Higgins S.C.	41,460.00	36,780.00	77,611.00	30,492.00	105,958.76
Mr. Fergal Foley BL	26,015.00	25,908.00	51,280.00	59,969.00	41,900.96
Ms. Mary Kerrigan BL	—	46,224.00	3,575.00	—	—

Crime Prevention.

113. **Dr. Upton** asked the Tánaiste and Minister for Justice, Equality and Law Reform the action that will be taken to prevent bogus charities from operating door to door collections; if his attention has been drawn to the fact that these operators have been alleged to intimidate genuine charities; and if he will make a statement on the matter. [35910/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I can inform the Deputy that it is an offence, under Section 21 of the Street and House to House Collections Act, 1962, for a person to wrongfully interfere, whether by using violence or intimidation or otherwise, with the holder of a legitimate collection permit engaged in a collection in respect of which that authorisation was granted. Allegations of criminal activity, whether under this provision or otherwise, should be brought to the attention of the Gardaí.

I can further inform the Deputy that my colleague, the Minister for Community, Rural and Gaeltacht Affairs is currently preparing a new Charities Regulation Bill. My understanding is that it is anticipated that the Bill will be published in early 2007 and will enhance the protections available for the public in this regard.

Pre-Nuptial Agreements.

114. **Mr. Kehoe** asked the Tánaiste and Minister for Justice, Equality and Law Reform when the working group looking at the issue of pre-nuptial agreements, as announced in the week ending 28 October 2006, will be set up; the number of persons who will be on the working group; and when they will be in a position to finalise their report. [35968/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Following recent Government approval of my proposal, I expect to announce the composition of the working group on pre-nuptial agreements in the coming weeks. The group will consist of a small number of experts in family law and will include representatives of my Department and the Attorney General's Office. The group will study the operation of the law in this area and will be asked to report within a short timeframe.

Citizenship Applications.

115. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform the progress of the application for naturalisation by a person (details supplied). [36001/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for

a certificate of naturalisation on behalf of the person in question, who is a minor, was submitted by his mother to the Citizenship Section of my Department on 10 August 2006.

Due to the fact that applications on behalf of minors generally require less processing than standard adult applications, it is usually possible to finalise them more quickly. Based on current processing trends, it is likely that the application on behalf of the person concerned will be finalised towards the end of 2007.

I will advise the Deputy and the applicant when I have reached a decision in the matter.

Garda Stations.

116. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will provide a list of Garda stations that had closed circuit television installed in any or all interview rooms in May 2002; and the stations in which the cameras were operational. [36020/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda Authorities that it was not possible to provide the information sought in the time available. As soon as the information is to hand I will be in further contact with the Deputy.

Garda Strength.

117. **Mr. Gregory** asked the Tánaiste and Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 115 of 28 September 2006, when the reduction in community Gardaí from 27 to 24 will be restored to 27 or increased above that number; the number of the 24 community Gardaí in Store Street who have received training with mountain bikes and who are engaged in mountain bike patrols; the number of the four community Gardaí assigned to the East Wall area who have received mountain bike training and have engaged in mountain bike patrols in East Wall; the names of the Gardaí concerned; when mountain bike training will be available to those community Gardaí in Store Street who are not as trained. [36022/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy is not readily available in the detail sought and is currently being compiled by the Garda authorities. I will contact the Deputy again when the information is to hand.

Deportation Orders.

118. **Mr. O'Shea** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will allow a person (details supplied) in County Waterford to remain here; and if he will make a statement on the matter. [36047/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 25 June, 2002 and applied for asylum on 27 June, 2002. She withdrew her application for asylum on 13 November, 2002, on the basis of her Irish born child and stated that she wished to apply for residency.

The person in question was informed by letter dated 15 July, 2004 that there was no longer a separate process for making applications to remain in the State on the basis of an Irish born child and that the parent of an Irish born child does not derive an automatic right to remain in the State by virtue of that fact alone. Consequently, she was informed in accordance with Section 3 of the Immigration Act 1999, as amended by the Illegal Immigrants (Trafficking) Act 2000, that as a person who had withdrawn her asylum application, she no longer had permission to remain temporarily in the State, and as such, 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 a Deportation Order is made; consenting to the making of a Deportation Order. Representations in accordance with Section 3 of the Immigration Act 1999, as amended, were received in my Department on 10 August, 2004, requesting that the person concerned be allowed to remain in the State.

An application was subsequently received from the person in question for permission to remain in the State on a temporary basis under the IBC/05 scheme on 11 March, 2005. She was refused permission to remain in the State under the scheme and was notified of the decision by letter dated 12 January, 2006. Consequently, in accordance with Section 3 of the Immigration Act 1999, as amended, she was informed on 5 September, 2006 that the Minister proposed to make a deportation order in respect of her. She was again given the options (as set out above) to be exercised within 15 working days, of making representations to the Minister.

Further representations have been made to my Department requesting that the person concerned be allowed to remain in the State. I expect the file in the matter to be submitted to me for decision in due course.

Visa Applications.

119. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if a visa extension can or will be offered to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [36056/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand from the Immigration Division of my Department that

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the permission to remain in respect of the person concerned expired on the 30th September 2006 and he has not sought to renew it.

The person concerned should seek to renew his permission to remain with his local Immigration Office. He should provide the following documentation:

1. Evidence of registration on a recognised course leading to a qualification recognised by the Department of Education & Science.
2. Evidence of fees paid.
3. Evidence of finances to indicate he is in a position to financially support himself.
4. Evidence of private medical insurance.

120. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position regarding an application by a person (details supplied) in Dublin 15; and if the maximum support will be given. [36057/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): My Department has no record of a current application in respect of the person in question.

Tax Reliefs.

121. **Aengus Ó Snodaigh** asked the Minister for Finance if he will confirm that the mother of a full-time student cannot claim tax credits regarding their child due to the fact that they are living with but not married to their partner of 23 years; and if he will make a statement on the matter. [36024/06]

122. **Aengus Ó Snodaigh** asked the Minister for Finance if it is possible for an unmarried mother to have the tax credits of her partner of 23 years transferred to her; and if he will make a statement on the matter. [36025/06]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 121 and 122 together.

I assume that when the Deputy refers to “the tax credits regarding their child” he has in mind the question of entitlement to the one-parent family tax credit which is provided for in section 462 of the Taxes Consolidation Act 1997. The position is that, subject to the provisions of section 462, where a widowed, deserted, separated or unmarried person has a “qualifying child” resident with him or her for the whole or part of the year, the person shall be entitled to the one-parent family tax credit.

A “qualifying child” means—

(i) a child—

(I) born in the year of assessment,

(II) who, at the commencement of the year of assessment, is under the age of 18 years, or

(III) who, if over the age of 18 years at the commencement of the year of assessment

(A) is receiving full-time instruction at any university, college, school or other educational establishment, or

(B) is permanently incapacitated by reason of mental or physical infirmity from maintaining himself or herself and had become so permanently incapacitated before he or she had attained the age of 21 years or had become so permanently incapacitated after attaining the age of 21 years but while he or she had been in receipt of such full-time instruction; and

(ii) a child who is a child of the claimant or, not being such a child, is in the custody of the claimant and is maintained by the claimant at the claimant’s own expense for the whole or part of the year of assessment.

However, the legislation specifically provides that the credit shall not apply in the case of a man and woman living together as man and wife. Accordingly, if the person to whom the Deputy refers in his question falls into this category, no one-parent family tax credit will be due.

On the question of the transfer of tax credits, the position is that there is no provision in the tax code that provides for the transfer of personal tax credits between unmarried partners whether cohabiting or not.

Disabled Drivers.

123. **Mr. Cregan** asked the Minister for Finance the reason a disabled passenger can claim more remission than a disabled driver under the present disabled drivers and passengers tax incentive scheme; and his plans to address this issue to ensure equality for both drivers and passengers under this scheme. [35874/06]

Minister for Finance (Mr. Cowen): The Disabled Drivers and Disabled Passengers (Tax Concessions) Scheme provides relief from VAT and VRT on the purchase of a car adapted for the transport of a person with specific severe and permanent physical disabilities, which results in considerable mobility problems, as well as relief from excise on the fuel used in the car up to a certain limit. The tax relief is restricted to vehicles with an engine size up to 2,000 cc in the case of a disabled driver and 4,000 cc in the case of a disabled passenger. This differential, and resultant difference in the maximum level of relief allowed, was introduced on the basis that a passenger may require a bigger and more expensive vehicle, for example a converted van that would be capable of taking a wheelchair.

A special Interdepartmental Review Group reviewed the operation of the Disabled Drivers Scheme. The terms of reference of the Group were to examine the operation of the existing

scheme, including the difficulties experienced by the various groups and individuals involved with it, and to consider the feasibility of alternative schemes, with a view to assisting the Minister for Finance in determining the future direction of the scheme.

The Group's Report, published on my Department's website in July 2004, sets out in detail the genesis and development of the scheme. It examines the current benefits, the qualifying medical criteria, the Exchequer costs, relationship with other schemes and similar schemes in other countries. The Report also makes a number of recommendations, both immediate and long-term, referring respectively to the operation of the appeals process and options for the future development of the scheme.

In respect of the long-term recommendations, including one relating to a separation of the passenger and driver elements of the scheme, further changes can only be made after careful consideration given the scale and scope of the scheme. 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.

Budget Submissions.

124. **Mr. Ring** asked the Minister for Finance if he will ring-fence additional resources in Budget 2007 for the provision of paediatric occupational therapy services; and if he will make a statement on the matter. [35946/06]

Minister for Finance (Mr. Cowen): At this time of the year I receive a large number of pre-budget submissions requesting funding for a wide range of issues. I will keep the Deputy's representations in mind in the context of the forthcoming Budget.

Tax Code.

125. **Mr. Wall** asked the Minister for Finance if a person (details supplied) in County Kildare will be furnished with P21 for 2005; and if he will make a statement on the matter. [35999/06]

Minister for Finance (Mr. Cowen): I have been advised by the Revenue Commissioners that a PAYE Balancing Statement (Form P21) for 2005 issued to the taxpayer on 31 October 2006.

Traffic Management.

126. **Mr. Sargent** asked the Minister for Finance the status of the recently produced Phoenix Park Transportation Study; if he envisages a period of public consultation on its recommendations; the timescale over which he plans to have the individual recommendations

implemented; and if he will make a statement on the matter. [36033/06]

Minister of State at the Department of Finance (Mr. Parlon): I wish to confirm that the Study in question was formulated following wide ranging consultation and following completion of the report recently, a number of presentations on the Study were held for a number of interested parties including local elected representatives, local residents and statutory authorities. Consultation is currently ongoing.

The next step is to proceed with implementation of the principal measures recommended in the Study, taking into account the feedback from both the consultation and presentation processes. The broad objective is to commence implementation of the measures early in 2007 and review their effects after 4-6 months.

Government Expenditure.

127. **Mr. P. McGrath** asked the Minister for Finance if he will confirm the Government expenditure out-turn for each of the past 10 years; and the percentage increase year on year. [36045/06]

Minister for Finance (Mr. Cowen): The Gross total Voted Expenditure (including the Social Insurance Fund and the National Training Fund) over the past ten years with the percentage increase is set out in the table below:

Year	Exchequer Outturn*	Year-on-Year Increase
	€m	%
1996	17,332	4.3
1997	18,858	8.8
1998	20,512	8.8
1999	22,811	11.2
2000	25,925	13.7
2001	31,303	20.7
2002	35,808	14.4
2003	38,364	7.1
2004	40,751	6.2
2005	45,095	10.7

*The above table is based on cash spend. Therefore, capital carryover from 2004 onwards is counted in its year of expenditure.

A forecast outturn for 2006 will be included in the Abridged Estimates Volume to be published on 16th November next.

Grant Payments.

128. **Mr. G. Murphy** asked the Minister for Health and Children when the staffing grant will be awarded to an organisation (details supplied) in County Cork. [35908/06]

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 Investment Programme 2006-2010 (NCIP), which are being implemented by the Office of the Minister for Children. I understand that the Group in question has been approved total capital grant assistance of €1,507,384 under the EOCP, in respect of a proposal to develop a childcare facility. This funding is approved subject to the Group concluding a satisfactory contractual agreement with Pobal, which is engaged to administer the grants on behalf of the Office of the Minister for Children. In addition, the Group has also been approved staffing grant assistance of €161,000, up to 31 December 2007. I understand that the Childcare Directorate of my Office has advised the Group in question of these decisions.

Food Safety Authority.

129. **Mr. Deasy** asked the Minister for Health and Children the number of inspectors employed by the Food Safety Authority of Ireland to enforce the country of origin of beef regulations in restaurants, hotels and pubs; the number of food outlets subject to these regulations; the number of inspections of such premises that have been carried out since the regulations came into force; the number of food establishments found to be non-compliant with the regulations; the number of prosecutions that have resulted; and if she will make a statement on the matter. [36012/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The responsibility for implementation of the Health (Country of Origin of Beef) Regulations 2006 (SI 307 of 2006) lies with the Food Safety of Ireland (FSAI). There are over 44,000 food businesses in Ireland of which 29,000 are in the service sector, which includes restaurants, hotels and pubs. These food businesses are inspected on a routine basis by the Environmental Health Officers (EHOs) in the Health Service Executive (HSE) operating under a service contract with the FSAI.

Approximately 220 EHOs are employed by the HSE for food control activities. Inspections primarily focus on compliance with hygiene and food safety requirements. Checks on compliance with the Health (Country of Origin of Beef) Regulations are being incorporated into routine inspections for establishments covered by these Regulations. To date no prosecutions have been taken for breaches of the Regulations. The FSAI intends to distribute written guidance for all caterers on how to comply with the Regulations.

Health Service Allowances.

130. **Mr. F. McGrath** asked the Minister for

Health and Children the reason persons (details supplied) in Dublin 5 were refused their domiciliary care allowance; and if assistance will be given with speech and language therapy services. [35875/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Nursing Home Subventions.

131. **Mr. F. McGrath** asked the Minister for Health and Children the situation regarding a person (details supplied) in Dublin 3 and the Health Nursing Homes Amendment Bill 2006. [35876/06]

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.

In relation to the Health (Nursing Homes) (Amendment) Bill 2006, this Bill was designed to put the current subvention scheme, as currently provided for under the Nursing Home Regulations 1993, on a sound statutory footing. The Bill is currently on its passage through the Houses of the Oireachtas.

Medical Inquiries.

132. **Mr. McHugh** asked the Minister for Health and Children if a redress board will be set up to compensate MRSA victims and their families; and if she will make a statement on the matter. [35877/06]

141. **Mr. McHugh** asked the Minister for Health and Children if a judicial inquiry will be held into the non-implementation of the national guidelines contained in the 1995 Control of Methicillin Resistant Staphylococcus Aureus in the Irish Health Care Setting, the non-supervised full implementation and non-compliance by hospitals and health care settings with the 2005 strategy for the control of antimicrobial resistance in Ireland and the failure to supervise the full implementation of that strategy; and if she will make a statement on the matter. [35941/06]

Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 132 and 141 together.

My Department has no plans at present to set up a judicial enquiry or a redress board to compensate people who have contracted MRSA. 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 health care-associated infection, 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 HCAIs.

Hospital Acquired Infections.

133. **Mr. McHugh** asked the Minister for Health and Children if she will set up a national directorate for the inspection, prevention and control of MRSA and other hospital acquired infections; and if she will make a statement on the matter. [35878/06]

Minister for Health and Children (Ms Harney): Infection prevention and control in health institutions is a matter for the Health Service Executive (HSE), as part of its overall responsibility for the management and delivery of health and personal social services. The HSE has put in place a number of structures at local, regional and national levels to address this issue. For example, to date, two National Hygiene Audits have been carried out in acute hospitals under the auspices of the National Hospitals Office. Accordingly, my Department has requested the Parliamentary Affairs Division of the HSE to address the issue raised in the question and to reply directly to the Deputy.

Suicide Prevention Strategy.

134. **Mr. Connolly** asked the Minister for Health and Children if she will provide a progress report on the implementation of Reach Out, the National Strategy for Action on Suicide Prevention; and if she will make a statement on the matter. [35901/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The actions identified in Reach Out, the National Strategy for Action on Suicide Prevention are to be implemented over the next 5 to 10 years. The Health Service Executive (HSE) is taking a lead role in overseeing the implementation of Reach Out, in partnership with those statutory and voluntary organisations that have a key role to play in making the actions happen. The HSE established the National Office for Suicide Prevention (NOSP) to oversee the implementation of the strategy.

There are just over 90 action points in Reach Out, and they are divided into 3 phases for implementation. Phase 1 covers 30 actions which are to be implemented over the next 3 years. The NOSP 12-point action plan for 2006 is as follows:

- prepare for the launch, early in 2007, of a national mental well-being campaign in conjunction with non-governmental organisations;
- ensure full coverage in hospital A&E departments of appropriate services to respond to presentations of deliberate self harm;
- development and delivery of training and awareness programmes for communities, organisations and professionals;
- support the development of bereavement services;
- address the outcome of research undertaken by the National Suicide Research Foundation into appropriate methods of data collection relating to suicides;
- complete research into the link between institutional abuse and suicide;
- pilot a primary Care/Deliberate Self Harm Service;
- work with the media to improve reporting of suicide and deliberate self harm;
- agree a national programme of appropriate research on suicide prevention in Ireland;
- explore ways of reaching young people through email, text messaging in order to develop a sustainable support service;
- establish a national forum of key stakeholders who will be briefed by the National Office for Suicide Prevention on the achievements overall in suicide prevention and, in particular, in relation to strategy implementation; and
- commission research into the link between traveller health and suicide.

The first annual report of the National Office, outlining suicide prevention activities in 2005 was published in September 2006. It details activities

[Mr. T. O'Malley.]

in 26 areas covering general population, targeted approach, responding to suicide and information and research. This annual report will meet the requirement of the Health (Miscellaneous Provisions) Act 2001 which requires a report on activities in the area of suicide prevention to be presented to the houses of the Oireachtas each year. This annual report will provide an important tool in monitoring progress in meeting the priority objectives of the Strategy and in reporting on rates of suicidal behaviour, which it is hoped will be significantly reduced over the coming years.

Hospital Staff.

135. **Mr. Connolly** asked the Minister for Health and Children her views on the ongoing acute shortage of nurses; the way she proposes to address the increasing dependence on agency nurses; her proposals for ensuring sufficient qualified nurses are available in the hospital service; and if she will make a statement on the matter. [35902/06]

Minister for Health and Children (Ms Harney): I do not agree with the contention that there is an acute shortage of nurses. Ireland has one of the highest nurse to population ratios in the world. The Government has been successful in attracting an additional 10,200 nurses and midwives into the public health service over the last nine years. The number of nurses employed in the health service reached an all time high in the most recent personnel census. At the end of June 2006 there were 35,818 whole time equivalent (42,311 individual) nurses and midwives in the public health service. This is an increase of almost 40% since 1997.

The most recent National Survey on Nursing Resources report (March 2006) from the Health Service Executive — Employers Agency shows a national vacancy rate of just over 3%. There are obviously regional and sectoral variations in the vacancy rate but an overall rate of 3% could not be considered excessive. The Nursing Resources reports have been produced on a quarterly basis since 2000 and they consistently show that recruitment is ahead of resignations and retirements.

A combination of agency nurses and overtime working provides an additional input of nursing resources to cope with difficulties arising in the provision of services while employers continue the recruitment process to fill vacancies. In addition to covering vacancies, agency nurses are also used to 'special' (one to one nursing) patients and clients. Agency nursing is also used to cover for permanent nursing staff availing of various leave entitlements. The Health Service Executive has responsibility for managing nursing resources including agency nursing. I understand that the HSE is closely monitoring the usage of agency

nurses and it is working with a number of the larger hospitals to establish a pilot project aimed at reducing reliance on agency nurses.

Ensuring an adequate supply of nurses for hospitals has been a concern of this Government for some time, and a number of substantial measures have been introduced in recent years. The annual number of undergraduate nursing training places has been increased by 94% since 1998 to 1,880 places from 2006 onwards. There are over 6,000 students in the system at any one time. Revenue funding for the undergraduate training programme is €115m per annum and the Government has provided €250m capital funding since 2002 to build thirteen new schools of nursing. The first cohort of students from the new four year degree programme graduated and registered as nurses earlier this year.

In addition to training additional nurses it is also important that work systems are constantly monitored and adapted to ensure the best outcomes for patients. The increased use of health care assistants and better skill mix will help to ensure that our nursing care teams will continue to be able to deal with the growing demands on the health service.

I am confident that the extensive range of measures to increase the domestic supply of nurses together with the more effective utilisation of the professional skills of nurses and midwives and the recruitment of overseas nurses, in addition to close monitoring and assessment of the situation on an ongoing basis, will continue to prove effective in addressing the nursing workforce needs of hospitals in the public health service.

Health Services.

136. **Mr. Connolly** asked the Minister for Health and Children if the condition of dementia will be prioritised by the provision of education and awareness programmes aimed at the general public, general practitioners and other health care providers to tackle prejudice and discrimination encountered by those with dementia and their carers on a regular basis; and if she will make a statement on the matter. [35903/06]

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.

137. **Mr. Connolly** asked the Minister for Health and Children her proposals to improve services to the 35,000 rheumatoid arthritis sufferers here; if she will provide additional consult-

ants to relieve lengthy referral waiting periods for sufferers and provide for the 59% of sufferers with no access to physiotherapy or hydrotherapy; and if she will make a statement on the matter. [35904/06]

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 address the issue raised in the question and to reply directly to the Deputy.

Food Safety Authority.

138. **Dr. Upton** asked the Minister for Health and Children the number of samples of rice from Chinese specialty stores that have been tested here since it has become known that an unauthorised genetically modified rice, known as Bt63, had been detected in products imported from China for sale in Chinese speciality stores in the UK, France and Germany; the date these tests were carried out; and if she will make a statement on the matter. [35912/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Food Safety Authority of Ireland (FSAI) is the competent authority in Ireland for the enforcement of EU legislation regarding genetically modified (GM) foods. The FSAI has not yet taken samples of Chinese rice due to the absence of a validated test method for the detection of Bt63 rice. Once a validated test method is confirmed by the European Commission's Joint Research Centre (JRC), effective testing can then be undertaken.

In September the European Commission informed Member States of reports received from NGOs to the effect that a GM rice, Bt63, not authorised for use anywhere in the world, had been detected in products imported by Chinese specialty stores in the UK, France and Germany. However, the testing method used by the NGOs to detect Bt63 has yet to be validated by the JRC. The Commission requested further information on the rice products from the Chinese authorities and in the context of applying controls, asked the Ministry of Agriculture in China to provide control samples of Bt63 as a matter of urgency.

In a letter dated 27 October 2006, the Commission informed Member States that it had just received official replies from the Chinese authorities stating that the Ministry of Agriculture in China is working on the validation of the detection method for Bt63 rice; when the method is fully validated it will be provided to the JRC, together with standards and control samples, in order to help detection of GM rice. The Commission has indicated that similar emergency

measures to those taken with the GM RICE LL 601 will be introduced if considered necessary based on information as it becomes available.

Medicinal Products.

139. **Ms McManus** asked the Minister for Health and Children further to the recent amendment by the Irish Medicines Board for the authorisation of Buprenorphine to be allowed to be prescribed by general practitioners with specialist training, the timeframe for her considerations of this authorisation; if there are obstacles; and if she will make a statement on the matter. [35939/06]

Minister for Health and Children (Ms Harney):

I am aware that the drug Buprenorphine (trade name Subutex) is being proposed as an alternative to methadone in the treatment of opiate dependent addicts. The current position is that Buprenorphine can be prescribed to opiate users by addiction service consultants in specialist drug treatment clinics, where the prescription and dispensing of Buprenorphine is tightly controlled. The Irish Medicines Board has recently amended the authorisation for Buprenorphine to allow it to be prescribed by General Practitioners who have specialist training in its use. My Department is considering the implications of this revised authorisation, especially in view of the diversion potential of Buprenorphine. I am informed that the combination drug Naloxone/Buprenorphine may be available in the EU towards the end of 2006, and that preliminary studies have shown that the combination drug is as effective as Buprenorphine alone in the management of opioid dependence and that it has less abuse potential.

Health Services.

140. **Ms McManus** asked the Minister for Health and Children if her attention has been drawn to concerns expressed by persons (details supplied) in County Kildare; if she will ensure that an independent inquiry is carried out into this tragedy to ascertain the full facts of the case; and if she will make a statement on the matter. [35940/06]

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. 141 answered with Question No. 132.

Medical Cards.

142. **Mr. Durkan** asked the Minister for Health and Children when a medical card will issue in the case of persons (details supplied) in County Dublin; and if she will make a statement on the matter. [35943/06]

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.

143. **Mr. Ring** asked the Minister for Health and Children if she will sanction additional resources for the provision of paediatric occupational therapy services; and if she will make a statement on the matter. [35944/06]

144. **Mr. Ring** asked the Minister for Health and Children the number of children that are currently placed on a waiting list following their referral for paediatric occupational therapy services, on a county basis; and the average length a child placed at a lower priority status can wait to receive an appointment for each Health Service Executive region. [35945/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 143 and 144 together.

The Deputy's questions relate to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have these matters investigated and to have a reply issued directly to the Deputy.

Hospital Services.

145. **Mr. Kenny** asked the Minister for Health and Children the hospital locations in Dublin where it is possible to land by helicopter in accordance with accepted standards; and if she will make a statement on the matter. [35957/06]

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.

146. **Mr. Ring** asked the Minister for Health and Children if a person (details supplied) in County Mayo was assessed for a primary medical certificate; and if so, the outcome of the assessment. [36000/06]

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.

Vaccination Programme.

147. **Mr. Naughten** asked the Minister for Health and Children further to Question No. 753 of 27 September 2006, 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. [36029/06]

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.

Foreshore Licences.

148. **Mr. Cuffe** asked the Minister for Communications, Marine and Natural Resources the members of the committee who assess applications for foreshore licences and in each case the expertise that they bring to bear on applications; his plans to ensure that persons with an understanding of landscape or visual impact are retained in order to assist in the assessment of off-shore wind farms; and if he will make a statement on the matter. [35869/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The Department consults with a range of statutory consultees, various experts within the Department and other state agencies when considering an application for a Foreshore Licence.

In cases where an Environmental Impact Statement is required applications are assessed by the Marine Licence Vetting Committee (MLVC) which advises the Department on the appropriateness of issuing a licence and will generally also advise on conditions which should attach to the licence. The members of the MLVC have a broad range of skills and experience which qualifies them to assess such applications. Two members of the Committee possess specific qualifications

in relation to Environmental Impact Assessment Management and are fully competent in all aspects of this Environmental Impact Assessment process. The current members of the MLVC are: Dr. Terry McMahon, Chairperson, Marine Institute; Mr. Trevor Champ, Senior Research Officer, Central Fisheries Board; Ms. Margot Cronin, Marine Environment Chemist, Marine Institute; Dr. Francis X. O'Beirn, Benthic Monitoring, Marine Institute; Captain Nick Cantwell, Navigation Expert, Marine Safety Directorate; Mr Allan Williams, Engineer, Engineering Division, Department of Communications, Marine and Natural Resources.

Photomontages are required to be submitted with the Environmental Impact Statement for proposed Offshore electricity generating stations (Wind Farms). The Department of Communications, Marine and Natural Resources in consultation with the Local Authorities indicate to the applicant the site at which the photographs should be taken. The proposed installations are then superimposed, to scale, onto these photographs. These photomontages are made available during the public consultation process.

Energy Resources.

149. **Mr. Eamon Ryan** asked the Minister for

Communications, Marine and Natural Resources the breakdown of the projects funded by Sustainable Energy Ireland in 2005 according to the type of scheme, the name of the organisation to whom the funding was awarded and the amount of money received by each organisation.
[35870/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Sustainable Energy Ireland (SEI), which was established as a statutory agency in May 2002, implements a wide range of programmes on energy efficiency and renewable energy. In 2005, SEI received funding of €16.151 million for its activities. This figure comprised a capital allocation of €10 million and a current allocation of €6.151 million.

In all SEI paid out a total of €6,748,000.00 in grant aid to demonstration projects in 2005. This figure does not include commissioned studies and reports, educational support, or programme operation and promotion in respect of SEI's activities in 2005.

The table below gives details of the expenditure to demonstration projects in 2005.

Projects funded in 2005	€
<i>Public Sector Design Study Support Scheme</i>	
Cavan County Council	2,000.00
	2,000.00
<i>Public Sector Model Solutions Investment Support Scheme</i>	
Dublin Institute of Technology	24,176.00
Cork County Council	26,544.00
Cork County Council	445,000.00
Dundalk Institute of Technology	419,505.00
Limerick City Fire Brigade	1,463.00
University College Cork	132,557.00
County Laois VEC	53,100.00
University of Limerick	38,391.00
Western Health Board	15,841.00
Kildare County Council	399,939.25
University College Dublin	8,833.31
North Tipperary County Council	3,102.00
	1,568,451.56
<i>Energy Management Bureau</i>	
University College Dublin	78,165.00
	78,165.00
<i>Low Income Housing</i>	
Cúnamh Energy Action	192,672.00
Southill Community Services Board	41,702.71
Northside Community Enterprises Safe Ltd	241,880.25
Clondalkin Home Improvement Project	161,062.25

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Projects funded in 2005	€
Meitheal Forbartha na Gaeltachta	81,565.00
Wexford Area Partnership	85,306.25
Energy Action	43,365.00
Action Inishowen	10,699.00
Energy Action	68,941.00
Clár ICH	24,250.00
	951,443.46
<i>Renewable Energy RD&D</i>	
Tarmonbarry Hydroelectric Ltd	238,000.00
Meenacloghspar Ltd	67,288.00
Aerotech	19,450.00
ESBI Consultants	11,428.50
Water Power Services	4,708.00
Clearpower Ltd	3,582.00
Dr Martin J Leahy	39,910.55
University College Cork	88,636.75
Independent Biomass Systems Ltd	200,000.00
Gaoth Tec Teo	1 35,359.24
Anthony Childs	5,325.00
ERC, University College Dublin	54,220.91
Ocean Energy Ltd	103,326.00
Dublin Institute of Technology	30,012.00
Dundalk Institute of Technology	15,927.00
ART Generation	30,821.00
Wavebob Ltd	14,877.36
ERC, University College Dublin	14,145.00
MosArt Landscaping Architecture Research	17,852.00
University College Dublin	35,312.35
Golden Vale Marts	8,214.00
Hydam Technology Ltd	19,219.00
Inchydoney Island Lodge Hotel	48,895.00
CSA Group Ltd	19,826.25
Tipperary Energy Agency	13,444.00
Irish Rural Link	19,865.00
Renetech Ltd	15,488.00
Wavebob Ltd	60,633.00
ART Generation	9,639.45
CRE, Dundalk Institute of Technology	8,050.00
Wavebob Ltd	79,360.00
	1,432,815.36
<i>CHP/District Heating</i>	
BMF Business Services	11,676.00
Diageo	20,250.00
Cadburys	3,250.00
BMF Business Services	23,297.00
	58,473.00
<i>House of Tomorrow RD&D</i>	
Dublin City Council	50,000.00
Brothers of Charity	8,746.00

Projects funded in 2005	€
Century Homes Ltd	82,251.00
Moritz Elliot Ltd	259,265.00
Tralee Town Council	170,000.00
Oak Heights Ltd	22,500.00
Galway City Council	74,000.00
Waterford County Council	48,000.00
Magahy & Co	75,000.00
Dublin City Council	15,618.00
Sherborough Enterprises Ltd	131,250.00
Radon Ireland Group Ltd	30,000.00
Wexford County Council	113,000.00
Des Foley	45,000.00
Pinnacle Developments	152,000.00
Mulvey Developments Drumshanbo Ltd	22,500.00
John Flanagan Developments Ltd	74,375.00
McInerney Homes Ltd	50,000.00
Stackallen Construction	65,000.00
Castlethorn Construction	187,500.00
Waterford City Council	20,000.00
Shannon Cove Ltd	90,000.00
Heneghan & Sons (Blacksod) Ltd	68,750.00
Cluainín Community Development	18,701.15
Westmeath County Council	35,000.00
Geda Construction Ltd	25,000.00
Dolan & Waldron Ltd	45,000.00
Daintree Ltd	17,000.00
Co. Donegal Housing Association for the Mentally Handicapped	15,000.00
Rhatigans Developments Ltd	144,375.00
Radora Developments Ltd	266,000.00
The Cool Power Company Ltd	3,350.25
Kilcorney Community Development Association	25,000.00
Birchvale Homes	180,000.00
	2,629,181.40
<i>Industry RD&D</i>	
Newlands Cross Hotels	26,871.00
	26,871.00

Postal Services.

150. **Mr. M. Moynihan** asked the Minister for Communications, Marine and Natural Resources when he expects the pilot programme for the automation of rural post offices to be extended nationwide to all post offices in rural areas to ensure community cohesion and to provide for persons who cannot travel to larger post offices in urban areas. [35871/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Any future decision regarding the automation of post offices is a matter for the Board and Management of An Post and one in which I have no function.

In relation to the status of the pilot project on automation, I understand that it was finalised at the end of September 2006. I understand that the company will now 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. It is my understanding that the question of extending automation to non-automated offices will be guided by the outcome of the evaluation process, which I have been informed, should be completed by the first quarter of 2007.

Departmental Staff.

151. **Mr. Connolly** asked the Minister for

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Communications, Marine and Natural Resources the number of persons currently employed in his Department whose status has changed to that of disabled since the commencement of their employment with his Department; and if he will make a statement on the matter. [35895/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The status of ten staff of my Department has changed to that of disabled since they commenced employment in my Department.

Fisheries Protection.

152. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the European limit set legally for dioxins in respect of wet weight fish; the scale of dioxins found in wild Atlantic salmon to date; the scale of dioxins found on farmed salmon here; if he is satisfied that such findings constitute no threat to consumers; and if he will make a statement on the matter. [35947/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Commission Regulation 2375/2001 sets a maximum limit for dioxins and furans of 4 pg WHO-PCDD/F-TEQ/g fresh weight in fish and fishery products and products thereof.

The Food Safety Authority of Ireland (FSAI) and the Marine Institute, in collaboration with Bord Iascaigh Mhara (BIM), recently carried out a substantial survey of various persistent organic pollutants in Irish fish and also selected processed products. Sampling was carried out in the latter part of 2004 and a report is currently in press. As part of this study, 10 samples of wild Irish caught Atlantic salmon were collected and 15 different sites were sampled for farmed Atlantic salmon. The results showed that levels of dioxins and furans in wild Atlantic salmon were very low, with a range of 0.13-0.61 and median of 0.32 pg WHO-PCDD/F-TEQ/g fresh weight.

As with the wild salmon, the levels of dioxins in all samples of farmed salmon were well below the EC maximum limits with a range for dioxins and furans of 0.25-0.82, and median 0.49 pg WHO-PCDD/F-TEQ/g fresh weight. This study confirms a previous collaborative study between the FSAI and the Marine Institute (2001) where all dioxin levels in farmed and wild salmon were well within European legislative limits. Furthermore, in the recent survey significant reductions of dioxins and furans in Irish farmed salmon could be observed in comparison to levels measured in the 2001 FSAI/MI survey.

Although fish is a recognised dietary source of dioxins, the health benefits of eating fish are well established, and on the basis of these results the FSAI considers that there is no need to alter current advice on fish consumption. Current advice

is that consumers should eat two portions of fish a week, one of which should be oily.

Explanatory notes

Dioxins (also referred to as dioxins and furans) — The term 'dioxins' covers a group of 75 polychlorinated dibenzo-p-dioxin (PCDD) and 135 polychlorinated dibenzofuran (PCDF) congeners, of which 17 are of toxicological concern. Dioxins have no known commercial applications but are formed during certain combustion processes and as by-products of certain industrial processes.

Toxic Equivalents (TEQs) — Dioxins and furans are generally not reported as direct concentrations but as toxic equivalents. The concentrations are expressed as a relative toxicity to the most toxic compound (TCDD) using toxic equivalence factors (TEFs). The TEFs used are those established by the World Health Organisation.

Fishing Industry Development.

153. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the tonnage quota allocated to Ireland for horse mackerel for 2006; the extent of the season involved; the way premium quality is maintained for the Japanese market; his views on whether smaller quantities over a longer period might be more appropriate; and if he will make a statement on the matter. [35948/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Under the 2006 TAC (total allowable catch) and quota arrangements, agreed by the Council of Fisheries Ministers in December 2005, Ireland received quota allocations for two horse mackerel fisheries. For the main horse mackerel fishery, located in ICES areas Vb (EC waters), VI, VII VIIIabde, XII and XIV, Ireland received a quota of 31,934 tonnes of horse mackerel. Ireland was also given a quota of 1,612 tonnes for the smaller horse mackerel fishery in ICES areas IIa (EC waters) and IV (EC waters).

The horse mackerel season is normally the spring and autumn of each year. This spring, although the quota for the smaller fishery was fully taken by mid-January, the larger fishery remained open to eligible vessels until the start of May 2006. It was closed at that time to preserve the remaining quota for the more valuable autumn fishery. This fishery re-opened at the beginning of September and will remain open until the end of the year or until the quota is fully taken, whichever comes first. Irish vessels cater to the Japanese market's demand for freshness by landing horse mackerel catches within 24 hours. In addition, most Irish vessels in the fishery are equipped with refrigerated seawater tanks that maintain catches at peak freshness.

New horse mackerel management arrangements were introduced for the 2006 fishery following consultations with industry representa-

tives. Fishing vessels were given allocations for the year based on a number of criteria including track record. Following further consultations with industry representatives, a 20 tonne by-catch allocation was made available to boats participating in the autumn mackerel fishery. The system for managing the quota in this fishery has been developed in consultation with Irish fishing industry representatives. I will keep developments in the fishery under review, and any changes to the management of the stock can be explored as required.

Energy Resources.

154. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources if a system for net billing exists for the sale of excess electricity produced from domestic wind turbines into the National Grid; his views on whether such a facility would be beneficial generally; and if he will make a statement on the matter. [35949/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Recent analysis undertaken by Sustainable Energy Ireland (SEI) Metering Options for Small Scale Renewable and CHP Electricity Generation has identified a number of areas requiring further work including the ability of such processes to secure adequate payment for their exports, a review of connection standards and processes for smaller generators, and the implications of the Single Electricity Market for small-scale electricity generation.

The CER has also recently launched a public consultation on arrangements for micro generation which covers metering issues.

My Department and all relevant agencies and bodies are working to ensure that the appropriate administrative, technical and safety standards and practices are in place to underpin programmes for the widespread deployment of micro generation technologies. I am confident that appropriate solutions suited to the context of the Irish electricity grid and for non-grid connected technologies will be developed with a view to progressing this emerging sector.

Fishing Industry Development.

155. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the number of processing plants currently involved in the pelagic fish processing industry as against the number operating in 1996; the reason for the decline in processing; and if he will make a statement on the matter. [35950/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): It is estimated that the number of plants operating in the pelagic processing indus-

try in 1996 was 29. The number of companies who now operate exclusively in the pelagic processing sector is 16. There are number of reasons for the decline such as a decrease in the volume of raw material, rationalisation and diversification into processing other species. The Total Allowable Catch for herring and horse mackerel stocks of importance to Ireland have decreased substantially since the mid 1990's. In recent years, the mackerel TAC has also declined. The total pelagic quotas available to Ireland in 1998 was 200,000 tonnes while the current quotas for the same group of species amount to 116,774 tonnes.

Taking into account the importance of the pelagic industry to the Irish fishing industry, the decline in the pelagic processing sector is a matter of concern. In order to examine the issues and bring forward a development strategy, I appointed an independent Seafood Strategy Review Group in June 2006 to devise a strategy for a sustainable and profitable Irish Seafood industry over the period 2007-13, of which the processing sector is a key component.

Its task is to develop a comprehensive, integrated, market-led vision for the future of the Irish seafood sector, based on a strategy centred on innovation, product development and value maximization for our coastal communities, together with sustainable management of marine resources and ecosystems in the waters around Ireland.

The Strategy Review is to be completed at an early date. Its findings will also feed into the new National Development Plan for the period 2007-13.

I believe that this Strategy, along with the new National Development Plan, will chart a course for the sector, including the processing sector and the coastal communities dependent on marine industries, and will ensure comprehensive, integrated and ongoing development through the 2007-13 period.

156. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the quota for herring for the north and west area; the extent of landings of this quota; if he is satisfied that the maximum return is achieved from this quota, in view of the method of processing; and if he has further satisfied himself that quality is maintained as a consequence; and if he will make a statement on the matter. [35951/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Herring to the North and West of Ireland is divided between two International Council for the Exploration of the Seas (ICES) Management areas and Ireland has a quota in each area. The revised Irish quota for Herring in 2006 in ICES Division VIa N (waters to north of Ireland) is 4,569 tonnes with recorded landings of 561 tonnes for the period 1st January to 30th

[Mr. Browne.]

September 2006. In ICES area VIa(s), VIIbc (Waters to north and west of Ireland), Ireland has a quota of 15,046 tonnes with recorded landings of 9,029 tonnes for the same period. I am advised that all Herring landings by Irish vessels have been made into Irish ports and have been processed in Irish factories. However, I consider that there are opportunities to strengthen the returns from this and other fisheries. In order to examine the issues and bring forward a development strategy, I appointed an independent Seafood Strategy Review Group in June 2006 to devise a strategy for a sustainable and profitable Irish Seafood industry over the period 2007-13.

Its task is to develop a comprehensive, integrated, market-led vision for the future of the Irish seafood sector, based on a strategy centered on innovation, product development and value maximization for our coastal communities, together with sustainable management of marine resources and ecosystems in the waters around Ireland.

The Strategy Review is to be completed at an early date. Its findings will also feed into the new National Development Plan for the period 2007-13.

I believe that this Strategy, along with the new National Development Plan, will chart a course for the sector, including the processing sector and the coastal communities dependent on marine industries, and will ensure comprehensive, integrated and ongoing development through the 2007-13 period.

157. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the quota allocated in respect of herring for the Celtic Sea; the way this is currently managed; his views on whether a higher quota in this area is justified; if he is satisfied that there is no threat to sustainability of the stock in this area; and if he will make a statement on the matter. [35952/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Under the 2006 TAC and quota arrangements, agreed by the Council of Fisheries Ministers in December 2005, Ireland received a quota of 9,549 tonnes of herring in the Celtic Sea (ICES area VIIghjk).

This fishery is managed in consultation with the Celtic Sea Management Advisory Committee, a body composed of industry representatives. The fishery is normally opened for seasons in the spring, summer and autumn of each year. These seasons are managed on a weekly basis. Eligible vessels wishing to participate in the fishery during a given week must advise the Department in advance in order to book in. Those vessels that have booked in for a particular week are then allocated an amount of Celtic Sea herring quota for that period.

Scientific advice for this stock was published in June of this year. This advice recommends that a management plan should be put in place for this stock to help rebuild it. The Marine Institute, in conjunction with the Irish fishing industry, has been working on the development of a management plan for this fishery. In the forthcoming annual negotiations on the Total Allowable Catches (TACs) and Quotas for 2007, scheduled to take place in December, I will be seeking to ensure that the level of TAC set takes into account any management plan which may be introduced for the fishery.

Fisheries Protection.

158. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the number of European pelagic freezer vessels that currently operate in Irish waters; the way the activity of these vessels are monitored; the extent of landings, discards and quotas for these vessels for 2004, 2005 and to date in 2006; his views on whether failure to monitor these leaves shore based industry at a disadvantage; and if he will make a statement on the matter. [35953/06]

Minister of State at the Department of Communications, Marine and Natural Resources

(Mr. Browne): A number of EU Member States have quota entitlements for pelagic species in waters around Ireland and therefore their vessels, including pelagic freezer vessels, fish in Irish waters. The number of these vessels operating at any one time varies. Insofar as fisheries control and surveillance is concerned, the position is that all fishing vessels operating within the Irish fisheries patrol area are subject to checks by Irish control authorities, at sea or in Irish ports. Checks at sea of freezer vessels are particularly difficult. However, during inspections every effort is made by the Naval Service to verify that the catch on board agrees with that recorded in the logbook which is done by means of sampling. The primary focus of control of freezer vessels is inspection of landings. Procedures for such controls are outlined in Council Regulation 51/2006, Annex III. It should be noted that pelagic freezer vessels do not land their catch into Ireland.

In relation to quota uptake, it is the duty under EU law for each flag state to monitor quota uptake by their own vessels. I do not have specific landing data for pelagic freezer vessels of other Member States. When fisheries are closed as a result of the quota of a Member State being exhausted, the Naval Service is pro-active in monitoring the closure.

While statistics on the level of discarding are not readily available I am aware that the discarding of fish has become an increasing problem in recent years. I am committed to working with industry, the Commission and other Member States to find solutions that will ensure that, as far as possible, fish are not discarded. Discarding

and “high grading” are very serious problems with pelagic freezer vessels and Ireland has been to the forefront in seeking action on this issue. I have strongly pressed the European Commission for the introduction of an observer programme for all large pelagic vessels. I will continue to focus on this issue and will work together with like minded Member States and with industry to deliver a strengthened monitoring and control regime to address the unacceptable practices of discarding and “high grading”.

159. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources Ireland’s quota for blue whiting; the method of division of this quota; the number of pelagic boats receiving quota; and if he will make a statement on the matter. [35954/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The revised Irish quota for Blue Whiting in 2006 is 53,399 tonnes. There was no individual quota issued to vessels in this fishery in 2006 and all boats were allowed to participate in the fishery. In 2006 23 refrigerated salt water (RSW) vessels and two Polyvalent vessels took part. This fishery was closed on the 3rd of March 2006.

Harbours and Piers.

160. **Dr. Cowley** asked the Minister for Communications, Marine and Natural Resources if he will make provision for the necessary changes for a pier (details supplied) in County Mayo, in view of the fact that minor works took place and that there is a great need for further works at this area to enable unrestricted access to and from this pier; and if he will make a statement on the matter. [35978/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The Department co-funded a report with Mayo County Council and the Department of Community, Rural and Gaeltacht Affairs titled An Assessment of Piers, Harbours and Landing Places in County Mayo. Doogort Pier is identified as category 2, which is a low priority, where development and repairs are less desirable but should be considered if resources were available. However, Engineering Division in the Department will carry out an inspection of the pier in the immediate future to determine if any necessary safety needs require addressing.

The question of providing funding for Doogort Pier will depend on the amount of Exchequer funding available for works at fishery harbours taking into account overall national priorities in the post 2006 period.

Fisheries Protection.

161. **Mr. Sargent** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the recent research (details supplied) which shows that young wild salmon are being infected by sea lice from fish farms located at the mouths of their spawning rivers; and his plans to relocate fish farms from such sensitive sites to ensure ecological separation and meet the legal requirements to conserve this protected species. [36031/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): In recent years, monitoring of both wild and farmed fish stocks has shown an increase in the level of sea lice infestation. There are a number of factors that may have contributed to this increase. They include increased winter sea temperatures, the impact of fish health on treatment efficacy and fallowing strategies.

I am acutely aware that the increase in the incidence of sea lice poses a major challenge for both the fish farming and the wild fishery sectors. In the case of licensed fish farms a national monitoring and control programme is carried out by the Marine Institute in accordance with the principles and objectives set out in the Department’s Protocol for Sea Lice Monitoring and Control, which was published in 2000. The level of monitoring undertaken in this country and the threshold at which remedial action is taken compares very favourably with other States and is appropriate to the situation.

A High Level Group has been established by the Department to examine all aspects of the issue. This Group will be guided by the need to ensure that lice levels are reduced to, and kept at, the lowest possible levels, to the mutual benefit of fish farmers and wild fisheries interests and will also take account of emerging scientific or technological initiatives in this field.

Diplomatic Representation.

162. **Mr. Gregory** asked the Minister for Foreign Affairs his views on whether Defence Forces personnel currently serving in Bosnia might be able to give assistance to persons (details supplied); and if he will make a statement on the matter. [36021/06]

166. **Mr. Gregory** asked the Minister for Foreign Affairs the assistance his Department has given to persons (details supplied); if the family have made further requests for assistance; if he is considering their request; if he will meet with the immediate family and hear their concerns; and if he will make a statement on the matter. [36019/06]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 162 and 166 together.

[Mr. D. Ahern.]

The Department of Foreign Affairs and the Embassy in Slovenia, which is also accredited to Bosnia and Herzegovina, has provided active consular assistance and support to the family of the person in question. In this regard, the Embassy in Slovenia has been in on-going contact with the relevant authorities in Bosnia and Herzegovina, including with the local police force, rescue services, politicians and senior officials in the region in which the town of Medjugorje is situated.

A diplomatic officer of the Embassy travelled to the region to liaise with local police, relevant agencies and with officials involved in the search. During the visit, the officer also had many meetings with family members of the missing person. Subsequently, our Ambassador travelled to Medjugorje, and to the regional capital Mostar, to review the search arrangements.

Since the person's disappearance, there has been six large scale searches, some of which involved the use of a helicopter. In addition to these large scale searches, there have been other, more localised, searches. The searching continues, and an officer from our Embassy will again shortly visit Medjugorje to review the situation.

Members of An Garda Síochána and of our Defence Forces on EU service in Bosnia and Herzegovina have also participated actively and, I might add, very helpfully in the searches for the missing person.

I can assure the Deputy that, since the person's disappearance, the Consular Division of the Department have provided all possible consular assistance and support. My Department will continue to meet with family members, and I am being kept fully informed of the situation. If it were considered helpful at some stage, I would of course be happy to arrange a personal meeting. However, I understand that in the most recent contact with the person's husband on 31 October, he has stated that he is not seeking a meeting with me. He also expressed warm appreciation for all the assistance he has received from the Department and from the Embassy in Slovenia. I can also confirm that senior officials of the Consular Division recently met with other family members of the person in question.

As already conveyed by Minister of State Lenihan in last evening's adjournment debate, I would wish to confirm that the Department will continue to provide all possible consular assistance and support including, as indicated above, a third visit at an early date by an officer of the Embassy to Medjugorje to review the search operation.

Equal Opportunities Employment.

163. **Mr. F. McGrath** asked the Minister for Foreign Affairs if there are employment opportunities in his Department for people with a

physical disability as there is an interest in foreign affairs; and if this is the case, the route to take to avail of these opportunities. [35920/06]

Minister for Foreign Affairs (Mr. D. Ahern): The Department of Foreign Affairs is strongly committed to positive action designed to enhance employment opportunities for persons with disabilities.

The Public Appointments Service (PAS) is responsible for recruitment across the Civil Service, including the recruitment of people with disabilities. My Department works with other Government Departments, the PAS and the National Disability Authority in the implementation of the provisions of the Disability Act 2005, including those relating to the recruitment and employment of people with disabilities in the Civil Service. This Department also participates in the confined promotion competitions for people with disabilities who are already in the Civil Service, which are organised by the PAS from time to time.

My Department is also a participant in the Willing Able Mentoring (WAM) project, which is administered by AHEAD — the Association of Higher Education Access and Disability — and supported by the Department of Finance. It aims to provide work experience of between three and six months for graduates with disabilities.

While recruitment to the Civil Service is, in the first instance, a matter for the PAS, the Human Resources Section of my Department would be happy to provide advice and guidance to any person with a physical disability who may be interested in pursuing an employment opportunity with the Department of Foreign Affairs.

Passport Applications.

164. **Mr. McHugh** asked the Minister for Foreign Affairs the reason a passport did not issue to a person (details supplied); and if he will make a statement on the matter. [35984/06]

Minister for Foreign Affairs (Mr. D. Ahern): An application for an Irish passport was submitted by the person's parents to the Passport Office at Balbriggan on 20 April, 2006. This application was made under the terms of the Irish Nationality and Citizenship Act, 2004. Under this Act, persons born in the State after 1 January 2005, where neither parent is an Irish or British citizen or otherwise entitled to reside without restriction in the State or in Northern Ireland, may claim citizenship by birth in the State (and thereby establish eligibility for a passport) only where a parent has been lawfully resident in the State for 3 years of the 4 years preceding their birth.

In the case of applications for passports arising from the terms of the 2004 Act, it is the practice of the Passport Service to seek evidence, in the form of official documentation, of lawful residence in the State by one or both parents. From

the evidence provided in support of the application in question, the residency requirement was not met and as such the passport application could not be approved. The Department wrote to the applicant's parents and advised them of this decision on 29 April 2006.

Foreign Conflicts.

165. **Mr. Allen** asked the Minister for Foreign Affairs if his attention has been drawn to the ongoing demolition of homes in east Jerusalem; if his attention has further been drawn to the case of a person (details supplied); if he will raise the issue with the appropriate Israeli authorities; and if he will make a statement on the matter. [35985/06]

Minister for Foreign Affairs (Mr. D. Ahern): I am very aware of the issues raised by the Deputy. The Government has followed the situation, including the case of the person in question, through the Embassy in Tel Aviv and the Representative Office in Ramallah, and in consultation with Palestinian, Israeli and Irish human rights groups and NGOs.

The Government and our EU partners have consistently called on the Israeli Government to end all activities in the Occupied Palestinian Territories which are contrary to international law, including settlement expansion, the destruction of Palestinian homes and the construction of the separation barrier on occupied land. We have raised these issues directly with the Israeli Government, in conjunction with our EU partners, and at the United Nations. We will continue actively to do so.

The practice of house demolitions in East Jerusalem is closely linked to the issues of residency status and the expansion of settlements. The Israeli authorities have placed very severe restrictions on the building of houses by Palestinians in East Jerusalem and have declared illegal any construction work carried out without an official permit. In practice, fewer than 100 building permits are issued to Palestinians each year, following a lengthy and difficult administrative process. Israeli rules which require all Palestinians with Jerusalem residency status to take up residence in the city, or risk losing the status, have obliged significant numbers of people to move back to East Jerusalem from other areas of the West Bank. This has seriously increased the pressure on housing. Many Palestinians have built homes without the permits required by the Israeli authorities because they believe that they have no alternative.

The Government and our EU partners have made it clear to the Israeli Government that it must end the practice of house demolitions in East Jerusalem. It is contrary to international law and, together with other policies and activities in and around East Jerusalem, threatens to under-

mine the viability of a negotiated two-State solution.

Question No. 166 answered with Question No. 162.

Passport Applications.

167. **Mr. Deasy** asked the Minister for Foreign Affairs his views on allowing people who are approaching 65 years of age to renew their passports until their 65th birthday in order that they can benefit from the free passport for senior citizens scheme when they reach 65; and if he will make a statement on the matter. [36046/06]

Minister for Foreign Affairs (Mr. D. Ahern): A passport is normally issued for ten years, and the fees to be charged are laid down by a Statutory Instrument. There is no provision in this Statutory Instrument to permit the Passport Office to waive the fee for persons aged less than 65 years. Apart from the legal dimension, the reality also is that, if this generous concessionary scheme is to work satisfactorily, there has to be a fixed starting date for the scheme and fixed qualifications for persons to benefit under it.

However, and unless the passport holder has immediate travel plans, new passports do not, of course, have to be applied for on, or be valid from, the date when the previous passport expired. A person approaching 65 years may well wish, therefore, to wait until they reach that age and then apply for a free passport.

Sports Capital Programme.

168. **Mr. N. O'Keefe** asked the Minister for Arts, Sport and Tourism when application forms will be made available under the 2007 sports capital programme in view of the fact that the closing date is within four weeks. [35868/06]

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 organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis.

The 2007 round of the sports capital programme was advertised on Sunday 15th and Monday 16th October last and, from the latter date, application forms and the Guidelines, terms and conditions of the programme have been available for release to prospective applicants. The deadline for receipt of applications under the programme is 24th November next.

Decentralisation Programme.

169. **Mr. Connolly** asked the Minister for Arts, Sport and Tourism the numbers of staff in his Department who have indicated willingness to

[Mr. Connolly.]

decentralise; and if he will make a statement on the matter. [35893/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): My Department, excluding the National Archives, i.e. approximately 130 posts, will be transferring to Killarney under the Government's Decentralisation programme. Nine members of staff working in my Department indicated that they wished to relocate to Killarney. However, overall the number of applications received under the Central Applications Facility (CAF) exceeds the numbers required for most of the grades. Including the nine internal staff, a total of 59 officers who will be relocating to Killarney are now in place in my Department.

As the Deputy is aware, my Department was designated by the Decentralisation Implementation Group as one of the "early mover" Departments. The tender process for the permanent building was completed some months ago and OPW selected the preferred bidder — PJ Hegarty & Sons. Planning permission has been granted. I am advised by OPW that construction of the new building is expected to commence before the end of the year and the anticipated completion date is early 2008.

In the meantime, an advance group of 42 staff relocated to temporary accommodation at Fossa, Killarney in September last. The temporary premises is capable of accommodating up to 70 staff and following a "bedding down" period, consideration will be given to transferring further units of my Department on a phased basis, ultimately leading to the relocation of 130 staff to the permanent accommodation in early 2008.

Departmental Staff.

170. **Mr. Connolly** asked the Minister for Arts, Sport and Tourism the number of persons currently employed in his Department whose status has changed to that of disabled since the commencement of their employment with his Department; and if he will make a statement on the matter. [35894/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The Deputy will be aware that the definition of a person with a disability for the purposes of the 3% target is the positive action definition set out in the Code of Practice for the Civil Service, 1994.

According to my Department's records, there are no persons currently employed in my Department whose status has changed to that of disabled since the commencement of their employment with my Department.

Employment Support Services.

171. **Mr. F. McGrath** asked the Minister for Enterprise, Trade and Employment the employ-

ment schemes for people with a physical disability particularly for those who live in the northside of Dublin. [35919/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): FÁS provides a range of services on a nationwide basis to help disabled people find paid employment. Persons with a disability who need assistance in finding employment, or who wish to prepare for employment by undertaking a vocational training programme, or who want to participate in an employment programme, should contact their local FÁS Employment Services Office and register. This is the access point to all FÁS training and employment programmes for job-seekers.

A listing of all Employment Services Offices is available through the FÁS website www.fas.ie/services_to_jobseekers/index.html.

FÁS also provides a range of Schemes and Grants to assist disabled people and/or employers interested in hiring a disabled person. These are as follows:

Job Interview Interpreter Grant

This grant is intended for job seekers with a significant hearing or speech impairment who are attending job interviews. The job seeker can apply for funding to have an interpreter attend the interview with them. A grant of €106.68 for a three hour period is normally paid by FÁS, together with travel costs for the interpreter.

Workplace Equipment Adaptation Grant

This grant is available to employers in the private sector who need to adapt equipment or the workplace to accommodate a disabled employee. The maximum FÁS grant is €6,350, which covers minor building modifications such as ramps or accessible toilets; alarm systems, assistive equipment for computers, amplifiers for telephones, etc.

Supported Employment Programme

The Supported Employment Programme provides supports to disabled people, who traditionally have had difficulty getting into paid employment. The programme is carried out by sponsor organisations on behalf of FÁS. The sponsor organisations employ Job Coaches who provide a range of supports tailored to the individual needs of the jobseeker with a disability that may include:

- helping the job seeker to identify his/her skills and interests;
- assisting the job seeker to find a suitable job;
- analysing the tasks involved in the job and using this to plan the supports to be provided;
- providing on-the-job training and support when the person commences employment;

- providing on-going support to employee and employer for an agreed time period.

Since January 2005, the current FÁS Supported Employment Sponsor on the Northside of Dublin is: Work 4 You Ltd, Unit 1-3 Ballymun Enterprise Centre, Ballymun Industrial Estate, Dublin 11.

FÁS Wage Subsidy Scheme (WSS)

The FÁS Wage Subsidy Scheme provides financial incentives to employers, outside the public sector, to employ disabled people who work more than 20 hours per week up to a maximum of 39 hours. A person availing of the Wage Subsidy Scheme is subject to the same conditions of employment as other employees, including PRSI contributions, annual leave, tax deductions, and the employer pays the going rate for the job, as per any other employee. Employees hired under this Scheme may also qualify for the Department of Social and Family Affairs Back to Work Allowance. The subsidies are structured under three separate strands and employers can benefit under one or all, simultaneously.

Further details of these, and other supports, may be obtained through the FÁS website (www.fas.ie) under 'Disability'.

Community Employment Programme

The Community Employment programme is operated by FÁS to provide work experience and training for disadvantaged persons, and is available to those with a disability. Participation rates for people with disabilities on the programme will be progressively increased under the Sectoral Plan for the Department of Enterprise, Trade and Employment under the Disability Act, 2005. Information on access to the programme is available from any of the above mentioned Employment Services Offices.

Pension Provisions.

172. **Mr. Fleming** asked the Minister for Enterprise, Trade and Employment the situation regarding the liquidation of a company (details supplied); and when all final amounts will be paid to staff in respect of their entitlement and contributions to their pension fund. [35983/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The liquidation of IFI is still ongoing. However, I understand that the liquidator has made considerable progress in realising the assets of the company and establishing the full extent of its liabilities. At this stage, the assets of the company have all been realised.

It is understood that all claims from secured and preferential creditors have been paid at this stage, while a second interim payment was made to unsecured creditors in May bringing the total payments to unsecured creditors up to 37.5% of their claims. A small number of claims remain to be determined and the prospects for any further

dividends will depend on the outcome of these remaining issues.

I should, of course, stress that the determination of any payments due to creditors of IFI is a matter solely for the liquidator while any pension payments due are a matter for the trustees of the relevant pension funds.

Industrial Disputes.

173. **Mr. Bruton** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the fact that a private company (details supplied) under the wing of FÁS, is refusing to honour a Labour Court recommendation founded on the Transfer of Undertakings Act obliging companies who take over contracts to honour existing working conditions; and if he will take steps to ensure that all State agencies operate within employment law. [36073/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I have asked FÁS to let me know the position in relation to this issue. FÁS is looking into the matter and when I have its response I will communicate directly to the Deputy in writing.

Social Welfare Code.

174. **Mr. Cuffe** asked the Minister for Social and Family Affairs his plans to address the use of the phrase rent allowance not accepted in accommodation advertisements; and if he will make a statement on the matter. [35967/06]

176. **Mr. Cuffe** asked the Minister for Social and Family Affairs his plans to address the use of the phrase rent allowance not accepted in accommodation advertisements; and if he will make a statement on the matter. [35989/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 174 and 176 together.

The supplementary welfare allowance scheme, which includes rent supplement, is administered on my behalf by the Community Welfare division of the Health Service Executive. The purpose of the scheme is to provide short-term income support, 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.

Under the rent supplement scheme there is no direct relationship between the State and the landlord. Entitlement is based on the tenant's income support needs with payment generally made directly to the tenant. The tenant's engagement with the Executive usually takes place after the tenant has reached an agreement with the

[Mr. Brennan.]

landlord. As such it is not possible to identify if refusal by landlords to accept rent supplement tenants is causing difficulties for those trying to find accommodation.

It is the case however, that significant numbers of new tenancies commence each year with the support of rent supplement. For example, just under 35,000 new cases have been awarded so far this year.

I am aware that some landlords are advertising their property on the internet or in the newspapers and state that they are unwilling to accept rent supplement recipients as tenants.

I am concerned that landlords would refuse a tenancy purely because someone is on a social welfare payment. I have asked my Department to investigate the extent of this practice and to examine if it constitutes possible discrimination. The fact that there are currently over 60,000 rent supplement recipients, an increase of around 15,000 recipients since 2001, does indicate that there are significant numbers of landlords who are willing to accept people in receipt of rent supplement as tenants. Also the fact that almost 35,000 new rent supplement claims were awarded between January 2006 and October 2006 appears to indicate that overall access to accommodation is not proving restrictive for those in need of assistance under the supplementary welfare allowance scheme.

Pension Provisions.

175. **Mr. Connolly** asked the Minister for Social and Family Affairs his views on the anomaly whereby farmers may make voluntary contributions towards contributory pensions at age 65 from age 55 onwards, whereas the farmer's wife is precluded from so doing; if he will take steps to eliminate this discrimination against farmer's wives and lack of recognition of wives contribution to farm management; and if he will make a statement on the matter. [35905/06]

Minister for Social and Family Affairs (Mr. Brennan): Spouses of an employed or self-employed contributor are specifically excepted from social insurance contributions. This exclusion recognises the practical difficulties in establishing the nature of a genuine employment relationship in circumstances such as when a person employed under a contract of service (i.e. as an employee) by his or her spouse is classed as an "excepted" contributor under social welfare law. As a result, farming spouses, in common with spouses of other self-employed persons, can only pay PRSI contributions in one of three scenarios.

Firstly, spouses who are actively engaged in a commercial partnership (as opposed to simply being the joint owners of a property) are treated as individual self-employed contributors and are thus liable to social insurance contributions. These contributions — made under PRSI Class S

— enable them to build up an insurance record in their own right and to receive accruing benefits. Liability for PRSI contributions is not contingent on the ownership of property but rather on the nature of the business arrangements between the couple. Co-ownership of property does not in itself create a partnership.

Secondly, where a family business or farming enterprise is incorporated as a limited company, spouses involved in the business can establish a social insurance record as either employees or as self-employed contributors — depending on whether a contract of service exists.

Finally, if the spouse is engaged in "off-farm" employment, they will pay social insurance contributions in their own right. This enables farming spouses who might otherwise not be insured to develop a social insurance record on the basis of their "off-farm" earnings.

I would also point out that the exception of spouses from PRSI liability in relation to a shared occupation does not preclude them from accessing the voluntary contributions scheme. Access to this scheme requires a minimum number of 260 paid contributions. Where a person has been previously insured as an employee or as a self-employed person, is no longer compulsory insured and is under 66 years of age, he or she can opt to pay voluntary social insurance contributions. These contributions will maintain social insurance cover for pensions such as Retirement, State (Contributory) and Widow's or Widowers' (Contributory) as well as for the Guardian's Payment (Contributory) and the Bereavement Grant — depending on the rate at which the voluntary contribution has been paid. Voluntary contributions maintain the pension coverage at the level equivalent to that when the person was last compulsorily insured. The amount to be paid as a voluntary contribution is at a percentage of annual income. For those who were previously self-employed, the voluntary contribution is paid at a fixed amount of £253 per annum.

The legislation that exempts spouses who assist in family enterprises — such as farming — from liability to social insurance has been the subject of review on a number of occasions.

In 2005, the 'Fully-Inclusive Social Insurance Model' (FISIM) group, established under the social partnership agreement, and which included representatives from various local and national farming organisations, considered how the social insurance framework in Ireland should develop to become more inclusive. The report of the group acknowledged the significance of the partnership option and recommended that more information on the tax and social welfare implications of families working in either a partnership or limited company be made available. This recommendation is currently being progressed.

I consider that the current arrangements are not discriminatory and represent a reasonable

response to the social security requirements of spouses and assisting relatives. There are no immediate plans to alter the arrangements outlined above.

Question No. 176 answered with Question No. 174.

Social Welfare Benefits.

177. **Mr. Wall** asked the Minister for Social and Family Affairs if a person (details supplied) in County Kildare is in receipt of the maximum amount of rent supplement applicable; and if he will make a statement on the matter. [36002/06]

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.

Under standard SWA rules rent supplements are normally calculated to ensure that a person, after the payment of rent, has an income equal to the rate of SWA appropriate to their family circumstances less a minimum contribution, currently €13, which recipients are required to pay from their own resources. Many recipients pay more than €13 because they are also required, subject to income disregards, to contribute any additional assessable means that they have, over and above the appropriate basic SWA rate, towards their accommodation costs. The Executive has been contacted regarding this case and has advised that the person concerned is in receipt of the maximum amount of rent supplement payable appropriate to her current income and family composition.

Tax and Social Welfare Codes.

178. **Aengus Ó Snodaigh** asked the Minister for Social and Family Affairs the steps being taken to address the perceived anomaly between his Department and the Revenue Commissioners Office, whereby cohabiting couples can be classed as a couple by one and not by the other; and if he will make a statement on the matter. [36023/06]

Minister for Social and Family Affairs (Mr. Brennan): The primary purpose of the Irish social welfare system is to provide income support for people who, for whatever reason, experience a loss of income or whose existing income is regarded as insufficient.

The Social Welfare Consolidation Act, 2005 defines “couple” as meaning “a married couple who are living together or a man and woman who are not married to each other but are cohabiting as husband and wife.” This definition applies both to the statutory schemes, such as the weekly social welfare payments, and to the non-statutory

schemes such as the Free Travel, Free Electricity and Telephone Rental Allowance.

The social welfare and tax systems have evolved over time and in response to a variety of factors, including Constitutional imperatives as interpreted by the Courts, changing social trends and EU Directives. The two codes have developed independently and are governed by different legislation. Changes in one system are not necessarily influenced by changes in the other and the differences in the social welfare and tax codes in their treatment of different types of households reflect this. Any change in relation to the tax code would be a matter for my colleague, the Minister for Finance.

Social Insurance.

179. **Mr. Deasy** asked the Minister for Social and Family Affairs his views on allowing sole traders who employ their spouses to pay social insurance contributions; and if he will make a statement on the matter. [36026/06]

Minister for Social and Family Affairs (Mr. Brennan): Family members who work together are generally not insurable under the Social Welfare Acts. Spouses of employed or self-employed contributors are specifically excepted from PRSI liability in respect of their working activity with their spouse. However, there is scope within the provisions of social welfare legislation to enable spouses who are partners in an enterprise, or who work together in a legally incorporated business, to be insurable and to accrue entitlement to certain benefits and pensions.

At the heart of the issue lies the fact that current social welfare provisions recognise that family members regularly support each other without having any intention of entering into formal contractual arrangements. Employment under a contract of service as an employee or as a contract for services as a self-employed person is, by its very nature and necessity, a formal agreement between two or more parties. All contracts bring with them rights and responsibilities that, in this instance, include compliance legislation relating to PRSI, taxes and employment rights. Evidence of a commercial partnership between spouses or the incorporation of a family business as a limited company will establish liability for Class S contributions — providing that income is above the annual threshold of €3,174. These provisions apply to couples engaged in retailing and other self-employed activities.

I would point out that the exception of spouses from PRSI liability in relation to a shared occupation does not preclude them from accessing the voluntary contributions scheme. Access to this scheme requires a minimum number of 260 paid contributions. Where a person has been previously insured as an employee or as a self-

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employed person, is no longer compulsory insured and is under 66 years of age, he or she can opt to pay voluntary social insurance contributions. These contributions will maintain social insurance cover for pensions such as Retirement, State (Contributory) and Widow's or Widowers' (Contributory) as well as for the Guardian's Payment (Contributory) and the Bereavement Grant — depending on the rate at which the voluntary contribution has been paid. Voluntary contributions maintain the pension coverage at the level equivalent to that when the person was last compulsorily insured. The amount to be paid as a voluntary contribution is at a percentage of annual income. For those who were previously self-employed, the voluntary contribution is paid at a fixed amount of €253 per annum.

I am satisfied that, under the existing social welfare provisions, where formal employment or partnership relationships are intended between spouses or assisting relatives, the legislation provides the scope necessary to allow parties to enter into arrangements that will enable them to gain access to social insurance coverage.

Social Welfare Benefits.

180. **Mr. P. McGrath** asked the Minister for Social and Family Affairs the number of people who have had their payments of child benefit cut off as a result of trying to contact them regarding the new early child supplement payments; the number of people who subsequently had their payments reinstated; the net number of people who had payments terminated based on this process; and if he will make a statement on the matter. [36049/06]

Minister for Social and Family Affairs (Mr. Brennan): In April 2006, as part of the introduction of the early childcare supplement (ECS) scheme, a letter issued to qualifying customers i.e. those in receipt of child benefit for children under the age of 6 years, informing them of the new payment including the method and frequency of payment and the approximate date of the first payment. In August, a further letter issued confirming the date of the first payment and payment dates for the remainder of 2006 and 2007. Approximately 265,000 letters issued on both occasions.

Approximately 6,000 letters were returned undelivered from the April mailing, and 3,000 from the August mailing. Of these 9,000 cases, new addresses have been established in respect of 6,300 customers. Payment of Child Benefit is currently suspended for the remaining 2,700 customers. Work is continuing to establish the whereabouts of these customers; if it is confirmed that they are no longer resident in the country,

their claims will be terminated and overpayments assessed where appropriate.

My Department has put in place measures to ensure that customers in receipt of both Child Benefit and Early Childcare Allowance are reviewed on a regular basis to ensure they continue to fulfil the qualifying conditions for the receipt of the payments. These measures will include mailshots to confirm the children's residency in Ireland and confirm insurable employment of a parent in cases paid under EU regulations. In addition, home visits by investigation staff will be used to verify and validate information given.

181. **Mr. Stanton** asked the Minister for Social and Family Affairs further to a previous parliamentary question, the details of the additional income threshold for the fuel allowance for each year respectively from 1995 to date in 2006 inclusive; the amount of any increases in any of those years and subsequent new additional income threshold as a result of the increase; the date when an additional increase was granted; when these increases came into effect; and if he will make a statement on the matter. [36058/06]

Minister for Social and Family Affairs (Mr. Brennan): Entitlement to fuel allowance is subject to a means test. People who are in receipt of relevant non-contributory payments automatically satisfy the fuel allowance means test and 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 2006, in the case of contributory pensions which are not means tested, a person may have a combined household income of up to €51 per week over and above the maximum rate of state pension (contributory), or savings/investments of up to €46,000, and still qualify for fuel allowance. This additional income amount was increased to €51 per week with effect from 1 June 2005. Prior to that, it was €38.10 per week from September 1999 and €19.05 from September 1996, having previously been set at €12.70 per week.

These increases were announced in the Budget immediately prior to their introduction in all cases. The overall fuel allowance income limits increase each season in line with the increases in the rate of the State pension (contributory). Actual income from investments and money in savings accounts is not counted for means assessment purposes. Instead all cash values of investments and property, all money in savings accounts and cash-in-hand are added together and this capital is assessed as follows: the first €20,000 of capital is disregarded; capital between €20,000 and €30,000 is assessed on the basis of €1 weekly means for each €1,000 of capital; capital

between €30,000 and €40,000 is assessed on the basis of €2 weekly means for each €1,000 of capital; and capital above €40,000 is assessed on the basis of €4 weekly means for each €1,000 of capital. Income limits on secondary sources of income

in order to qualify for fuel allowance from 1995 are set out in column B in the following tabular statement. The overall income limit is also set out in the statement.

Applicable income limit for secondary sources of income

Year	OACP* rate	Means Limit	Adult Dependant Allce. Under 66	Adult Dependant Allce. Over 66	Single Person	Couple where Qualified Adult is Under 66	Couple where Qualified Adult is Over 66
	(A)	(B)	(C)	(D)	(A+B)	(A+B+C)	(A+B+D)
1995	92.44	12.70	61.07	66.41	105.14	166.21	171.55
1996	95.23	19.05	62.85	68.44	114.28	177.13	182.72
1997	99.04	19.05	64.76	70.34	118.09	182.85	188.43
1998	105.39	19.05	66.66	72.25	124.44	191.10	196.69
1999	113.00	38.10	70.98	76.06	151.10	222.08	227.16
2000	121.89	38.10	76.44	82.03	159.99	236.43	242.02
2001	134.59	50.79	86.60	101.07	185.38	271.98	286.45
2002	147.30	50.79	98.10	113.80	198.09	296.19	311.89
2003	157.30	50.79	104.80	121.50	208.09	312.89	329.59
2004	167.30	50.79	111.50	129.20	218.09	329.59	347.29
2005	179.30	51.00	119.50	138.50	230.30	349.80	368.80
2006	193.30	51.00	128.80	149.30	244.30	373.10	393.60

Old Age Contributory Pension now called the State Pension Contributory.

Public Transport.

182. **Mr. McEntee** asked the Minister for Transport if he will prioritise the immediate opening up of the Dublin Bus market to the private sector; and if he will make a statement on the matter. [36005/06]

Minister for Transport (Mr. Cullen): In line with its commitments in the Programme for Government, the Government has made a number of significant decisions recently that will provide a solid basis for expanded and improved bus services throughout the country over the coming years, while ensuring better value for money for both passengers and taxpayers.

The Government has decided that the regulation of the bus market and future decisions on the allocation of all public subsidies for bus services in the Greater Dublin Area will be taken by the new Dublin Transport Authority, which is being established under legislation, now at an advanced stage of preparation. The DTA will have responsibility for contracting with all operators in the Dublin market, including Dublin Bus. It will also be responsible for monitoring the quality and cost of service by all operators and ensuring value for money on all routes.

Under the Government's Transport Investment Programme — Transport 21 — it is anticipated that there will be a requirement in the GDA for an expansion of the number of buses providing scheduled services. This will require an increase in the total number of buses to around 1,800, with a requirement for at least 200 extra

buses over the next two years. The Government has decided to meet this initial requirement by providing up to €30 million immediately to enable Dublin Bus to buy 100 additional buses for delivery over the period 2006-07 and mandating the DTA to procure the additional 100 buses from the private sector to provide services on new routes.

The 100 buses procured from the private sector forms part of an initiative to facilitate the entry of new, private operators by awarding franchises to operate routes accounting for 15% (approx 200 buses) exclusively to such operators by way of competitive tendering. Following this period, all new routes will be subject to a competitive tendering process open to all operators. The precise arrangements will be approved by Government on the basis of proposals from the DTA. This approach will encourage new investment and innovation in the Dublin bus passenger market.

In the interests of stability and integration of the bus network, the legislation establishing the DTA will allow the DTA to enter into a direct contract with Dublin Bus, in accordance with EU law, on the basis of it continuing to operate without a diminution in the size of their current bus fleet.

It is proposed that all subvention payments in the GDA, both to Dublin Bus and to new operators, will be made by the DTA on an objective, transparent and even handed basis so as to maximise value for public money. The integrated nature of the Dublin bus market will be underpinned through the DTA having responsibility for traffic

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management strategy, which will prioritise public transport, and for integrated ticketing, fares and information systems. The DTA will also be empowered to organise the allocation of routes to operators in such a way as to maximise their prospect of efficient operation and the coherent development of the bus network.

In addition to the legislation to establish the DTA, new legislation is being prepared to replace the licensing regime under the Road Transport Act, 1932 by a modern regulatory and licensing regime in line with commitments in the Programme for Government. This will be designed in a manner consistent with EU law on public service obligations and State aids and in such a way as to create new opportunities and a level playing field for private operator involvement in the bus market. I would hope to be in a position to publish legislative proposals later this year.

I am confident that the combination of immediate investment in new bus capacity and structural reform to introduce competition and enhance incentives for efficiency, represent a balanced strategy to benefit bus passengers and taxpayers alike. It follows extensive consultation with interested parties, including with key stakeholders such as the CIE companies and Unions, and study of mechanisms used internationally to achieve efficiency and effectiveness in bus markets. The Government's strategy will deliver immediate benefits and secure steady and continuing progress into the future.

183. **Mr. Crowe** asked the Minister for Transport if he will elaborate on his plans for the provision of 200 extra buses for the Dublin area; when the 100 extra buses will come on stream both in the public sector and in the private sector; and if the State will pay for the 100 buses destined for the private sector. [36007/06]

Minister for Transport (Mr. Cullen): In line with the Programme for Government commitments, the Government has made a number of significant decisions recently that will provide a solid basis for expanded and improved bus services throughout the country over the coming years, while ensuring better value for money for both passengers and taxpayers. I am committed to the introduction of a modernised regulatory framework for public transport and will continue to advance this regulatory reform agenda.

The Government has decided that the regulation of the bus market and future decisions on the allocation of all public subsidies for bus services in the Greater Dublin Area will be taken by the new Dublin Transport Authority, which is being established under legislation, now at an advanced stage of preparation. The DTA will have responsibility for contracting with all operators in the Dublin market, including Dublin Bus. It will also be responsible for monitoring the

quality and cost of service by all operators and ensuring value for money on all routes.

Under the Government's Transport Investment Programme — Transport 21 — it is anticipated that there will be a requirement in the GDA for an expansion of the number of buses providing scheduled services. This will require an increase in the total number of buses to around 1,800, with a requirement for at least 200 extra buses over the next two years. The Government has decided to meet this initial requirement by providing up to €30 million immediately to enable Dublin Bus to buy 100 additional buses. I understand from Dublin Bus that these buses will begin to enter into service by the end of the year and that the delivery of them will be completed by the end of January 2007. Their deployment is a matter for the company.

There are also 100 buses to be procured from the private sector by the Dublin Transport Authority to provide services on new routes. This is to be done by way of competitive tendering. This forms part of an initiative to facilitate the entry of private operators, by awarding franchises to operate routes accounting for 15% (approx 200 buses). The identification of routes for these buses and the award of franchises will be a matter for the DTA. Following this period, all new routes will be subject to a competitive tendering process open to all operators. The precise arrangements will be approved by Government on the basis of proposals from the DTA. This approach will encourage new investment and innovation in the Dublin bus passenger market.

In the interests of stability and integration of the bus network, the legislation establishing the DTA will allow the DTA to enter into a direct contract with Dublin Bus, in accordance with EU law, on the basis of it continuing to operate without a diminution in the size of their current bus fleet.

It is proposed that all subvention payments in the GDA, both to Dublin Bus and to new operators, will be made by the DTA on an objective, transparent and even handed basis so as to maximise value for public money. The integrated nature of the Dublin bus market will be underpinned through the DTA having responsibility for traffic management strategy, which will prioritise public transport, and for integrated ticketing, fares and information systems. The DTA will also be empowered to organise the allocation of routes to operators in such a way as to maximise their prospect of efficient operation and the coherent development of the bus network.

The Government is also investing up to €50 million for Bus Éireann for the delivery of up to 160 buses in the period commencing in 2007 for non-commercial services outside Dublin.

New legislation is being prepared to replace the bus licensing regime under the Road Transport Act 1932 by a modern regulatory and licensing regime in line with commitments in the Prog-

ramme for Government. This will be designed in a manner consistent with EU law on public service obligations and State aids and in such a way as to create new opportunities and a level playing field for private operator involvement in the bus market. I would hope to be in a position to publish legislative proposals later this year.

I am confident that the combination of immediate investment in new bus capacity and structural reform to introduce competition and enhance incentives for efficiency, represent a balanced strategy to benefit bus passengers and taxpayers alike. It follows extensive consultation with interested parties, including with key stakeholders such as the CIE companies and Unions, and study of mechanisms used internationally to achieve efficiency and effectiveness in bus markets. The Government's strategy will deliver immediate benefits and secure steady and continuing progress into the future.

Transport Policy.

184. **Mr. Callely** asked the Minister for Transport the progress that has been made with Transport 21; the committees, groups and so on that are in place associated with Transport 21; their work and issues raised to date in 2006; and if he will make a statement on the matter. [35886/06]

Minister for Transport (Mr. Cullen): Significant progress has been made on Transport 21 since its launch on 1 November 2005. The following are the details of progress in the specific sectors covered by Transport 21.

Luas/Metro: I approved a Railway Order for Cherrywood Luas extension on 14 August 2006. However, in early October a third party sought leave in the High Court to challenge the grant of this Order, by way of judicial review. This matter is now before the courts.

The Public Inquiry for the Docklands extension has been completed, the inspector's report has been submitted and I will decide on the Railway Order application shortly. Public consultation on the further extension of the Luas from Cherrywood to Bray was launched on 14 August 2006. An application from the Railway Procurement Agency for a Railway Order for the Citywest Luas extension is expected in the coming weeks. The RPA is undertaking public consultation on the City Centre line linking the two existing Luas lines. I recently announced the route alignment for Metro North and detailed planning work is now taking place. The RPA will commence public consultation on the route options for Metro West before the end of this year.

Suburban Rail: I have approved, and will shortly sign, the Railway Order for the Kildare Route. Construction work is expected to commence in 2007. Construction of the Docklands Railway Station is well advanced and scheduled to open in Spring 2007. The Public Inquiry for the

Midleton rail line is underway since 31 October. Work on the traincare depot in Portlaoise will commence shortly.

Irish Rail will, by end 2006, introduce into service 67 new rail carriages for use on the Dublin-Cork route and will increase the level of service on the route by providing hourly clock-face services from December. I have approved funding for the first 2 phases of the Western Rail Corridor from Ennis to Athenry and from Athenry to Tuam subject, in the case of the latter, to the completion by Iarnród Éireann of a fuller appraisal. Clearing work has commenced on Phase 1.

Buses: Funding has been approved for 100 additional buses for Dublin Bus and for 160 buses for Bus Éireann for use on non-commercial routes.

National Roads: The NRA has completed and opened to traffic 13 projects and has commenced 10 new projects in 2006 as follows.

National Road Schemes Completed in 2006

Route	Scheme
N55	Cavan Town Bypass
N30	Enniscorthy/ Clonroche
N15	Bundoran/Ballyshannon Bypass
N2	Ashbourne Bypass
N4	Edgeworthstown Relief Road
N8/73	Mitchelstown Relief Road
N52	Mullingar Bypass
N7	Naas Road Widening
N21	Castleisland/Abbeyfeale
N2	Monaghan Town Bypass
N8	Rathcormac-Fermoy Bypass
N25/N27	Kinsale Road Interchange
M1	Drynam Interchange

National Road Schemes Commenced in 2006

Route	Scheme
N4	Longford/Drumsna (Dromod/Roosky Bypass)
N5	Charlestown Bypass
N6	Kinnegad/Athlone Phase 2
N7	Limerick Southern Ring Road Phase 2
N8	Cullahill/Cashel
N8	Cashel/Mitchelstown
N9	Kilcullen/Waterford Nthrn Section Phase 1 (Carlow Bypass)
N11	Junction Improvements (Kilpeddar/Delgany)
N11	Enniskerry Junction Improvements
N25	Waterford City Bypass

A dedicated Division has been established within my Department to oversee the implementation of all aspects of Transport 21.

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I have also established a high-level Monitoring Group, comprising representatives of relevant Government Departments and assisted by the Chief Executives of the State agencies with responsibility for implementing the projects in Transport 21. The main role of this Group is to monitor the implementation of projects provided for in Transport 21. It also reviews compliance with the Department of Finance's Capital Appraisal Guidelines and Value for Money Indicators.

A Programme Board comprising senior managers from my Department is responsible for the overall management of the Transport 21 capital envelope and for issues which are cross-sectoral in nature such as capital appraisal, communications and information.

A communications subgroup of the Transport 21 Monitoring Group, comprising the press officers of each of the implementing agencies and Departmental staff, has also been set up. The Group meets frequently to discuss all issues arising in connection with the promotion of Transport 21 and to co-ordinate the communications activities of the agencies.

Cycle Facilities.

185. **Mr. Callely** asked the Minister for Transport the issues of concern that have been brought to his Department's attention in relation to safety with regard to his Department's policy on the design and use of cycle lanes; and if he will make a statement on the matter. [35887/06]

Minister for Transport (Mr. Cullen): Cycling is an important part of this Government's commitment under Transport 21 to increasing modal share of public transport through infrastructure and service improvements and to encourage a transfer of trips from the private car to more sustainable modes of transport.

While the provision of cycle ways and cycle parking is, in the first instance, a matter for the relevant local authorities, my Department provides funding to the local authorities for the development of such facilities.

Approximately €30 million has been provided by my Department to the Dublin Transportation Office for the provision of cycling facilities in the Greater Dublin Area since 1994. €1 million was provided in 2005 and €2.2 million in 2006. The investment of bus priority funding and cycling-only spending has resulted in some 300kms of cycle facilities being provided, as well as cycle parking facilities throughout the GDA.

Safety is a key issue in cycling. Dublin continues to have more than half of all daily cyclists in Ireland — the accident rate in Dublin is substantially less than for the rest of the country. Nevertheless, continued efforts need to be made to improve safety and take the opportunity

further to improve the standard of new cycle facilities.

The DTO cycletrack design manual (Provision of Cycling Facilities: National Manual for Urban Areas), published in 1997, provides guidance on the design of cycle facilities in Ireland. It is available on the DTO website at www.dto.ie/web2006/publicdown.htm.

The current cycle design guidelines are very demanding, especially in terms of the requirements for cyclists, and providing an appropriate environment for cycling. In particular, the current guidelines demand that cyclists be protected from general traffic in situations of high vehicular speeds, high vehicular volumes or both. This requires a significant permanent dedication of space to cyclists, in a situation where demand for space is at a premium. This manual is in the process of being updated, with a view to enhancing safety. It is expected to be published towards the end of this year.

The manual is supplemented by the DTO Traffic Management Guidelines, published in September 2003 in conjunction with the Department of Transport and the Department of the Environment, Heritage and Local Government. The Dublin Transportation Office recently adopted a Cycle Policy for the Greater Dublin Area (GDA). The policy proposes to enhance the cycling environment in the GDA and promote safe cycling by a variety of means, including creating a continuous cycle-friendly environment on cycle routes and training and education measures.

Outside Dublin, the framework for the promotion of cycling in the regional cities is set out in the relevant local land use and transportation strategy or in the relevant Development Plan or Local Area Plan. The Cork Area Strategic Plan contains proposals to improve facilities for cyclists and promote safe cycling in the city, and Cork City Council has since also developed a cycle network strategy.

In Galway, the City Development Plan includes proposals for improving facilities for cyclists. Limerick City Council approved a cycle strategy for Limerick in May 2004, while the Waterford City Development Plan includes proposals for improving facilities for cyclists.

Question No. 186 answered with Question No. 48.

Road Safety.

187. **Mr. Callely** asked the Minister for Transport the number of deaths relating to road traffic accidents each month from January to October 2006 and the comparison figures for January to October 2003; the accident investigators audits on such accidents; the level of research carried out by his Department on road traffic accidents; and if he will make a statement on the matter. [35889/06]

189. **Mr. Connolly** asked the Minister for Transport the percentages of fatal accidents occurring between the hours of 9 p.m. on Fridays and 6 a.m. on Saturdays, between 9 p.m. on Saturdays and 6 a.m. on Sundays and between 9 p.m. on Sundays and 6 a.m. on Mondays; the overall percentage of fatal accidents between 9 a.m. on Fridays and 6 a.m. on Mondays; and if he will make a statement on the matter. [35906/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 187 and 189 together.

Responsibility for the collection of structured information on road safety now lies with the Road Safety Authority, who would be happy to provide the Deputies with the information requested.

Disability Act 2005.

188. **Mr. Callely** asked the Minister for Transport the success and progress of his Department's policy with regard to transport for all, especially to ensure easy access for people with a disability; and if he will make a statement on the matter. [35890/06]

Minister of State at the Department of Transport (Mr. Gallagher): My Department has finalised a Sectorial Plan on Accessible Transport in accordance with the provisions of the Disability Act 2005. The Plan titled 'Transport Access for All' addresses the accessibility needs of people with mobility, sensory and cognitive impairments across all transport modes and contains time bound targets for the progressive realisation of accessible transport in Ireland. It has been prepared following an extensive consultation exercise involving meetings and discussions with transport providers together with a wide range of groups in the disability sector.

The Plan, along with the sectorial plans of five other Departments, was laid before the Houses of the Oireachtas on 20 July 2006 as required by the Disability Act 2005 and was formally launched by the Government on 21 July 2006. All six sectorial plans have now been approved by both Houses of the Oireachtas enabling them to take effect.

A number of measures to achieve the implementation of 'Transport Access for All' have already been put in place, including the provision of funding under Transport 21 and the extension of the remit of the Public Transport Accessibility Committee (PTAC) to incorporate a monitoring role. In addition, a Maritime Forum to oversee the implementation and review of the Maritime Passenger Section of the Plan is currently being formed.

All new buses purchased by the CIE companies for urban services are now low floor and wheelchair accessible. Similarly in the rail sector all new rail rolling stock is specified to full accessibility standards. Good progress has been made by

Iarnród Éireann and Bus Éireann in upgrading their respective stations to cater for the needs of people with mobility, sensory and cognitive impairments. This work is continuing. Also, Luas has been designed from the outset to be a fully accessible system and the Commission for Taxi Regulation is proposing measures to aid people with mobility, sensory and cognitive impairments.

Each of the CIE operating companies, the Dublin Airport Authority and the Railway Procurement Agency / Veolia Transport have established disability users groups to advise them on accessibility matters at the company level.

My Department's Sectorial Plan contains a number of provisions to facilitate the monitoring of progress on its implementation. These include the incorporation of progress reports in the Department's annual reports as well as participation in interdepartmental co-ordinating and monitoring structures for the National Disability Strategy. In addition, each agency under the aegis of my Department that is required by statute to prepare and/or publish an annual report, will be requested to provide in their annual reports a progress report on the implementation of the relevant sections of the Sectorial Plan.

Question No. 189 answered with Question No. 187.

Public Transport.

190. **Mr. Crowe** asked the Minister for Transport the number of closed circuit television cameras on public transport buses here; and the number in operation. [35907/06]

Minister for Transport (Mr. Cullen): I have no function in relation to this matter. It is an operational matter for Bus Átha Cliath.

Road Safety.

191. **Mr. Cregan** asked the Minister for Transport if he will clarify the situation in relation to the wearing of helmets by cyclists; if same is compulsory or voluntary; if he will make it legally binding for children, in the interests of safety and in the interests of stopping bullying and name calling, which is currently directed at children who use helmets; and if he will make a statement on the matter. [35964/06]

Minister for Transport (Mr. Cullen): It is long-standing Government policy to recommend and promote the wearing of cycle helmets by all cyclists and it has been the view that this is best achieved by way of encouragement and education rather than by pursuing a punitive approach to the issue particularly having regard to the large numbers of children and young people who cycle.

As a consequence of the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) responsibility for matters relating to vehicle standards, including

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bicycles, is now assigned to the Road Safety Authority.

Public Transport.

192. **Mr. Andrews** asked the Minister for Transport the steps being taken by Bus Éireann to provide low floor wheelchair accessible buses for its fleet; and if he will make a statement on the matter. [35979/06]

Minister for Transport (Mr. Cullen): Significant progress has been made in recent years in the introduction of wheelchair accessible buses to the Bus Éireann fleet. Since the year 2000, all buses purchased by the company for urban services are low floor, wheelchair accessible. That purchasing policy will continue as the bus fleet is replaced and expanded over time. I recently announced that Exchequer funding of up to €50 million would be provided for up to 160 new buses for Bus Éireann in the period commencing 2007 for non-commercial services outside of Dublin, all of which will be wheelchair accessible.

Bus Éireann has already achieved almost 100% fleet conversion to low floor, wheelchair accessible buses on its urban services in the cities of Cork, Limerick, Galway and Waterford. The company also has a number of low floor, wheelchair accessible buses operating on a number of rural routes and on some commuter routes that were previously served by coaches.

In other urban areas currently served with smaller buses that are not wheelchair accessible, Bus Éireann's policy is to replace those vehicles with wheelchair accessible buses.

While there has been significant progress in the development and provision of accessible buses for city services, the production of wheelchair accessible coaches is at an early stage across Europe and coaches of this type are not readily available. My Department's Sectorial Plan under the Disability Act 2005 addresses the question of accessible long-distance coaches in the light of the COST 349 Report. The Report, based on a major 4-year European research project, made recommendations in October 2005 in respect of accessibility matters for coach-type vehicles. A number of manufacturers are now beginning to put the recommendations into effect on their vehicles.

Bus Éireann has undertaken to acquire a number of these vehicles for operational trials in Ireland.

School Transport.

193. **Mr. Stagg** asked the Minister for Transport if he has considered the introduction of laws, similar to those that pertain in the USA, which requires motor cars to stop when a school bus stops; and if he will make a statement on the matter. [35986/06]

Minister for Transport (Mr. Cullen): I understand that the Department of Education and Science, in conjunction with Bus Éireann, initiated a School Bus Flashing Lights pilot scheme in Ennis in January 2005 and proposed the extension of the pilot initiative to other areas.

Consideration of the creation of a road traffic requirement of the kind suggested by the Deputy will be informed by the outcome and evaluation of these pilot measures.

Rail Network.

194. **Mr. Sargent** asked the Minister for Transport his views on replacing the level crossings at Coolmine and Clonsilla with either a bridge or tunnels to facilitate movement of road traffic in view of plans to increase the frequency of trains on the Maynooth line, and the addition of services to and from Dunboyne and eventually Navan; and if he will make a statement on the matter. [36032/06]

Minister for Transport (Mr. Cullen): The management of road traffic at level crossings is a matter for the relevant local authorities in conjunction with Iarnród Éireann. The upgrading of railway infrastructure and associated roads is also a matter in the first instance for Iarnród Éireann and local authorities and, in the case of national roads, the NRA.

I understand that the upgrading of level crossings on the Maynooth line will, inter alia, be considered in the context of plans under Transport 21 for the development of the line which will also include resignalling and electrification of the route. The current position on this project is that a feasibility study is currently underway and is expected to be completed in 2007 with a view to commencing the Maynooth line upgrade programme of works in 2008.

195. **Mr. Stanton** asked the Minister for Transport if he is satisfied that there is sufficient funding in place to enable the Cork to Middleton rail line to be constructed and completed; the estimated cost of the project; the amount of funding his Department has and will be contributing towards the cost of the project; and if he will make a statement on the matter. [36060/06]

Minister for Transport (Mr. Cullen): Provision for the capital costs of the Cork Commuter Services Project, including for the development of the Glounthane to Middleton railway line, was incorporated into the multi-annual estimates for Transport 21 when it was announced last November. This provision was made on the basis of costings prepared by consultants on behalf of Iarnród Éireann as part of the cost-benefit analysis for the project and allowing also for contributions to the project to be leveraged from a scheme under Section 49 of the Planning and

Development Act 2000 which is being implemented by Cork County Council.

Since the announcement of Transport 21, Iarnród Éireann has completed detailed designs for the project allowing the Company to submit an application for a Railway Order and to prepare tender documents. On this basis, the business case, including the anticipated costs of the project, have been updated in accordance with the Department of Finance's Guidelines for the Appraisal of Capital Expenditure. I can confirm that the funding provision within Transport 21 continues to be sufficient for the completion of the project.

I do not propose to release the estimated cost of the project as this remains commercially sensitive information until the public procurement process for this project is completed.

Public Transport.

196. **Mr. Durkan** asked the Minister for Transport the extent to which all public transport has wheelchair access; and if he will make a statement on the matter. [36062/06]

Minister of State at the Department of Transport (Mr. Gallagher): Significant progress has been made in recent years in improving wheelchair access to public transport and work in this regard is continuing apace.

All of the regular urban bus fleets operated by Bus Éireann in Cork, Limerick, Galway and Waterford are low-floor wheelchair accessible. In addition, the company operates some low-floor wheelchair accessible buses on a number of rural routes and on some commuter routes in the Greater Dublin Area. Bus Éireann is also continuing a major bus station refurbishment programme to make them all accessible.

All new buses purchased by Bus Átha Cliath are low-floor and wheelchair accessible. Currently almost 60% of the Bus Átha Cliath fleet is accessible and in excess of 60 routes are now served by such buses. A bus stop accessibility upgrade programme is ongoing to complement the operation of the low floor buses.

Similarly in the rail sector all new rail rolling stock are specified to full accessibility standards. Suburban rail services are now accessible over most of the network for people with mobility impairments and it is envisaged that most Inter-City train services will be accessible within a short number of years as the accessible rolling stock currently on order comes into service. In addition, a railway station accessibility improvement programme is underway based on the findings of the accessibility audit of all railway stations commissioned by Iarnród Éireann in 2003.

Luas has been designed from the outset to be a fully accessible system and the new Metro system planned for Dublin will also be fully accessible.

While there has been significant progress in the development and provision of accessible buses for city services, the production of wheelchair accessible coaches is at an early stage across Europe and coaches of this type are not readily available.

Nevertheless, there are certain positive developments in this regard, including a major 4-year European research project, COST 349, which reported in October 2005. The Report made recommendations in respect of accessibility matters for coach type vehicles. A number of manufacturers are beginning to put the recommendations into practice in the design of their vehicles and such vehicles are only now commercially coming on the market.

Bus Éireann has undertaken to acquire a number of these vehicles for operational trials in Ireland. The Public Transport Accessibility Committee has very recently been briefed in the matter.

My Department has finalised a Sectorial Plan on Accessible Transport in accordance with the provisions of the Disability Act 2005. The Plan titled 'Transport Access for All' addresses the accessibility needs of people with mobility, sensory and cognitive impairments across all transport modes and contains time bound targets for the progressive realisation of accessible transport in Ireland. It has been prepared following an extensive consultation exercise involving meetings and discussions with transport providers together with a wide range of groups in the disability sector.

Questions Nos. 197 and 198 answered with Question No. 42.

Public Transport.

199. **Mr. Durkan** asked the Minister for Transport if he will set out standards for the location and quality of bus stops and shelters throughout the greater Dublin area, having particular regard to the need to encourage the general public to use public transport to a greater extent; and if he will make a statement on the matter. [36065/06]

Minister for Transport (Mr. Cullen): The provision of bus stops and shelters in the greater Dublin area is a matter for the local authorities in that area, in consultation with the Garda Síochána and transport service providers.

Rail Services.

200. **Mr. Durkan** asked the Minister for Transport the extent to which in the short term, he expects the provision of an adequate feeder bus service to all commuter rail stations to encourage greater use of the rail service, thereby alleviating road traffic congestion and travel times; and if he will make a statement on the matter. [36066/06]

Minister for Transport (Mr. Cullen): This is a day-to-day operational matter for the companies concerned and not one in which I have any role.

201. **Mr. Durkan** asked the Minister for Transport the extent to which he expects commuter rail passenger numbers to be increased in the short term at all rail stations throughout the greater Dublin area; and if he will make a statement on the matter. [36067/06]

Minister for Transport (Mr. Cullen): I understand from Iarnród Eireann that it expects that passenger numbers on its DART and commuter services in the Dublin area will reach 32.8 million in 2007, an increase of 20% on 2005.

Question No. 202 answered with Question No. 42.

Air Services.

203. **Mr. Durkan** asked the Minister for Transport his plans for the development of increased air flights between Dublin and the rest of the country with particular reference to the development of a modern air taxi service; and if he will make a statement on the matter. [36069/06]

Minister for Transport (Mr. Cullen): In the EU there is an open skies policy in which airlines are free to operate what routes they choose, including domestic routes, provided they satisfy the necessary requirements.

The provision of scheduled air services between the major towns and cities in Ireland is essentially a matter for airlines, if they consider there would be a demand for a particular service on a particular route. This is not a matter in which I or my Department would normally be involved, except as regards Public Service Obligation air services (PSO). Member States of the EU are allowed to provide financial compensation for the operation of PSO air services to regional airports, where it would not be economically viable for airlines to operate on a commercial basis. In 2005, I announced the award of contracts for the provision of PSO services from 2005 to 2008 on routes linking Dublin with the regional airports in Galway, Kerry, Sligo, Donegal, Ireland West (Knock) and City of Derry. There are no plans to expand this programme.

Ireland is adequately served by a network of airports, both international and regional. Furthermore, road and rail transport links between major towns and cities have improved significantly in recent years and further major improvements are planned as part of Transport 21.

204. **Mr. Durkan** asked the Minister for Transport the action he proposes to take to encourage competition in air transport; and if he will make a statement on the matter. [36070/06]

Minister for Transport (Mr. Cullen): The air transport market in the EU has been fully liberalized and consequently fully competitive since 1992 with an open skies policy in which airlines are free to operate what routes they choose. This has provided an environment for increased competition, giving low cost carriers access to the market to the ultimate benefit of the consumer.

In June 2006 the EU concluded a multilateral agreement with ten additional countries on the Establishment of a European Common Aviation Area (ECAA). There is also a 1999 air transport agreement between the Community and Switzerland so that the effective market for Community air carriers now encompasses 36 countries. These measures have transformed the aviation sector making it extremely competitive giving the consumer a wide range of choice. The process will continue with a further EU regulation which will consolidate, simplify and further streamline the regulatory process.

I intend to ensure that Ireland's airports can provide cost competitive and appropriate infrastructure to meet the current and prospective needs of the aviation sector. In addition I will continue to facilitate and encourage as wide a range as possible of safe, reliable, regular and competitive commercial air services with non EU countries for Irish tourism, trade and industry. These objectives will be pursued by concluding liberal regulatory arrangements with non-EU states and by seeking to facilitate greater access on transatlantic routes by concluding the EU-US Open Skies agreement.

205. **Mr. Durkan** asked the Minister for Transport his plans for the future of Aer Lingus and the development of air transport generally. [36071/06]

Minister for Transport (Mr. Cullen): The Irish aviation sector plays a vital role in our continuing economic development and is a critical feature of the growth in tourism and trade. Aviation is particularly important for us because we are an island nation. The key objectives of Irish Aviation policy and the strategies being pursued to achieve those objectives are set out in my Department's Statement of Strategy 2005-2007 which was published on 29 July 2005 on the Department's website.

In broad terms the main objectives of Irish aviation policy are:

- To facilitate and encourage as wide a range as possible of safe, reliable, regular and competitive commercial air services for Irish tourism, trade and industry; and
- To ensure Ireland's airports can provide cost competitive and appropriate infrastructure to meet the current and prospective needs of the aviation sector.

These objectives will be pursued by concluding liberal regulatory arrangements with non-EU States and by seeking to facilitate greater access on transatlantic routes by concluding the EU/US 'Open Skies' agreement. Open Skies offers significant growth and hub opportunities with considerable potential benefit to the Irish economy. I am seeking to bring this issue to conclusion in an EU-US context. If agreement on an EU/US agreement cannot be reached in a reasonable timeframe, I will seek to progress this bilaterally with the US authorities.

The recent successful flotation of Aer Lingus has provided the airline with access to new equity to enable it to compete effectively and fund the growth of its business. Through the IPO, the company now has new equity of the order of €0.5 billion, which provides it with unique opportunity to pursue its expansion based business strategy. It will be a matter for the Board of the company going forward to decide on its future strategy.

In relation to the proposed takeover of Aer Lingus by Ryanair, the Government's view is that Ireland's strategic objectives for aviation would not be well served by such a takeover. Earlier this week Ryanair applied to the European Commission for approval of its bid. Officials from my Department have already had initial contacts with European Commission officials to outline the Government's concerns in relation to the proposed takeover and will make further representations to the European Commission on this in the coming weeks.

With regard to Airports, it is Government policy to foster airport development, particularly at the three state airports, in order to encourage as wide a range as possible of reliable, regular and competitive air services to and from Ireland. Policy is also aimed at facilitating the contribution of the regional airports to balanced regional development.

Airport development in Ireland must take into account the needs of low cost and full service airlines. Airport development should also enable the development of critical long-haul business to North America and to other long haul destinations. Major development will be required at our key gateway airport, Dublin Airport, over the next decade. Among the priorities are a new Terminal 2 and pier and apron facilities that will allow the airport to respond to demand and to improve the overall passenger experience for all users.

Departmental Staff.

206. **Mr. Connolly** asked the Minister for Community, Rural and Gaeltacht Affairs the criteria for persons with disabilities for seeking employment opportunities within his Department; the application procedures that apply; and if he will make a statement on the matter. [35896/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): My Department does not recruit directly. All recruitment including persons with disabilities is conducted on our behalf by the Public Appointments Service.

The Public Appointments Service is subject to Codes of Practice published by the Commission for Public Service Appointments. The Code of Practice sets out the principles and standards to be applied in the case of external and internal recruitment of persons with disabilities and enables the Civil Service, and other public bodies, to fulfil their obligations to comply with Government policy in this regard.

In relation to persons with disabilities working in the Department, the Department of Finance guidelines for dealing with staff with disabilities are adhered to in this regard.

207. **Mr. Connolly** asked the Minister for Community, Rural and Gaeltacht Affairs the number of persons currently employed in his Department whose status has changed to that of disabled since the commencement of their employment with his Department; and if he will make a statement on the matter. [35897/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): There is currently only one employee employed in my Department whose status has changed to that of a person with a disability since the commencement of their employment with my Department.

Charities Regulation.

208. **Dr. Upton** asked the Minister for Community, Rural and Gaeltacht Affairs his views on the problems caused by unlicensed operators pretending to be charities; if his attention has been drawn to the difficulties they cause for genuine charities; and if he will make a statement on the matter. [35909/06]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): The Government has acknowledged that Irish charity law is in need of modernisation. To address this, there is a commitment in the Agreed Programme for Government that a comprehensive reform of the law relating to charities will be enacted to ensure accountability and to protect against abuse of charitable status and fraud.

In delivering on this commitment, earlier this year, the Government approved the General Scheme for the Charities Regulation Bill. It is anticipated that the Charities Regulation Bill, which is currently being drafted as a priority, will be published in early 2007.

Harbours and Piers.

209. **Dr. Cowley** asked the Minister for Community, Rural and Gaeltacht Affairs if he will

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make urgent provisions for the necessary changes to a pier (details supplied) in County Mayo; and if he will make a statement on the matter. [35972/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): As explained to the Deputy in previous replies, a report carried out for my Department in 2005 by the consultants Malachy Walsh and Partners, in conjunction with McClure Watters, concluded, inter alia, that the development over the last number of years of new piers, both on the island in question and at an adjacent mainland location, had satisfied a key Departmental objective to provide safe access to that island.

Notwithstanding this conclusion, my officials are currently evaluating an application from Mayo County Council for additional funding to assist with the cost of carrying out further substantial improvements to the piers in question, together with minor improvements to slipways on the island and at the mainland location referred to by the Deputy.

210. **Dr. Cowley** asked the Minister for Community, Rural and Gaeltacht Affairs if he will address the need for a state of the art pier facility at The Valley, Achill Island, County Mayo to replace an existing pier; and if he will make a statement on the matter. [35975/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): My Department does not have any application for funding for the pier referred to by the Deputy from either Mayo County Council or from the local community. If any such application is received, it will be assessed in accordance with the standard criteria under my Department's scheme for the development of small piers and harbours in the Gaeltacht.

211. **Dr. Cowley** asked the Minister for Community, Rural and Gaeltacht Affairs if he will make provision for the necessary changes for a pier (details supplied) in County Mayo, in view of the fact that minor works took place and that there is a great need for further works at this area to enable unrestricted access to and from this pier; and if he will make a statement on the matter. [35976/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The pier in question is not situated within the Gaeltacht and therefore is not eligible for funding under my Department's scheme for the development of small piers in Gaeltacht areas. Dependent on the CLÁR piers measure being run again in 2007 this pier maybe be eligible for funding under that scheme. To apply for this the people involved should contact the local authority.

Aerstráicí Reigiúnacha.

212. D'fhiafraigh **Mr. McGinley** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cad é an dul chun cinn atá déanta maidir le haerstráice a chur ar fáil ar Thoraigh; agus an ndéanfaidh sé ráiteas ina thaobh. [36034/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Le cúpla bliain anuas, tá Údarás na Gaeltachta i mbun obair réamhphleanála i gcomhair aerstráice a thógáil ar Oileán Thoraí. Ag eascairt ón obair seo, fuarthas cead planála don fhorbairt ó Chomhairle Chontae Dhún na nGall i 2004.

I láthair na huaire, tá comhráití ar bun idir oifigigh mo Roinne agus Comhairle Chontae Dhún na nGall maidir le hOrduithe Ceannacháin Éigeantaigh a chur i bhfeidhm ar an talamh a theastaíonn don togra.

Official Languages Act.

213. D'fhiafraigh **Mr. McGinley** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cad é an dul chun cinn atá déanta ag Comhairlí Contae Dhún na nGall, na Gaillimhe, Mhaigh Eo, Chiarraí, Chorcaí, Phort Láirge agus na Mí, faoi seach, maidir le síneacha tráchta a chloíonn le hAcht na dTeangacha Oifigiúla 2003 a chur ar fáil; agus an ndéanfaidh sé ráiteas ina leith. [36035/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Ní thagann síneacha tráchta faoi Act na dTeangacha Oifigiúla agus mar sin tuigfidh an Teachta gur cúram é seo a bhaineann leis na húdaráis áitiúla féin agus nach bhfuil aon fhreagracht ormsa mar Aire i ndáil leis na húdaráis sin.

Live Exports.

214. **Mr. Connolly** asked the Minister for Agriculture and Food the number of live cattle exports for 2004 and 2005; the countries these cattle exports were destined for; and if she will make a statement on the matter. [35892/06]

Minister for Agriculture and Food (Mary Coughlan): The following table sets out details of the export of live cattle for the years 2004 and 2005. The live export trade is an important competitive element in the livestock and meat trade and as such has my full support as an integral part of the sector.

Destination	2004	2005
Belgium	1,496	1,268
France	340	4,724
Great Britain	1,203	1,202
Northern Ireland	44,814	26,450
Germany	6	95
Greece	54	151

Destination	2004	2005
Italy	19,474	47,253
Netherlands	30,595	44,062
Portugal	0	0
Spain	20,675	50,108
Poland	0	80
Other EU	0	0
Total EU	118,657	175,393
Egypt	0	0
Lebanon	11,422	9,436
Libya	0	0
Saudi Arabia	0	0
Yemen	0	0
Other 3rd Countries	268	438
Total 3rd Countries	11,690	9,874
Total Live Exports	130,347	185,267

The exports were valued at almost €58 million in 2005.

State Aid.

215. **Dr. Upton** asked the Minister for Agriculture and Food if her attention was drawn to the discussions at the expert meeting of the European Commission's advisory committee which took place on 25 October 2006; if after that meeting, in her view, member states' concerns regarding whether or not certain agriculture and rural development related transfers might be legal under the EU law governing state aid have been met; if she shares the view of the German Government that under the current EU Regulation on Rural Development (1698/05) national rural development measures that are not co-funded by the EU are not permitted under EU rules governing state aid; the implications of this interpretation of EU Regulation 1698/05 for her recently announced conclusion of an agreement with the agriculture social partners; if she is confident that proposals to amend EU Regulation 1698/05 will be successful in order that measures such as those she announced last week at the conclusion of talks with the agriculture social partners might be allowed under EU state aid rules; and the steps she is talking and prepared to take to ensure such an amendment comes into force before she has to fulfil the pledges she has made to the agriculture social partners in relation to the rural development-related package announced last week. [35998/06]

Minister for Agriculture and Food (Mary Coughlan): My Department was represented at the meeting of the Working Group on State Aids on 25 October at which the Commission's latest proposals for the State Aid Guidelines for the agriculture sector, 2007-2013, were discussed. I, together with several of my EU Ministerial colleagues, had indicated strong opposition to the

Commission's original proposals. Following these representations, the Commission published revised proposals on 21 October. The Commission indicated at the meeting on 25 October that it would consider the further comments of Member States before reaching a final decision on the State Aid rules which will apply for 2007-2013.

On the basis of the Commission's latest proposals, I am satisfied with the degree of coherence between the EU Rural Development Regulation and the proposed State Aid Guidelines for the Agriculture sector for the period 2007 to 2013. The position is that any State aided rural development measure introduced by a Member State outside its national Rural Development Programme must be notified separately to the Commission and must demonstrate how the measure fits in with and is coherent with the relevant programme.

National Rural Development Programmes for the period 2007-2013 must be submitted for approval to the Commission. In Ireland's case, the majority of measures agreed under the Partnership process will form an integral part of our Rural Development Plan and will not need to be notified or considered separately under State Aid rules. In the case of measures subject to additional national financing or funded totally by the State, I am satisfied that Ireland will not have any difficulty in demonstrating their coherence with the Rural Development Programme or in complying with the supplementary notification requirement.

Departmental Staff.

216. **Dr. Upton** asked the Minister for Agriculture and Food her views on the fact that there is dissatisfaction within the ranks of persons who were interviewed during the 2005 and 2006 rounds of interviews for promotions to area superintendent and district superintendent grades; if, in view of this dissatisfaction and the risk it poses to the *esprit de corps* among employees of her Department, she will review the outcome of these interviews; and if she will make a statement on the feedback received by her Department on foot of these two rounds of interviews. [36010/06]

Minister for Agriculture and Food (Mary Coughlan): I am satisfied that all the interviews were conducted in a fair and equitable manner in respect of all the candidates. The format and processes governing the interviews were agreed in advance with the union, which represents the grades in question and an independent Human Resource consultant chaired each interview board.

Farm Retirement Scheme.

217. **Mr. Deasy** asked the Minister for Agriculture and Food the details of the new early

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farm retirement scheme that she preliminarily announced on 19 October 2006; and if she will make a statement on the matter. [36011/06]

Minister for Agriculture and Food (Mary Coughlan): Subject to the approval of the European Commission, the new Rural Development Programme will include provision for a Scheme of Early Retirement from Farming with a yearly maximum payment rate of €15,000. Further details of the proposed Scheme will be included in the text of the draft Programme which my Department will publish shortly for consultation.

Grant Payments.

218. **Mr. Walsh** asked the Minister for Agriculture and Food if payment of a single farm payment will be made to a person (details supplied) in County Cork. [36054/06]

Minister for Agriculture and Food (Mary Coughlan): An application under the 2006 Single Payment Scheme was received from the person named on 15 May 2006. The 50% advance payment, in the amount of €8,189.39, issued to the person named on 25 October 2006.

219. **Mr. Aylward** asked the Minister for Agriculture and Food if she will extend the time limit for grants applications under the Nitrates Directive for farmers who now find they will not have their planning applications processed before the end of December, in view of the delay in receiving clarification from the EU and taking into account the Christmas holiday period; and if she will make a statement on the matter. [36055/06]

Minister for Agriculture and Food (Mary Coughlan): A revised Farm Waste Management Scheme was introduced by my Department in March 2006 in order to assist farmers meet the additional requirements of the Nitrates Directive. As the Scheme forms part of the current EU Rural Development Round, it must close for new applications at the end of this year. I have already agreed that, where the proposed works under the Scheme require planning permission, applications may be forwarded to my Department as soon as an application for such permission has been made to the relevant local authority. I am keeping this procedure under review to ensure that the scheme is availed of to the maximum extent.

Before final consideration of the application can take place, full and final planning permission, including conditions, must be received.

220. **Mr. Perry** asked the Minister for Agriculture and Food if she will ensure that entitlements under the national reserve for 2005 for a person (details supplied) in County Leitrim are granted as soon as possible; and if she will make a statement on the matter. [36072/06]

Minister for Agriculture and Food (Mary Coughlan): The person named applied for an allocation of entitlements from the Single Payment Scheme National Reserve under category A, and category B. 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 not successful under this category as the land acquired was not leased out during the reference period.

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 under two sub-sections of Category B — namely B(i) and B(iv).

Under B(i) the person named applied for allocation of additional entitlements in respect of leased land. In order to receive additional entitlements from the National Reserve, an applicant must have land free of entitlements. Under the Single Payment Scheme, farmers established entitlements based on the premia claimed and the number of hectares declared on their Area Aid during the reference years 2000-2002. In order to receive payment on these entitlements the farmer must declare an eligible hectare of land for each entitlement. The person named established 48.89 entitlements during the reference years but only declared 48.18 eligible hectares on his 2005 Single Payment form. Therefore he has no land free to allocate additional entitlements to under Category B(i) of the National Reserve.

In addition, as the person named did not have sufficient land to receive payment on all of his entitlements in 2005 he opted to consolidate his entitlements which meant that he maximised his Single Payment for 2005.

With regard to the application submitted under B(iv) — other investment — my Department has written to the person named requesting him to submit documentary evidence in support of this investment. To date no reply has been received.

Furthermore this particular case also involved a successful application under the Force Majeure measure of the Single Payment Scheme and if the person named is deemed successful under Category B(iv) he will have to be examined under the anti-accumulation provisions of the regulations to ensure that any allocation from the National Reserve does not result in double benefit.

Equal Opportunities Employment.

221. **Mr. Connolly** asked the Minister for Education and Science the criteria for persons with disabilities for seeking employment opportunities

within her Department; the application procedures that apply; and if she will make a statement on the matter. [35899/06]

Minister for Education and Science (Ms Hanafin): The Public Appointments Service recruits the majority of staff for the Department of Education and Science. For certain posts, (eg. service support staff, temporary and contract posts), my Department conducts its own recruitment. Recruitment to posts within my Department is on the basis of qualifications, where applicable, and the ability to carry out the responsibilities of the grade or post. Persons with disabilities are entitled to apply for all competitions for which they are eligible and no special application procedures are required. During the selection process and in any subsequent placement in a post, any special needs requirements of an individual will be accommodated in as far as is possible.

Decentralisation Programme.

222. **Mr. Connolly** asked the Minister for Education and Science the numbers of staff in her Department who have indicated willingness to decentralise; and if she will make a statement on the matter. [35900/06]

Minister for Education and Science (Ms Hanafin): A total of 312 officers in my Department have indicated a willingness to decentralise. Of this number, 130 have indicated that they are willing to decentralise with my Department. A further 182 officers have indicated that they are willing to decentralise with other departments/offices.

Institutes of Technology.

223. **Mr. Kenny** asked the Minister for Education and Science the scale of investment in the Castlebar campus of Galway Mayo Institute of Technology for each of the past three years; the capital investment for the proposed health science complex for non-nursing health trainees allocated to date; and the capital to be spent in 2007 on same; the proposed investments for capital refurbishment for 2007 and beyond; and if she will make a statement on the matter. [35955/06]

Minister for Education and Science (Ms Hanafin): My Department has provided capital investment totalling €721,437 for the Castlebar campus of Galway Mayo Institute of Technology for the period in question as follows:

2003 — €17,218

2004 — €46,218

2005 — €658,000.

With regard to a proposed health science complex for non nursing trainees I am not aware of any such proposal having been received in my Department.

Galway Mayo Institute of Technology is anxious to proceed with the development of a new entrance to the campus at Castlebar. My Department is considering the matter further.

Physical Education Facilities.

224. **Mr. Kenny** asked the Minister for Education and Science further to Parliamentary Question No. 629 of 24 October 2006, the decision arrived at following the assessment of the application involved for physical education facilities; the next step involved following her approval of the project; and if she will make a statement on the matter. [35956/06]

Minister for Education and Science (Ms Hanafin): The PE Hall project at the school referred to is part of an extension/refurbishment application from the school and has been assessed in accordance with the published prioritisation criteria put in place following consultation with the Education Partners. Further progression of the proposed project will be considered in the context of the School Building and Modernisation Programme 2006-2010.

My Department is committed to funding the provision of PE Halls, general purpose and outdoor play areas in schools as part of the school building and modernization programme. This is being addressed in the context of available resources and the published criteria for prioritising school building projects.

Residential Institutions Redress Scheme.

225. **Dr. Twomey** asked the Minister for Education and Science the number of claims made to the redress board for compensation in respect of abuse which was suffered in residential centres; the number of children placed in these centres by a court following application to it under the Children Act 1908 in respect of these numbers; the number who were placed there voluntarily; the number of the applications made by the State and the numbers made by the National Society for the Prevention of Cruelty to Children in respect of those placed in these centres by order of the court under the 1908 Act. [35966/06]

Minister for Education and Science (Ms Hanafin): The Residential Institutions Redress Board was established under statute in 2002 to provide financial redress to victims of child abuse in residential institutions in order to assist them in their recovery and enhance the quality of the remainder of their lives. The Board received 14,541 applications by the 15th of December, 2005, the closing date for receipt of applications.

The Residential Institutions Redress Board is independent in the performance of its functions and the application process is confidential in accordance with the terms of the Residential Institutions Redress Act, 2002. My Department

[Ms Hanafin.]

therefore does not have access to the information on those applications as requested by the Deputy.

School Curriculum.

226. **Mr. Gormley** asked the Minister for Education and Science the number of schools here that currently have Model United Nations or Model European Parliament Programs available for their students; and if she will make a statement on the matter. [35980/06]

Minister for Education and Science (Ms Hanafin): There is no requirement for schools to inform my Department if they have established Model United Nations or Model European Parliament programmes. Accordingly, the information requested by the Deputy is not available in my Department.

Education Schemes.

227. **Mr. Aylward** asked the Minister for Education and Science if she will review her decision to refuse home tuition to a person (details supplied) in County Kilkenny in view of the recent assessment carried out by the educational and psychological consultant. [35981/06]

Minister for Education and Science (Ms Hanafin): The Deputy may be aware that the home tuition scheme provides funding to parents to provide education at home for children who, for a number of reasons such as chronic illness, are unable to attend school. The scheme was extended in recent years to facilitate tuition for children awaiting a suitable educational placement.

There is an educational placement available for the child referred to by the Deputy and therefore he does not qualify for tuition under the terms of the scheme.

Third Level Fees.

228. **Mr. M. Higgins** asked the Minister for Education and Science the recourse of an Irish citizen (details supplied); her views on whether this situation is anomalous and unfair to the person in question; the steps this person can take; and if she will make a statement on the matter. [35982/06]

Minister for Education and Science (Ms Hanafin): Third level institutions are autonomous bodies and can themselves determine the level of tuition fees to be charged for postgraduate courses. My Department does not have a role in determining the level of these fees.

Higher Education Authority.

229. **Mr. Allen** asked the Minister for Education and Science if the HEA has carried out, or is in the process of carrying out and investigation

into allegations regarding management at University College Cork (details supplied); if she has made a formal request to the HEA to carry out such an investigation; if so when she expects to receive information with regard to their findings; if she has received information regarding this matter from the HEA; her views on whether the HEA is the best authority to carry out such an investigation; and if she will make a statement on the matter. [35987/06]

Minister for Education and Science (Ms Hanafin): The Higher Education Authority is the statutory body which advises on the full range of policy issues relating to higher education and research.

On foot of various representations which I received regarding management at University College Cork, I asked the Higher Education Authority for a report on the issues raised. The Chief Executive and representatives of the HEA met the Chair and representatives of the Governing Body of UCC last week to discuss the issues and how they may be addressed. Following these consultations the HEA announced that a person who is external to, and independent of UCC, is to be appointed by the Governing Body of UCC to review allegations not already inquired into by the Governing Body.

In the case of allegations which have been, or are being, inquired into by the Governing Body, the independent person will review the Governing Body's process. The independent person will report to the Governing Body, stating if there is substance in any allegations and s/he can make recommendations for remedial action and/or a further process of examination if considered appropriate. An interim report is expected by 12 December 2006. The Governing Body will report to the HEA who will advise me of any action they consider appropriate.

Site Acquisitions.

230. **Mr. Wall** asked the Minister for Education and Science the number of meetings her Department has had with interested groups in regard to the provision of a site that will provide a sustainable position in regard to the population increase in the Newbridge, County Kildare area and its hinterland for educational purpose particularly at primary education level; the results of such meeting; her views on such results; and if she will make a statement on the matter. [35990/06]

234. **Mr. Wall** asked the Minister for Education and Science her plans in regard to the provision of a new primary school in Newbridge to provide a permanent structure in this area where a large increase in the population has necessitated the school principals joining a parish enrolment committee in an attempt to address the growing problems that schools are encountering in seeking to address new applications; the timescale envisaged

in regard to the provision of a permanent structure rather than portacabins or temporary structures; and if she will make a statement on the matter. [35994/06]

246. **Mr. Wall** asked the Minister for Education and Science the meetings her Department officials and consultants appointed by Kildare County Council have had in relation to the drawing up of the development plan for Newbridge; the results of such meetings in relation to the educational needs of the area; and if she will make a statement on the matter. [36041/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 230, 234 and 246 together.

To meet increased demand for primary school places in the area referred to by the Deputy, a Notice of Intention to apply for the recognition of a new primary school to commence operation next September has been submitted to the New Schools Advisory Committee (NSAC). As with all such applications, a full application must be submitted to the NSAC no later than 31st of January 2007 and, following the NSAC's report to me in the matter, I expect to announce my decision in mid-April of 2007.

In relation to both the immediate and the long term educational needs for the Newbridge area, officials in the School Planning Section of the Department are currently working closely with the schools' authorities in the area to see how best these needs can be met. These discussions are ongoing and include the issue of site acquisition to facilitate both temporary school accommodation and permanent buildings.

The Department is also proactively engaged with the Local Authority in relation to the development of education infrastructure in Newbridge and did make a submission on this matter when the Newbridge Local Area Plan was being drafted by the Local Authority.

Educational Planning.

231. **Mr. Wall** asked the Minister for Education and Science the number of meetings she or her officials or officials or consultants appointed by her have had with officials or consultants appointed by Kildare County Council in seeking to determine the educational needs for County Kildare in the drawing up of the County Kildare Development Plan 2005 to 2011; and if she will make a statement on the matter. [35991/06]

232. **Mr. Wall** asked the Minister for Education and Science if a submission was sought from her and if so, if a submission was made to Kildare County Council as part of drawing up of the Kildare County Council Development Plan 2005 to 2011; the normal procedure that applies in regard to her input or overview in regard to development plans and the need to address edu-

cational needs as a result of such plans; and if she will make a statement on the matter. [35992/06]

233. **Mr. Wall** asked the Minister for Education and Science if in view of the increase in population in County Kildare she has drawn up a contingency plan to deal with such an increase in regard to the educational needs of Kildare; the meetings with interested groups she has had in regard to the matter; if she sought or if submissions were made to her in regard to the matter; the groups or interested parties that made such submissions; if further interaction has taken place as a result of such submissions or meetings; and if she will make a statement on the matter. [35993/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 231 to 233, inclusive, together.

My Department is included among the prescribed authorities to whom local authorities are statutorily obliged to send draft development plans or proposed variations to development plans for comment. As a matter of course meetings are arranged with local authorities to establish the location, scale and pace of any major proposed developments and their possible implications for school provision. As part of this procedure the Department made its submission to the Plan in October, 2004.

In addition, the School Planning Section of my Department is working proactively with the local authority 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 Departments land requirements and thus reducing site costs while at the same time providing local communities with new schools with enhanced facilities.

Question No. 234 answered with Question No. 230.

Schools Building Programme.

235. **Mr. Wall** asked the Minister for Education and Science the number of applications with her Department for the provision of new schools or extensions to existing schools or for the provision of portacabins in County Kildare on her building programme; and if she will make a statement on the matter. [35995/06]

Minister for Education and Science (Ms Hanafin): The information required by the deputy is not readily available and would take an inordinate amount of administrative time to prepare.

The Deputy will be aware that meeting the needs of developing areas such as those in Kildare is a major priority for this government. To that end,

[Ms Hanafin.]

we have invested more than €110 million in the School Building Programme in Kildare.

This record level of investment has provided for new schools in areas such as Celbridge, Killashee, and Naas. Major refurbishment works have also been carried out in schools in Kilcock, Leixlip, Newbridge and Sallins. There are a number of schools in Kildare at various stages of architectural planning at present, including schools in Castledermot, Maynooth, and Kilcock.

€1.9 million was allocated to 25 schools in the Kildare area under the Summer Works Scheme in 2006 — 16 primary and 9 post-primary schools. Successful applications for my Summer Works Scheme 2007 will be announced shortly.

I assure the Deputy that this government will continue to prioritise the needs of developing areas such as those in Kildare.

School Placement.

236. **Mr. Wall** asked the Minister for Education and Science the procedure available to parents seeking school places for their children; the time-scale in regard to such a request; her views on parents applications for school places in preferred areas; and if she will make a statement on the matter. [35996/06]

Minister for Education and Science (Ms Hanafin): The compulsory school starting age in a National School is 6 years of age. 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.

It is open to all schools to apply for extra temporary accommodation to meet the immediate need for places at junior infant level or for older children. Such applications are invariably granted but of course schools need to make sure that they apply for extra accommodation in time.

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 himself or herself, fol-

lowing the conclusion of any appeal procedures at school level, has a statutory entitlement under section 29 of the Education Act to appeal that decision to the Secretary General of the Department of Education and Science. A committee is established to hear the appeal with hearings conducted with a minimum of formality. In most cases appeals must be dealt with 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.

Details on appealing decisions on enrolment under section 29 of the Education Act are available on my Department's website at www.education.ie.

School Discipline.

237. **Mr. Wall** asked the Minister for Education and Science the number of section 29s made to her Department in regard to applications for school positions in Kildare for each of the past three years; the area for which such applications were made; the results of such applications; the reaction of her Department to such applications; the action taken; and if she will make a statement on the matter. [35997/06]

Minister for Education and Science (Ms Hanafin): Section 29 of the Education Act, 1998, allows parents, and students who have reached the age of 18, the right to appeal certain decisions made by a school's Board of Management. Appeals may be made in respect of a decision to (i) permanently exclude a student (ii) suspend a student from the school for a period which would bring the cumulative period of suspension to 20 school days in any one school year or (iii) refuse to enrol a student.

In 2004 a total of 10 section 29 appeals in respect of first and second level schools in Co. Kildare were made to the Secretary General of my Department. Of these, 1 was resolved by an independent facilitator, appointed by my Department and who brokered an agreement between the parties to the appeal; 4 were upheld by the appeals committee; and 5 were not upheld by the appeals committee. The areas covered by the appeals were Naas (4), Newbridge (3), Celbridge (2), and Athgarvan (1).

In 2005 a total of 14 section 29 appeals in respect of first and second level schools in Co. Kildare were made. Of these, 5 were withdrawn by the appellant, 2 were resolved by an independent facilitator, 3 were upheld by the appeals committee, and 4 were not upheld by the appeals committee. The areas covered by the appeals were Naas (9), Newbridge (3), Celbridge (1), and Kilcullen (1).

To date in 2006 a total of 19 section 29 appeals in respect of first and second level schools in Co. Kildare have been made. Of these, 4 were withdrawn by the appellant, 1 was resolved by local

agreement between the appellant and school, 6 were upheld by the appeals committee, and 8 were not upheld by the appeals committee. The areas covered by the appeals were Naas (12), Celbridge (3), Curragh (2), Newbridge (1), and Ballymore Eustace (1).

As appeals under section 29 are determined by an independent appeals committee, it would not be appropriate for me to offer any further comment.

Institutes of Technology.

238. **Mr. Deasy** asked the Minister for Education and Science when she will appoint an eminent international expert on higher education to carry out a preliminary independent examination of the submission by the governing body of Waterford Institute of Technology to have the institute designated as a university; the date by which this report must be completed; and if she will make a statement on the matter. [36014/06]

239. **Mr. Deasy** asked the Minister for Education and Science when she received the submission from the governing body of Waterford Institute of Technology to have the institute designated as a university; the reason she does not immediately set up a body of experts under Section 9 of the Universities Act, 1997, to advise on whether WIT should be established as a university; when she plans to establish such a body; the length of time she would expect such a body take to produce its advice; and if she will make a statement on the matter. [36015/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 238 and 239 together.

In February 2006 the Governing Body of Waterford Institute of Technology wrote to my Department seeking a review of its status under Section 9 of the Universities Act 1997.

Since this submission was made, the Government has passed significant new legislation in the form of the Institutes of Technology Act 2006. This will now bring our institutes of technology and universities together under a single strategic ambit. It also provides substantial new managerial and academic freedoms for our leading institutes of technology to develop their roles in line with regional needs and strategic ambition.

The new legislation will transform the Irish higher education landscape and needs to inform our consideration of the case being made for university status for Waterford. In order to achieve the best outcome, as a first step, I intend to commission a preliminary independent examination of the submission that the Governing Body has made.

This preliminary independent examination will involve the appointment of an eminent international expert on higher education. The expert will comprehensively analyse the Waterford IT

submission, taking account of the wider changing policy context. Once completed, the independent expert report will be used to guide the Government's decision on whether a formal statutory review process should be initiated to consider the application, as required under the Universities Act. I hope to make an appointment shortly.

Physical Education Facilities.

240. **Mr. Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 741 of 4 July 2006, when she will approve funding for physical education halls in vocational educational committee schools in Drumshanbo, Carrigallen and Drumkeerin, County Leitrim in line with commitments given by her; and if she will make a statement on the matter. [36030/06]

Minister for Education and Science (Ms Hanafin): My Department is committed to funding the provision of PE Halls, general purpose and outdoor play areas in schools as part of the school building and modernisation programme. This is being addressed in the context of available resources and the published criteria for prioritising school building projects.

Applications for capital funding towards the provision of extensions which will include physical education halls have been received in my Department in respect of the schools in Drumshanbo, Carrigallen and Drumkeerin. The projects have been assessed in accordance with the published prioritisation criteria and are being considered in the context of the School Building and Modernisation Programme 2006-2010.

241. D'fhiafraigh **Mr. McGinley** den Aire Oideachais agus Eolaíochta an bhfuil deontas ceadaithe le haghaidh Halla Spóirt do scoil (sonraí tugtha); cad é méid an deontais; cén staid ag a bhfuil an fhorbairt atá beartaithe faoi láthair; agus an ndéanfaidh sí ráiteas ina thaobh. [36036/06]

Minister for Education and Science (Ms Hanafin): Tá an Halla Spóirt nua atá beartaithe don scoil dar thagair an Teachta ag luathchéim den phleanáil ailtireachta agus cheadaigh mé don scoil dul i mbun tairscintí agus tógála i mí Dheireadh Fómhair na bliana seo. Scríobh mo Roinnse chuig Údarás na Scoile agus Foireann Deartha na Scoile an 10 Deireadh Fómhair ag tabhairt cead dóibh aighneacht chéim 3 (miondearadh agus costáil) a ullmhú.

Nuair a chuirfear aighneacht chéim 3 faoi bhráid mo Roinne socróidh mo chuid oifigigh cruinniú le hÚdarás na Scoile agus lena bhFoireann Deartha leis an doiciméad a mheas. Meastar, mura mbeidh cúinsí ar leith i gceist, gur leor an cruinniú seo le cead a thabhairt an togra seo a chur ar aghaidh go dtí na chéad chéimeanna eile sa phleanáil ailtireachta.

Clár Tógála Scoileanna.

242. D'fhiafraigh **Mr. McGinley** den Aire Oideachais agus Eolaíochta cad é an dul chun cinn atá déanta maidir le forbairt a dhéanamh ar scoil (sonraí tugtha); cad iad na háiseanna breise atá beartaithe a chur ar fáil; agus an ndéanfaidh sí ráiteas ina thaobh. [36037/06]

Minister for Education and Science (Ms Hanafin): Tá an síneadh agus an togra athchóirithe atá beartaithe don scoil dar thagair an Teachta ag luathchéim réamhphleanála ailtireachta agus tá sí ar cheann de cheathracha scoil ar fhógair mé in Aibreán na bliana seo go bhféadfaí dul i mbun tairiscintí agus tógála. I Meitheamh na bliana seo scríobh mo Roinnse chuig Údaráis na Scoile agus aighneacht iomlán chéim 3 (miondearadh agus costáil) á lorg acu ó Fhoireann Deartha na Scoile.

Nuair a gheobhaidh mo Roinnse aighneacht iomlán chéim 3 socróidh mo chuid Oifigigh cruinniú le hÚdaráis na Scoile agus a bhFoireann Deartha leis an doiciméad a mheas. Meastar, mura mbeidh cúinsí ar leith i gceist, gur leor an cruinniú seo le cead a thabhairt an togra seo a chur ar aghaidh go dtí na chéad chéimeanna eile sa phleanáil ailtireachta.

Educational Planning.

243. **Mr. Wall** asked the Minister for Education and Science the meetings her Department officials and consultants appointed by Kildare County Council have had in relation to the drawing up of the development plan for Athy; the results of such meetings in relation to the educational needs of the area; and if she will make a statement on the matter. [36038/06]

Minister for Education and Science (Ms Hanafin): I wish to inform the Deputy that meetings have been held between officials in the School Planning Section of the Department and officials in both Kildare County Council and Athy Town Council with a view to ensuring that the necessary educational provision can be provided in the area in conjunction with the proposed future developments there. Further meetings between the Department and Local Authority are planned in order to progress matters.

244. **Mr. Wall** asked the Minister for Education and Science the meetings her Department officials and consultants appointed by Kildare County Council have had in relation to the drawing up of the development plan for Kildare Town; the results of such meetings in relation to the educational needs of the area. [36039/06]

245. **Mr. Wall** asked the Minister for Education and Science the meetings her Department officials and consultants appointed by Kildare County Council have had in relation to the draw-

ing up of the development plan for Monasterevin; the results of such meetings in relation to the educational needs of the area; and if she will make a statement on the matter. [36040/06]

247. **Mr. Wall** asked the Minister for Education and Science the meetings her Department officials and consultants appointed by Kildare County Council have had in relation to the drawing up of the development plan for Castledermot; the results of such meetings in relation to the educational needs of the area; and if she will make a statement on the matter. [36042/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 244, 245 and 247 together.

As the Deputy is aware the Department is included among the prescribed authorities to whom local authorities are statutorily obliged to send draft development plans or proposed variations to development plans for comment. Under this process, the Department made its submission in October, 2004 to the Kildare Draft Development Plan in relation to the areas in question.

In addition, the School Planning Section of my Department is working proactively with the local authority 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 Departments land requirements and thus reducing site costs while at the same time providing local communities with new schools with enhanced facilities.

Question No. 246 answered with Question No. 230.

Question No. 247 answered with Question No. 244.

Teachers' Remuneration.

248. **Mr. Aylward** asked the Minister for Education and Science her plans to introduce pension rights, sick pay and other entitlements to long serving substitute and temporary teachers in the primary school sector; and if she will make a statement on the matter. [36043/06]

Minister for Education and Science (Ms Hanafin): Provision exists for the reckoning of 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.

Revised arrangements for reckoning substitute service for pension purposes arising from recent pension reforms are being finalised. A Circular Letter outlining the detailed arrangements is

being prepared and it is expected that it will be issued to schools in the coming months.

Qualified teachers employed in a temporary capacity in primary schools become members of the National Teachers Superannuation Scheme on appointment in that capacity.

The full implications of the Protection of Employees (Fixed Term Work Act, 2003 for qualified temporary and substitute teachers employed on fixed term contracts are the subject of ongoing discussions between officials of my Department, the managerial authorities of schools and the teacher unions.

The principle that applies to temporary and substitute teachers employed on fixed term contracts is the principle of no less favourable treatment during the period of their contract unless objective grounds exist for doing so.

Therefore the sick pay and other entitlements of such teachers during the period of their contract, are as for comparable permanent teachers.

Equal Opportunities Employment.

249. **Mr. Connolly** asked the Minister for Defence the criteria for persons with disabilities for seeking employment opportunities within his Department; the application procedures that apply; and if he will make a statement on the matter. [35898/06]

Minister for Defence (Mr. O'Dea): The Department of Defence fully implements the Government's policy on the employment of people with a disability. Recruitment to and promotion within the Civil Service is governed by the Public Service Management (Recruitment and Appointments) Act, 2004 and by the Civil Service Regulation Acts, 1956-2005. The 2004 Act provides for the establishment of the Commission for Public Service Appointments (CPSA) and of the Public Appointments Service (PAS). The CPSA publishes codes of practice prescribing the necessary standards of probity, merit, equity and fairness to be applied by all those carrying out recruitment and promotion under the terms of the Act. The PAS provides a centralised recruitment, assessment and selection body for the Civil Service.

Recruitment competitions run by the Public Appointments Service (PAS) are open to all candidates, including those with disabilities, subject to their meeting the eligibility requirements of the competition. Application forms invite candidates to indicate any special requirements they may have when undergoing the selection process and every effort is made to facilitate these requests by the competition managers.

A new approach to the recruitment and placement of people with a disability in the Civil Service is currently being developed with the aim of ensuring that 3% of all recruits to the Civil Service are people with a disability. It is envisaged that this approach will provide for the hold-

ing of recruitment competitions confined to candidates with a disability and for the setting up, in regular recruitment competitions, of sub-panels for such candidates.

In relation to employment in the Department of Defence, my Department is compliant with the requirement that 3% of posts are held by people with a disability. In addition the Department is participating in the WAM (Willing Able Mentoring) Project, which is a work experience placement administered by the Association of Higher Education Access and Disability (AHEAD) which aims to place graduates with disabilities with employers in the public and private sectors.

Energy Rating for Buildings.

250. **Mr. Eamon Ryan** asked the Minister for the Environment, Heritage and Local Government the proposed energy rating that will apply to a domestic houses built to the exact specifications set out in the existing building regulations, under the grading system that is due to be introduced under the Energy Performance in Buildings Directive; and if he will make a statement on the matter. [35965/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Inter-departmental Group on the Implementation of the EU Energy Performance of Buildings Directive are finalising the Building Energy Rating label to be issued for new dwellings commencing on or after 1 January 2007, in the light of feedback from stakeholders who were consulted on an initial draft of the label.

The definitive draft of the label will shortly be submitted for my approval. In the meantime, I am not in a position to comment on the likely rating of new dwellings built to the minimum standards prescribed by Part L (Conservation of Fuel and Energy) of the Building Regulations.

Road Network.

251. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government the amount of funding requested by Cork County Council to construct the northern relief road in Midleton, County Cork; the amount which has been made available to date; the estimated cost of the relief road; when he expects it to be completed; and if he will make a statement on the matter. [36061/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The improvement of non-national roads in its area is a matter for Cork County Council to be funded from its own resources supplemented by State grants provided by my Department.

I understand that the total estimated cost of the Midleton Northern Relief Road is approximately

[Mr. Roche.]

€1,778,000 and my Department has approved grant assistance of €1,333,225 towards the cost of the project. From 2002 to the end of 2005, grant assistance of €112,742 provided to Cork County Council and in 2006 I allocated a grant of €316,000 for the scheme. I understand, from enquiries made of Cork County Council, that the projected completion date for the road is late 2008.

Water and Sewerage Schemes.

252. **Mr. McEntee** asked the Minister for the Environment, Heritage and Local Government if the Government intends to provide new sewerage treatment plants to meet the current and future needs of east Meath in view of its current dependence for such services on Louth County Council and Fingal County Council; and if he will make a statement on the matter. [35872/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): A Technical Working Group representing my Department, Meath and Louth County Councils and Drogheda Borough Council is examining water services needs in east and south Meath having regard to all relevant data and policy frameworks such the National Spatial Strategy, and Regional Planning Guidelines; and to the need for economic solutions (including where appropriate shared service arrangements) to identified infrastructural requirements. The Working Group's recommendations, which are expected by the end of the year, will be taken into account, in conjunction with the priorities identified in both County

Councils' formal assessments of water services needs, in the next phase of my Department's Water Services Investment Programme.

Private Rented Accommodation.

253. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government the number of housing units that have been inspected by each local authority for suitability under the rental accommodation scheme; the number approved under the scheme; and if he will make a statement on the matter. [35911/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): To date 1877 housing units have been inspected by local authorities for suitability under the Rental Accommodation Scheme (RAS) of which 1771 cases have been approved as suitable for the scheme as detailed in the following table.

Under RAS local authorities use a range of measures to provide accommodation for recipients of rent supplement assessed as having a long-term housing need and is particularly suited to secure improved quality accommodation. To date local authorities have transferred some 2,000 cases to RAS accommodation and an additional 1,500 rent supplement households have also been allocated local authority housing. RAS will supplement the Action Programme on Private Rented Accommodation Standards and other initiatives being undertaken under the Partnership agreement Towards 2016 towards the improvement of standards in the private rented sector.

Table: Number of units inspected and approved for RAS

Local Authorities (Housing)	Total no. of properties Inspected	Properties suitable for RAS
Carlow County Council	N/A	N/A
Cavan County Council	N/A	N/A
Clare County Council	88	71
Cork City & Co Councils	224	219
Donegal County Council	81	81
Dublin City Council	293	289
Dún Laoghaire-Rathdown County Council	9	9
Fingal County Council	94	93
South Dublin County Council	259	229
Galway County Council	N/A	N/A
Galway City Council	82	69
Kerry County Council	37	30
Kildare County Council	N/A	N/A
Kilkenny County Council	30	30
Laois County Council	N/A	N/A
Leitrim County Council	N/A	N/A
Limerick City Council	102	102
Limerick County Council	N/A	N/A
Longford County Council	21	21

Local Authorities (Housing)	Total no. of properties Inspected	Properties suitable for RAS
Louth County Council	337	309
Mayo County Council	2	2
Meath County Council	N/A	N/A
Monaghan County Council	N/A	N/A
North Tipperary County Council	6	6
South Tipperary County Council	9	9
Offaly County Council	86	86
Roscommon County Council	30	30
Sligo County Council	N/A	N/A
Waterford County Council	N/A	N/A
Waterford City Council	37	36
Westmeath County Council	20	20
Wexford County Council	N/A	N/A
Wicklow County Council	30	30
Total	1877	1771

Farm Waste Management.

254. **Mr. Noonan** asked the Minister for the Environment, Heritage and Local Government the reason the second phase of the farm waste plastic scheme does not operate in County Limerick; if his attention has been drawn to the waste plastic backlog in the county and the inadequacy of the only landfill site available; and if he will make a statement on the matter. [35958/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): To address the issue of accumulated backlogs of farm plastic, designated facilities are being provided on a temporary, once-off basis by local authorities where farmers may deposit stockpiled farm film plastic and silage wrap. This arrangement operated on a pilot basis in the first instance in counties Galway, Clare, Mayo, Offaly and Waterford during June and July of this year. This service is free to the farmer and funding to assist the local authorities is being made available from my Department through the Environment Fund.

The collections were well supported by farmers in the counties participating in the pilot phase leading to large quantities of plastic being deposited at designated sites. A significant finding from the pilot scheme is 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 is necessary to roll out the scheme to other areas on a staggered basis. Arising from a comprehensive examination of the information available, I have recently announced that collections of waste silage-bale wrap will now be put in place by Leitrim, Roscommon, Carlow, Longford, North Tipperary and Wicklow County Councils. Announcements regarding further extensions of collections to other areas, including Limerick, will follow completion of collections in those counties taking part in the second phase of the scheme.

The local authority collections are being put in place on a once off basis to remove accumulated silage bale wrap and sheeting from farms. Under the Waste Management (Farm Plastics) Regulations 2001, producers — i.e. manufacturers and importers — of farm plastics (silage bale wrap and sheeting) are required to take steps to recover farm plastics waste which they have placed on the market or alternatively to contribute to, and participate in, compliance schemes to recover the waste in question. The Irish Farm Film Producers Group (IFFPG) is currently the sole approved body in Ireland for the purposes of implementing a compliance scheme for the recovery of farm plastics waste.

Under the IFFPG scheme, producers apply a levy on the sale of farm plastics that in turn is transferred to the IFFPG for use in funding the collection and recovery of farm plastics waste. In spite of the successful operation of the scheme in recent years, it became apparent this year that the Scheme lacked sufficient resources to satisfy the demand that existed for collections of farm plastics. Therefore, following discussions with the IFFPG, farming organisations and local authorities, last May I announced amendments to the scheme to support improved services to farmers. Under the new arrangements, the scheme is being funded by a combination of the existing levies paid by the producer members of IFFPG who run the scheme and funding from weight based collection charges to be paid by farmers availing of the service. This will improve the operational efficiency of the scheme by incentivising the presentation of clean, dry plastic by farmers. IFFPG estimate that a typical farmer will incur a cost of €50 every second year arising from the introduction of this charge. The effect of the introduction of a charge will be to ensure that supply of collections of farm plastics to farmers can match the demand on an ongoing basis. Collections of film

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plastic and silage wrap are currently being provided nationwide by the (IFFPG) on this basis.

Planning Issues.

255. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government the number of occasions upon which directions to local authorities have issued under Section 31(1) of Planning and Development Act 2000; the reason for such directions; if such directions have been complied with in full; the timeframe for such compliance; the consequences of councils not complying with such directions; and if he will make a statement on the matter. [36016/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): One direction has been issued to date by the Minister for the Environment, Heritage and Local Government under section 31(1) of the Planning and Development Act 2000. This was in February 2004 to Dún Laoghaire-Rathdown County Council in relation to the draft Dun Laoghaire-Rathdown County Development Plan covering the period 2004 to 2010. The direction required the Council to amend the draft development plan to ensure that sufficient and suitable land was zoned as residential or for a mix of residential and other uses in order to meet the requirements of the housing strategy. The housing strategy was amended accordingly to address the matter raised in the direction and the County Development Plan 2004-2010 was adopted in March 2004.

The direction recently issued by me to Laois County Council regarding their County Development Plan 2006-2012 was made under Section 31(2) of the Planning and Development Act 2000. The Planning and Development Act 2000 states that a planning authority shall comply with any direction made under Section 31 and that, in exercising any powers conferred on them by the Act, neither the manager nor the elected

members shall exercise their powers in conflict with any such direction.

256. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government his plans to regulate the planning, provision and operation of seaside caravan and mobile home sites; and if he will make a statement on the matter. [36044/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Caravan parks and mobile home sites require planning permission under the planning code. Any permanent campsites and caravan sites where the number of pitches would be greater than 100 also require an Environmental Impact Statement.

In granting planning permission for these types of development, planning authorities may attach a range of conditions relating to the location and operation of such facilities as is suitable for that particular area. I consider this to be the most appropriate level at which the operation of such facilities should be regulated and have no proposals to introduce further regulations on this matter.

Water and Sewerage Schemes.

257. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government if his Department will provide copies of all records it holds regarding the Castlecomer group water scheme in west Sligo, including details of all communications between his Department and Sligo County Council, the scheme or others and recent representations in which the scheme is mentioned; and if he will make a statement on the matter. [36078/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department has received no recent correspondence or representations in relation to this scheme.