



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Tuesday, 21 November 2006.

Ceisteanna—Questions	
Taoiseach	1649
Minister for Communications, Marine and Natural Resources	
Priority Questions	1664
Other Questions	1679
Adjournment Debate Matters	1682
Leaders' Questions	1682
Requests to move Adjournment of Dáil under Standing Order 31	1692
Order of Business	1696
International Agreements: Referral to Select Committee	1703
Official Languages Act 2003 (Section 9) Regulations 2006: Referral to Joint Committee	1704
Estimates for Public Services 2007: Motion	1704
Private Members' Business	
Housing Policy: Motion	1734
Adjournment Debate	
Crime Levels	1764
Health Services	1768
Hospital Services	1771
Health Services	1772
Questions: Written Answers	1777

DÁIL ÉIREANN

—
Dé Máirt, 21 Samhain 2006.
Tuesday, 21 November 2006.

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

—
Paidir.
Prayer.

Ceisteanna — Questions.

Office of the Director of Public Prosecutions.

1. **Mr. Rabbitte** asked the Taoiseach if his attention has been drawn to the call made by the Director of Public Prosecutions for the establishment of a dedicated legal policy unit within his office; if it is intended to provide the finance and resources to allow such an office to be established; and if he will make a statement on the matter. [28373/06]

2. **Mr. Rabbitte** asked the Taoiseach the number of staff, broken down by grade, employed in the Office of the Director of Public Prosecutions; the way these compare with the establishment level; if he is satisfied that the Office of the Director of Public Prosecutions has sufficient staff to discharge its functions adequately; if he has received a request for additional staff for the office; and if he will make a statement on the matter. [29407/06]

3. **Caoimhghín Ó Caoláin** asked the Taoiseach if it is proposed to enhance the operation of the Office of the Director of Public Prosecutions; and if he will make a statement on the matter. [34475/06]

4. **Mr. Kenny** asked the Taoiseach if he proposes to restructure the Office of the Director of Public Prosecutions; and if he will make a statement on the matter. [35500/06]

5. **Mr. J. Higgins** asked the Taoiseach if there are plans to make changes to the operation of the Office of the Director of Public Prosecutions. [35928/06]

6. **Mr. Sargent** asked the Taoiseach if he has considered changing the functions or structure of the Director of Public Prosecutions; and if he will make a statement on the matter. [37076/06]

The Taoiseach: I propose to take Questions Nos. 1 to 6, inclusive, together.

The authorised staffing complement of the Office of the Director of Public Prosecutions stands at 174. Three vacancies in the office are in the process of being filled. I propose to circulate with the Official Report the information requested by the Deputies on the number of staff, classified by grade, employed in the Office of the Director of Public Prosecutions.

The Minister for Finance is considering a request from the Director of Public Prosecutions for the provision of extra resources, including resources for the establishment of a dedicated prosecution policy unit. The adequacy of existing staff levels will be addressed in this exercise. Matters of structure and operations within the Office of the Director of Public Prosecutions are the responsibility of the director and it would not be appropriate for me to be involved.

Legal Posts and Grades

Post or grade	Staff complement by grade	Serving	Vacancies or excess
DPP deputy	2	2	0
<i>Directing division</i>			
Professional officer II	4	4	0
Professional officer III	8	7.7	0.3
Professional officer IV	6	6.8	0.8
Legal researchers	2	2	0
<i>Solicitors division</i>			
Chief prosecution solicitor	1	1	0
Principal prosecutions solicitor	4	4.8	0.8
Senior prosecution solicitor	8	6.5	1.5
Prosecution solicitor or assistant principal I	7	6	1
Prosecution solicitor	27	27	0
Principal legal executive	1	1	0
Deputy principal legal executive	1	0.8	0.2

[Mr. Rabbitte.]

Post or grade	Staff complement by grade	Serving	Vacancies or excess
Assistant principal legal executive	3	2.9	0.1
Higher legal executive	6	6	0
Legal executive	4	4	0
Special law officer	1	1	0
Trainee law clerk (Trainees)	1	1	0
Total	86	84.5	1.5

Administrative Posts and Grades

Post title or grade	Sanctioned posts	Serving	Vacancies
<i>Library</i>			
Law librarian	1	0.89	0.11
Assistant librarian	1	1	0
Library assistant	1	0	1*
<i>General administration</i>			
Principal officer 1	1	1	0
Assistant principal 1	2	2	0
Assistant principal	3	3	0
Assistant principal or system analyst	1	0.8	0.2
Higher executive officer	7	6.5	0.5
HEO or system analyst	2	2	0
Executive officer	12	8.9	3.1
EO or system analyst	2	2	0
Staff officer	6	6	0
Clerical officer	44	48.1	4.1
Service officer	5	5	0
Total	88	87.1	0.9
Overall totals	174	171.69	2.31

*CO covering this post while library assistant on career break.

Mr. Rabbitte: I welcome the more open disposition of the current Director of Public Prosecutions and the number of changes he has introduced, such as availability of books of information, a recent “Prime Time” interview, which is not the first interview he has given, and so on. The DPP pointed out that his office is often called upon in respect of matters of legal policy. He stated:

With the increasing complexity of the criminal justice system, my professional staff are now regularly being called upon to address matters of legal policy. To date, this has been managed from within existing resources. However, I am of the opinion that it is now time to address these issues in a more structured and focused way.

What is the Taoiseach’s understanding of the DPP’s statement? To what issues of legal policy is he referring? Is it the Government or the

Attorney General that requires him to address those issues? Is it intended to set up a legal policy unit in the Office of the Director of Public Prosecutions? Has a request been made to the Taoiseach in this regard? Has a request been made for more resources? Has the Government a view on the DPP’s statement when he thought aloud that there is a need to establish what he called a dedicated legal policy unit?

The Taoiseach: The matter is receiving attention in my Department. My officials are broadly supportive of this. As it is a resource issue, my officials are dealing with it with the Department of Finance and the DPP. There are no staff dealing with legal policy in the Office of the Director of Public Prosecutions. This has proved to be an enormous drawback, as the director pointed out.

The Department of Justice, Equality and Law Reform frequently refers issues to the Office of the Director of Public Prosecutions for its observations, as do others. The DPP finds it difficult to

deal with these referrals because of the increasing amount of legal work unrelated to specific prosecution files work and without having a dedicated staff. The director considers that the formulation of an internal office prosecution policy is not being given sufficient priority because of the absence of a dedicated unit. He has also stated that such a unit would also support the director on general legal policy positions to be adopted in arguments before the courts, particularly in the appellate courts. The interaction between the prosecution service and victims of crime raises issues of policy which such a unit could address.

In his discussions with my Department, the DPP has stated that such a unit would be required to deal with the legal policy relating to prosecutions and matters such as proposed legislation and proposals emanating from the EU and other international bodies, such as the OECD, GRECO, the EU anti-corruption agency, and OLAF, the EU anti-fraud agency. The DPP's office finds it difficult to deal with the increasing amount of legal work unrelated to these issues. The director also considers the formulation of internal office prosecutions has not been given sufficient priority. He stated that this is a vital area where a unit could stand back from the day-to-day prosecution work to examine policy initiatives and give advice when requested. He also stated that GRECO and OLAF regularly seek his direction. His office needs a dedicated unit to deal with these initiatives on an ongoing basis.

Mr. Rabbitte: Is the Taoiseach speaking mainly of prosecutorial policy? Is the DPP being asked to make an input to policy preparation? The Taoiseach said the Department of Justice, Equality and Law Reform contacted him on various matters. Are the DPP's views being sought on the matter of legal policy as distinct from prosecution policy?

Does the Taoiseach wish to comment on the DPP's comments in his recent interview that it would be desirable for judges to provide more clarification and rationale for sentencing decisions? Does the Government have a view on that?

The Taoiseach: The DPP has stated that he might be asked for his views on legislation dealing with prosecution. He has set out his view on that issue in several speeches. The present DPP has been forthcoming on these issues.

It is clear from his scripts that he views the amount of angst caused to families, other relatives and friends when detail is not supplied as a worrying trend. He argues equally that there are times when that is difficult because if it is not given in every case people distinguish between one case and another. He seems to come down in favour of the argument that it would be better to give more detail so that the public, particularly

those involved, are able to see a more factual position.

In one speech he made several provisos showing how difficulty this is in many cases. From a non-legal point of view it is a good thing if the public can see more detail of the rationale behind decisions, making them more understandable.

Caoimhghín Ó Caoláin: Is the Taoiseach aware that one of the reasons for enhancing the DPP's office is the need for the office to explain properly why so many cases are not pursued? Is the Taoiseach aware that fewer than one in ten victims of sexual violence comes through the system and that fewer come before the courts in this jurisdiction than in 20 other European Union member states? That detail comes from the Rape Crisis Network Ireland.

Given that the DPP is the gateway controlling the number of reported cases going before the courts, would the Taoiseach agree that the DPP must prepare and report on decisions made through its office to ensure a better understanding of the basis for these decisions? Recognising that need, does he agree that we need further support-enhancing measures to create a more effective, open and understandable Office of the Director of Public Prosecutions? This goes to the kernel of the question.

Does the Taoiseach agree that if failures in evidence-gathering constitute a barrier to bringing cases before the courts this should be identified by the DPP's office and rectified? Does the Taoiseach agree the office has the primary responsibility to clearly point out the deficiencies in the investigation and preparation of cases submitted for its consideration?

The Taoiseach: I will not get into a discussion on policy areas and why or how the DPP makes decisions. He is an independent office holder under the 1974 Act and it would be entirely wrong to discuss issues relating to his administration or staffing. He put forward a case where his present staff complement should be increased, especially in the policy unit.

Where a trial has taken place, it is not the director's practice to disclose the existence of material which was not put before a court of trial because it was inadmissible or not probative to the case. If the director were to do this, it would involve disclosing prejudicial material and would leave persons affected by disclosure with no effective means to combat any damage to their reputation.

The policy of not giving reasons in public for decisions not to prosecute is not just part of the 1974 Act, as I stated previously on Question Time, it predates the Prosecution of Offences Act and the establishment of the Office of the Director of Public Prosecutions. A number of principles underpin this policy. As I stated in reply to Deputy Rabbitte, if reasons were given in one or

[The Taoiseach.]

more cases, it would be difficult to give them in all cases. Otherwise, wrong conclusions would be inevitably drawn in regard to those cases where the reasons are refused. If, on the other hand, reasons were given in all cases and those reasons were more than bland generalities, due consequences would be difficult or impossible to avoid. That is the reason, as the DPP has outlined.

Caoimhghín Ó Caoláin: Nobody is looking for named cases to be identified but where a pattern of policy decision is evident, that that would be——

An Ceann Comhairle: The question does not relate to policy, it relates purely to administration for which the Taoiseach has responsibility.

Caoimhghín Ó Caoláin: Where there is evidence of a pattern.

The Taoiseach: I accept Deputy Ó Caoláin's point. While I acknowledge the long established principle of not giving reasons in public, I am aware the Director of Public Prosecutions is currently examining where there may be scope for giving further information to victims of crime with regard to prosecutorial decisions. He has stated that himself. Until he does that, I do not have any further information.

Mr. Kenny: Does the Taoiseach accept the thrust of Deputy Rabbite's question, that there should be a dedicated legal policy unit within the Office of the Director of Public Prosecutions? Arising from that, is it the Taoiseach's view that there are weaknesses in the criminal justice system. I welcome the fact that the DPP has spoken out in a number of areas. I especially welcome his description of sentencing by judges as being like a lottery and the suggestion that perhaps, in appropriate cases, explanations should be given by members of the Bench as to the reasons for their range of sentences. A range of those tariffs should be set down by the Oireachtas and, respecting the independence of the Judiciary, a sentence given either above or below that range would, at the same time, require him or her to give an explanation in that regard.

Does the Taoiseach accept there are weaknesses in the system at present? Does he believe that the setting up of a specific policy unit within the DPP's office would be helpful? Does he share the DPP's view that it would be appropriate for judges in these circumstances to explain their sentences, which has been put forward by Fine Gael for some time, much to the amusement of some Fianna Fáil Ministers?

The Taoiseach: I have replied to the question about policy. The Director of Public Prosecutions has put forward a case on why he believes a

policy unit would be desirable and beneficial to him. My Department generally supports that and is engaged with the Department of Finance and the DPP's office in making the case for the relevant staff to deal with this area. There are other issues too. There has been a general increase in the volume and complexity of the legal work with which the director's office has to deal, as a consequence of which an increase in staff was sought over a wide range of areas. The work areas in respect of which the office is seeking additional staff is not just in this area, it is also in the directing division, prosecution policy unit, confiscation of assets, judicial review, District Court, European arrest warrants, Court of Criminal Appeal, bail applicants, the High Court, transfer of State solicitors' service, out-of-hours service and additional representation of gardaí. While the office has a large staff, a case has been made for more staff and that is being examined. Undoubtedly the workload is increasing.

The issue of judges or the DPP giving more information is a matter for both bodies. As Deputy Kenny is aware, when the House lays down mandatory sentences and fixed sentences the courts will take that into account but I do not think they look too kindly on accepting what we suggest; other than the House giving guidelines in legislation, there are all kinds of flexibilities on these issues. I have outlined the negative consequences of giving a specific reason for a decision to prosecute as opposed to a bland generality. For example, that the evidence did not permit a prosecution could in many cases cast doubt on the innocence of a person and thereby violate the presumption of innocence that can be displaced by a trial in due course of law in open court where the accused is equally represented. Giving reasons could damage or prejudice the good name or reputation of a potential witness, for example, by stating that a witness was not thought to be reliable. While it always appears easy on the face of it to say the Judiciary or the DPP should give information, when one looks at the DPP's statement there are many areas where he points out that this is not an easy task. What he is saying is that, where possible, these matters should be dealt with. He has stated that he will return to give a more complete view on that issue.

Mr. Sargent: The call from the DPP for a more transparent sentencing policy is welcome. In regard to the actual office and the question in hand, is the Taoiseach taking seriously the Law Society's concerns based on the fact that in 2005 some 37% of cases were not proceeded with, apparently due to lack of resources? Given that the workload is increasing how is it possible to justify in the Estimates a decrease of 1% in overall funding for the Office of the Director of Public Prosecutions? Its work has increased not only in terms of caseload but in terms of responsibility for the Chief State Solicitor's office transferring

from the Office of the Attorney General to the DPP. The DPP's office also has to advise on the extended responsibilities of the Garda ombudsman and the inspectorate. Is there a case for increasing transparency in regard to sentencing policy and how the DPP's office works? I am aware a certain amount of information is available through the Freedom of Information Act. This would enable us to see the reason it needs greater resources than are being provided.

The Taoiseach: As I have stated there has been a large increase in staff because there has been a large increase in the amount of work. The negotiations at the Chief State Solicitor's office are, hopefully, drawing to a conclusion but they have not been finalised. Representatives of the State solicitors service and the Office of the Director of Public Prosecutions have met with the State solicitors associations to discuss the offer but those matters are not completed. That has cost the office in its own right and obviously that matter will be raised. It was not just a prosecution policy unit. In a whole range of services he is looking for additional staff and that is under discussion. If that is decided or any element of it is decided, he will obviously get the resources for that.

Other than what the director has said — he has stated that he will examine the areas and that he would look at where there might be scope for giving greater information to victims of crime with regard to prosecutorial decisions — I do not think in any of these cases freedom of information would be welcomed by the DPP or his staff. It would be far too complex for that.

Mr. Sargent: Why is there a decrease in funding of 1%?

The Taoiseach: The resources are large. It would be necessary to look at what was in the base figure for last year compared with this year. The figure for this year is the full cost figure of the office for this year based on the complement of 175. It does not include the additional staff the director is seeking at present. The Department of Finance examination of that is not yet complete. The Office of the Chief State Solicitor is dealt with separately. It has a claim outstanding which has been going through the industrial relations mechanism all year. Hopefully it will be resolved before the end of the year so that office can be dealt with in the same way. At present it is not included in the figures.

Constitutional Amendments.

7. **Mr. Sargent** asked the Taoiseach if he will report on the implementation of the recommendations of the Oireachtas All-Party Committee on the Constitution; and if he will make a statement on the matter. [30658/06]

8. **Mr. Kenny** asked the Taoiseach if he will report on the implementation of the recommendations of the Oireachtas All-Party Committee on the Constitution; and if he will make a statement on the matter. [32252/06]

9. **Mr. Kenny** asked the Taoiseach when he next intends to hold a referendum; and if he will make a statement on the matter. [32253/06]

10. **Mr. Rabbitte** asked the Taoiseach the progress made to date with regard to the implementation of the recommendations of the various reports of the Oireachtas All-Party Committee on the Constitution; and if he will make a statement on the matter. [34031/06]

11. **Mr. Rabbitte** asked the Taoiseach his proposals for referenda; and if he will make a statement on the matter. [34032/06]

12. **Caomhghnín Ó Caoláin** asked the Taoiseach if he will hold a referendum before the dissolution of the current Dáil; and if he will make a statement on the matter. [34476/06]

13. **Mr. J. Higgins** asked the Taoiseach if he will report on the implementation of the recommendations of the Oireachtas All-Party Committee on the Constitution. [35929/06]

14. **Mr. J. Higgins** asked the Taoiseach if he plans to hold constitutional referenda before the dissolution of the current Dáil. [35930/06]

15. **Mr. Sargent** asked the Taoiseach his plans for referenda; and if he will make a statement on the matter. [37077/06]

16. **Mr. Kenny** asked the Taoiseach when he will hold a referendum on the rights of children; and if he will make a statement on the matter. [37451/06]

The Taoiseach: I propose to take Questions Nos. 7 to 16, inclusive, together.

The Oireachtas All-Party Committee on the Constitution published its report relating to the family on 24 January 2006. The relevant Departments are considering its recommendations. The Government has acted on most of the key recommendations which have emanated from earlier reports of the All-Party Committee on the Constitution. In all this and the previous Government have held ten referenda. The Government will avail of appropriate opportunities to take forward further recommendations of the all-party committee. The complexities involved in holding a referendum require that careful consideration be given to the frequency with which referenda can realistically be held and the significance of the issues in question.

I announced on Friday, 3 November 2006 that a referendum on children's rights would take

[The Taoiseach.]

place. Our constitution strikes balances between personal rights, the status of the family, the rights and duties of parents and the powers of the State as guardian of the common good. Constitutional change is now proposed to include children in this equation.

The Minister of State with responsibility for children has written to party leaders in the Oireachtas, the Ombudsman for Children and the Chief Executive of the Children's Rights Alliance and invited them to meet him with an aim to achieving consensus on the wording of an appropriate constitutional amendment. Until this process is completed, it is not possible to indicate when the referendum will be held.

The St. Andrews Agreement envisaged some form of electoral endorsement next March. The form that would take was not decided at that time as the legislation needs to go through the House. In the legislation published last week and following further contacts with the Northern parties and the Government, the British Government has provided that this will be by way of elections to the Assembly in Northern Ireland on 7 March 2007.

The Attorney General will advise the Government on any implications that may arise in this jurisdiction in the light of the final content of British legislation to give effect to the St. Andrews Agreement, when it is passed.

Mr. Sargent: I find the discussion on referenda somewhat bizarre given that it seems to be developing into a pattern. In the cold light of day the recommendation that we should have a referendum on the St. Andrews Agreement does not seem like such a good idea and the Green Party does not support it given that we thought the referendum on the Good Friday Agreement was the decisive referendum. A referendum on children's rights is proposed, but the Taoiseach has not advised the terms of the referendum — essentially he wants the Opposition to provide those terms. While I am very happy to discuss it, it would be useful to know whether the Taoiseach had given it detailed consideration before announcing it in the wake of the Ard-Fheis.

Does the Taoiseach have any wording in mind for a referendum on such an important issue as children's rights? Did he have a discussion with senior Ministers in his Cabinet in advance of making his announcement? It seems some Ministers were not aware of the announcement?

Will the referendum be as broad-ranging as possible and will deal with issues including the provision of schools, the protection of human rights, matters relating to crime etc?

3 o'clock There are many aspects to a referendum of this nature. When will the Taoiseach sign off on the wording for the referendum? Is there a timeframe in place regarding the consultations in which the Minister of State,

Deputy Brian Lenihan, is engaging? Will he publish the provisions relating to the referendum? Will the Taoiseach provide a list of the organisations and individuals the Government intends to consult and will their submissions, which would be interesting to read, be published?

Will the referendum contemplate the fallout from the Baby Ann case? Will the amendment to the Constitution countenance children taking their parents to court? What will be the limit in respect of the referendum or has that been thought out? Will the Taoiseach indicate whether he plans to hold the referendum before the general election?

The Taoiseach: In respect of the St. Andrew's Agreement, one party insisted that an election should take place and that it should take the form of a full election in respect of the Northern Ireland Assembly. All the other parties were satisfied that the main matters with which the new agreement deals — consent, equality, etc. — are covered in the Good Friday Agreement and that an election would not be required. It was not possible to deal with that issue. An election could have created difficulties for some political parties.

A referendum could perhaps have represented another way of testing support for the agreement. Following the discussions, it is obvious that the British Government strongly believes — I am not of the same opinion but I would not go to the stake in respect of this issue — that an election should be held. The Assembly will remain in place until the end of January and an election then will be held prior to the new agreement coming into operation. In my view, other parties — although I am not sure they will be very enthusiastic — will go along with it.

We were advised that if a referendum were to take place in the North, one would almost certainly have to take place here. The holding of elections in Northern Ireland will not affect our position. The Attorney General wishes to see the final legislation before making his observations known not only on that issue, but also in respect of any other changes that might be made and how these might affect the international agreement reached on Good Friday in 1998. To date, the indications are that the new agreement will not alter anything in its 1998 predecessor.

Regarding the referendum on matters relating to children, the Deputy will be aware that this is not a new issue. It has been raised by the Ombudsman for Children, the Children's Rights Alliance and the Law Society and it dates back ten years to the deliberations of the Constitutional Review Group. The Minister of State, Deputy Brian Lenihan, has raised the matter on several occasions, particularly in the context of the United Nations children's rights group. He reiterated during the summer that we would be obliged to deal with this issue. I understand that not only has the Minister of State given consider-

ation to this matter, but he has also spoken at length to many groups and bodies. I am sure he has a wording in mind. Having been involved in dealing with many constitutional issues, I am aware that if the wording is produced, people start to unpick it and state that it is not correct and that proper consultation did not take place. Deputy Sargent would probably lead the posse in that regard.

Mr. Sargent: It would be a draft wording.

The Taoiseach: It would be far better to engage in meaningful consultations rather than trying to fix wordings and dates and I thought the Deputy would have welcomed that move.

Mr. Kenny: I refer to the Taoiseach's remarks about the St. Andrews Agreement, which everybody supports. The leader of the DUP wants an election to do what he intends in respect of the Ulster Unionists, which is understandable. When the Taoiseach spoke about this previously, he raised the possibility of the Attorney General advising him to hold a referendum in this jurisdiction arising from the St. Andrews Agreement because of the confusion and lack of clarity. Given legislation has been published in Britain to enable elections to be held on 7 March 2007 and the Assembly to return, surely no complication should arise in respect of having a referendum in this jurisdiction. Is a referendum on this issue necessary because of the legislation and the subsequent election in Northern Ireland?

With regard to the referendum on children's rights, the Taoiseach will be aware Article 42.5 of the Constitution allows the State to intervene where it is called on "to endeavour to supply the place of parents where parents, for physical or moral reasons, fail in their duty towards their children". A number of organisations are calling for this provision to be replaced with an amendment which would state, "In exceptional circumstances, where parents fail to protect the welfare of their children, the State shall take such action as is necessary to ensure such protection". Has the Taoiseach a view on that? Has the Attorney General advised the Government regarding that wording?

I refer to the issue of soft information, which should be a vital part of any referendum in this area. It is estimated a conviction is only secured in 5% of child abuse cases. For instance, the third anniversary of Ian Huntley's conviction is approaching. He was repeatedly questioned about charges relating to sexual activity with minors, indecent assault, burglary and rape. In 1998 and 1999 he was questioned on four separate occasions about rape. The flow of soft information is, therefore, crucial to a referendum on children's rights. When Deputy Enright raised the issue, she was told constitutional issues would restrict the use of such information. Is that the case or has the Taoiseach been advised to the

contrary? If a referendum is held, will the issue of soft information be included in the context of what I described in the British case, where clearly soft information regarding the danger posed by a particular personality had been gathered but was not made available? Is there is a constitutional restriction in this regard? Should soft information be available? If a referendum is held, will it be included in the wording?

The Taoiseach: I reiterate my comments about the St. Andrews Agreement. Subject to the legislation being passed and the Attorney General being happy that nothing will happen over the next week or so, there should no reason to hold a referendum here. On passage of the legislation, as I understand it, the Assembly will cease in its transitional form at the end of January and an election will be held on 7 March next year. However, the Attorney General will conduct a final examination when the legislation is enacted.

As the Deputy correctly said, children's rights issues have been raised by many groups at national, EU and UN level. Many issues were raised a decade ago when Ken Whitaker chaired a constitutional review group. The Minister of State, Deputy Brian Lenihan, has made numerous comments about these issues.

When one looks at what is or is not to be included, the main thing is for the Constitution to be amended to include the welfare principle and to provide an express guarantee of certain other children's rights that derive from the United Nations Convention on the Rights of the Child. The case comes from that convention. The UN Committee on the Rights of the Child, in examining our report on the implementation of the convention over the past number of years and particularly since 1998 — it arises every two years — is of the opinion "that Ireland's approach to the rights of the child appears to be somewhat fragmented". We have given an undertaking to deal with that issue, which has been highlighted by many eminent people and people working in the field.

The All-Party Committee on the Constitution, in its review of the Articles dealing with the family and after examining what the Minister of State, Deputy Brian Lenihan, and others have said, recommended that a new section should be inserted in Article 41 dealing with the rights of children. The committee stated:

All children, irrespective of birth, gender, race or religion, are equal before the law. In all cases, where the welfare of the child so requires, regard shall be had to the best interests of that child.

Many groups, including three notable ones — the Ombudsman for Children, the Children's Rights Alliance and the Law Society — criticised those recommendations strongly and trenchantly. The Minister of State then brought forward some of

[The Taoiseach.]

those arguments in his statement to the UN during the summer. He has furthered his consideration of the matter and it is best that it be discussed by him because he has prepared his case and presentation to bring the issue forward.

From what Irish groups, including the Ombudsman for Children and others, have said, what has been said in court cases — not just the Baby Ann case, but several others — and what is stated in European law and international law in the various conventions, we must address this issue. It is not simple. The Deputy mentioned the issues and sensitivities around the family, a side on which there are counter views. We must make our best efforts to resolve this issue.

Some people outside the House have purported that this matter is new and has jumped up from somewhere, but it is not new. The first references discussed in the House followed the 1996 report, which took from reports that were six years or seven years old. It is quite an old issue.

An Ceann Comhairle: Deputy Rabbitte may speak for one minute and the Taoiseach will have a minute to reply to bring us past Questions to An Taoiseach.

Mr. Rabbitte: The Constitution is the type of issue that can be adequately dealt with in a minute. I will be brief. On 14 June, the Taoiseach stated in the House: “We do not have plan at this stage to have a constitutional referendum in the lifetime of this Dáil.” Is this still his intention? Do I understand him to have said that he does not believe that a referendum will arise from the St. Andrews Agreement, but that he cannot be absolutely certain? Do I understand him to have said that we have a long way to go before we have a referendum on the rights of the child and that it is not likely to be held before the election?

Is there any other matter in respect of which we are likely to have a referendum before the election? I am sure the Taoiseach was right when he stated he was sure the Minister of State, Deputy Brian Lenihan, has all of this worked out and has an amendment in his head, but does he agree that if the Minister of State has an amendment in his head, he has kept it a secret? Does the Minister of State intend to let the House in on the secret? I ask for clarity as to whether the Taoiseach intends to hold the referendum on the rights of the child before the election. Most, if not all, in the House are favourably disposed to the principle but it seems from the Taoiseach’s statement at the weekend of his party’s Ard-Fheis that he has not really thought through the many complexities involved in such a prospect being hurried.

The Taoiseach: I have said on two occasions that it is unlikely a referendum will be required on the St. Andrews Agreement but until the legis-

lation is passed in Westminster — because in its draft form it can be amended, as can any legislation — the Attorney General cannot be asked for a definitive answer. If it passes in its present form it is unlikely to require a referendum.

Caoimhghín Ó Caoláin: I am the only Deputy in this grouping—

The Taoiseach: The need for a referendum can arise at any time, such as following a court judgment. There will not be a referendum until the Cabinet decides there is to be one, which was my answer in June. The Government’s aim is to obtain agreement on an all-party basis as early as possible, which is always our aim with such an important issue. The Minister of State, Deputy Brian Lenihan, has made a case not only in his own mind but at the United Nations, if anyone cares to read what he had to say on the matter. He has set out his thoughts a few times in the past few years but did so in particularly detailed form this summer. On a contentious issue it would not be good business for me to come here and set a date for a referendum. The Minister of State will engage with the parties in the House and all interested groups, of which there are many. If we can deal with it quickly we will do so but if we cannot then we cannot. It is up to us. The Minister of State would like to deal with it quickly and believes it need only take a few months.

Priority Questions.

Postal Services.

69. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources his preferred options for the provision of postal services in the future with particular reference to the role or extended role he sees for An Post, the inclusion of a PSO, the need to ensure a fast, efficient and cost-effective letter and parcel delivery service in all areas throughout the country without exception and the need to comply with regulatory and competition rules; his views on the optimum number of post offices required; his intentions for the upgrading of the maximum number of post offices with a view to delivery of a wider and first class service to the consumer; if he has given instructions to the regulator or An Post with a view to achieving these objectives; and if he will make a statement on the matter. [39110/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): An Post operates within a regulatory framework as enshrined in EU and Irish law and therefore, the universal service obligation, which includes nationwide postal delivery requirements, is a

statutory requirement for An Post as the designated universal service provider. To assist the company in meeting this obligation, it has a legal monopoly on all mail items weighing 50 g or less until January 2009.

Compliance with regulatory and competition rules is a matter for the board and management of An Post. Furthermore, ComReg, as the national regulatory authority, is required to monitor An Post's adherence to postal regulations. I have not given any recent directions to the regulator or the company in the above regard.

I believe there will continue to be a key national role for An Post in the delivery of mails and parcels. However, over the coming years, competition can be expected to increase in these sectors, whether from the privately owned express sector, from the large European public operators now looking for international business or from electronic substitution.

Liberalisation of the mail market in Ireland has already commenced and the second postal directive proposes that the postal sector fully liberalise across the EU on 1 January 2009 subject to political agreement which, if achieved, would open up the letter post area to full competition.

Issues that will be important for Ireland in the context of a fully liberalised market will include the protection of the universal service, ensuring that Irish citizens continue to receive a broad suite of postal services and the continued viability of An Post in the face of open competition.

The development of the postal market requires the availability of competitive, high quality products. The current level of market opening has introduced new players with offerings that meet consumer needs and further market opening will provide further opportunities for new and existing players. The development of further competition allied with a modernised and customer focused An Post will provide the basis for the further development of the postal sector here.

As regards the post office network, the precise number of post offices is a matter, in the first instance, for the board and management of the company. However, the Government and the board of An Post are committed to the objective of securing and maintaining the largest, most economically sustainable nationwide post office network possible. In line with this objective and with the need for the company to leverage its competitive advantages, I asked the company to ensure that any strategy for the development of the company should ensure the long-term viability of the post office network.

It was to this end that the Government recently gave its approval for An Post to enter into a joint venture agreement with the Belgian bank, Fortis, to set up a retail banking business. This will entail the provision of a range of financial services operated through the post office branch network, using the An Post brand and other An Post assets. Key to the Government approval of this

joint venture was that it not only offers a real opportunity for the growth and development of An Post and the post office network but it will, in time, greatly benefit the income streams of postmasters.

Mr. Durkan: Is it true that it is intended to use An Post for the banking or transmission of money transfers in the future? Would this apply, for example, to the Department of Social and Family Affairs which has advised that it will use banking systems in the future as opposed to postal services? Has the Minister given any thought to the optimum number of post offices likely to be retained throughout the country, notwithstanding the views expressed by the commissioner for communications and given that this country is somewhat different in terrain from most other member states? Is it intended to attach further compatible responsibilities to the postal service with a view to enhancing the viability of An Post? Will the Minister speak about the necessity for political approval of the structures to be followed in the provision of postal services in the future, having particular regard to the fact that it is an EU requirement that political agreement be reached?

Mr. N. Dempsey: The deal between Fortis, the Belgian bank, and An Post will open the use of the postal network for financial services generally, such as insurance and so forth, as well as banking. That will operate throughout the post office network. Obviously, the post offices that are already computerised and electronically enabled will be in a position to do that straight away. Not all post offices will carry the full range of services but all of them will act as agents for the new company set up by An Post and Fortis. The answer to the Deputy's first question is that there will be a full suite of financial services, in the broadest sense, available in the local post office from early next year.

As part of that deal Fortis has agreed to enhance the capability of some post offices in the network to operate the electronic transfer systems. A large proportion of post offices have that capability at present but upgrades will be required due to the new systems. That will facilitate social welfare direct electronic transfers. In the negotiations that were carried out with the bank we told An Post that it must be mindful of the needs of the Department of Social and Family Affairs as well.

I have not formed a view on the optimum number of post offices. That is a matter for the board of An Post. It is true that we have a more scattered population, which is the reason we have so many post offices. Nevertheless, the number of post offices in this country is far higher than is the case anywhere else in Europe.

With regard to new services, the deal with Fortis will mean that a suite of financial services will

[Mr. N. Dempsey.]

be provided by post offices. The Government is constantly examining the possibility of new services being provided through the post office network. Some years ago I provided in legislation that something such as the register of electors could be compiled through the post office network.

Mr. Broughan: The Minister, Deputy Roche, did not listen.

Mr. N. Dempsey: That is a useful task it could undertake in the future.

Telecommunications Services.

70. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources if he will report on the regular meetings that his Department is conducting with the broadband service providers; when he will bring proposals to Government on achieving 100% broadband enablement of the State; if he is considering including an upgrading of all telephone exchanges and fixing the problem of shared lines within these proposals; if the cost of this proposal may be up to €200 million; if such investment would ensure that the State receives a stake in the critical communications network; if he plans a tendering process along the lines of the contract that was awarded to BT in Northern Ireland; the role he envisages for e-Net and the MANs in this proposal; and if he will make a statement on the matter. [39125/06]

Mr. N. Dempsey: I meet industry and interested parties on a regular basis in pursuit of my objective to facilitate the widespread availability of competitively priced broadband in Ireland. The provision of telecommunications services, including broadband, is a matter in the first instance for private sector companies operating in a fully liberalised market, regulated by the independent Commission for Communications Regulation, ComReg. The role of the Government is to implement regulatory and infrastructure policies to facilitate the provision of affordable, high quality telecommunications services by competing private sector service providers.

However, it has been clear for some time that the private sector has failed to invest at the level necessary to keep pace with the demand for broadband. Direct funding has already been provided under the National Development Plan 2000-2006 for the provision of backbone infrastructure and to upgrade local access infrastructure. My Department's regional broadband programme is addressing the infrastructure deficit by building high-speed open access broadband networks, in association with the local and regional authorities, in the major towns and cities. These metropolitan area networks, MANs, allow the

private sector to offer world class broadband services at competitive costs. The networks also offer towns opportunities to attract inward investment in advanced technology and knowledge based enterprises.

The Department also offered funding assistance for smaller towns and rural communities through the group broadband scheme. The scheme is technology neutral, allowing the community to select the most suitable broadband delivery platform for the area.

Despite private and public investment in broadband infrastructure there are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. Options to address these gaps in broadband coverage are being considered by a steering group comprising officials from my Department and representatives from ComReg. I expect it to finalise proposals shortly.

Mr. Broughan: The Minister said he has ongoing discussions with the industry. Has he spoken to the executive chairperson, Mr. Pierre Danon, and the chief executive, Mr. Rex Comb, of Eircom about their proposal to enable broadband supply throughout the country for €200 million? They gave that estimate for dealing with split lines, exchanges, remote rural areas and so forth. Has the Minister met Mr. Danon and Mr. Comb to discuss this proposal? Has the Minister carried out a cost benefit analysis of the enablement of all parts of the country? In the Estimates the Minister apparently provided €10 million for this purpose. If Eircom estimates the cost of the job at €200 million, why is the Minister only allocating €10 million?

Will the Minister engage in a tendering process, as the British Government did in Northern Ireland? That process was won by BT and it gave Northern Ireland 100% broadband enablement. We have not yet attained that target. Will the Minister engage in a tendering process or will he make a special deal with Eircom? Given the level of State expenditure that would be necessary, is the Minister prepared to take a stake in Eircom in return for financial support to the company?

The Minister always refers to the MANs in replies to questions about broadband provision. However, we know the MANs do not solve the local loop or the last mile problems. Have we not already spent €120 million on the MANs project? Is it not the case that e-Net, the company administering the MANs, last year lost €4 million and is still losing money? Has the Minister received a proposal from e-Net on enabling broadband throughout the country or does he expect that company to engage in a tendering process? In other words, if the Minister advertised a tender for broadband, would he expect e-Net to make a bid alongside Eircom, BT and anyone else who wished to do so?

What is the Minister's opinion of the Labour Party's proposal to make Dublin city a wireless enabled zone so that broadband could be freely accessed in the city centre business and commercial district?

Mr. N. Dempsey: I have had several meetings with Mr. Danone and Mr. Comb, including two where I met both together, during which we discussed a range of matters. At our initial meetings, the two men wanted to introduce themselves and outline their views on where their company was going and what they were planning to do. I wanted to learn their plans for broadband and the telecommunications sector in general. Eircom is clearly an extremely important company.

Mr. Broughan: Did they put a specific proposal to the Minister?

Mr. N. Dempsey: I ask the Deputy to give me a chance to answer the question in my own way. We discussed a range of issues pertaining to broadband and telecommunications. The €200 million figure to which Deputy Broughan refers was reported in a Sunday newspaper but, to my recollection, it was never mentioned in any conversation I had with Mr. Danone or Mr. Comb nor did I hear it confirmed by either following publication of the speculative article which mentioned it. We discussed the issue of providing nationwide broadband services and, as was the case with other private sector operators in this field during the 12 to 18 months in which I have dealt with them, they have pointed out they are in the business to make money and to give their shareholders a return. Their basic attitude is, while it is very laudable for the Government and Opposition Members to desire nationwide broadband, do not ask the private sector to pay for it. That is the real world in which we live. Even before Mr. Danone and Mr. Comb joined the scene, a number of providers predicted that certain areas of the country will not have broadband for the foreseeable future if we are not prepared to invest directly.

We have been aware of the issue since 2001 or 2002 and have established the county and group broadband scheme to address it. While that scheme has been successful in allowing communities to become involved, it is somewhat slow in terms of developing the type of coverage I would like to see in this country. For that reason, we are now considering the issue raised by Deputy Durkan with regard to bringing nationwide broadband to the last 10% or 15%. Discussions are ongoing in respect of how we might achieve that target and how we could shape a tendering process.

Mr. Broughan: There would be a tendering process.

Mr. N. Dempsey: A tendering process would be necessary. At this stage, we are asking whether we should divide the country into small areas, as we were doing, to provide services on a county-wide or regional basis or if we should develop a single national contract. There are advantages and disadvantages to each option. We are sure, however, that we want a technology neutral solution so that we do not give the tender to one company only to have it claim it is running out of copper wires.

Fisheries Protection.

71. **Mr. Ferris** asked the Minister for Communications, Marine and Natural Resources his views on whether the compensation currently being offered to drift net fishermen is adequate. [38963/06]

72. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources whether, in respect of compensation for commercial netmen, he will reconsider the valuation that has been put on the licence or improvements to the minimum payment, given that commercial quotas declined by approximately 60% in the reference period for compensation, fishermen were penalised by the area based quota system and commercial representatives suggested equal valuation of all salmon licences; and if he will make a statement on the matter. [39097/06]

Mr. N. Dempsey: I propose to take Questions Nos. 71 and 72 together.

The Government's primary motivation is the conservation of the wild salmon species, which has long been regarded as one of Ireland's most prized fish. It is vital to afford every protection to the remaining salmon stocks and to clearly prioritise conservation over catch. The current imperative must be to maintain stocks above conservation limits or at the very least halt the observed decline. If we do not take action now, the relentless decline in stocks will continue, leading to the inevitable demise of wild salmon and the loss of a valued cultural, recreational and economic resource.

International best practice for the management of North Atlantic salmon requires the adoption of a precautionary approach and the cessation of indiscriminate mixed stock fisheries. These are the recommendations of the North Atlantic Salmon Conservation Organisation and the International Council for the Exploration of the Sea. Moreover, if we do not end mixed stock fishing in 2007, the European Commission will undoubtedly proceed in its action against Ireland under the habitats directive. On the other hand, we can expect a reputation bonus from neighbouring countries if we proceed on the proposed course.

In future, the harvest of salmon by any means will be restricted to those stocks of rivers that are meeting their conservation limits. This means

[Mr. N. Dempsey.]

there will be no indiscriminate capture of fish. Commercial fishing and recreational angling can continue only on the scientifically identified exploitable surplus. The Government has decided in the circumstances to introduce a hardship scheme for commercial fishermen and others severely affected by the curtailment of the wild salmon fishery on the lines set out in the independent group's report. As the Deputy will be aware, the independent group was appointed to examine the implications of alignment with the scientific advice for the commercial salmon fishing sector in 2007 and beyond. As part of its remit, the group made recommendations to address any financial hardship that may be experienced by the sector. The approach it adopted in determining the hardship payments was robust and convincing.

In its report, the group noted that the level of hardship likely to be experienced would vary both in extent and scale. Taking all factors and available information into account and noting in particular that there is no legal obligation on the State to provide compensation where it is imposing management measures that are fundamentally in the public good, the group proposed to provide a measure of relief to each individual in line with the level of hardship likely to be experienced and recommended that relief should be based on the recent catch history of the individual licence holder from 2001 to 2005.

The Government accepted the recommendation of the independent group and determined that the level of payment should be based on the average net income per salmon in the commercial fishery for the past five years, that is from 2001 to 2005. This income calculation was based by the group on the average price obtained per fish per year and the costs incurred by fishermen. Each individual licence holder who applies to the fund is set to receive six times his or her average catch multiplied by the average net income per salmon. I believe this is a fair and reasonable allocation and does not need to be modified. An additional fund of €5 million will be available for a community support scheme to aid the development of those communities where the impact of the cessation of drift netting will be hardest felt and to provide alternative employment and economic opportunities for those affected.

Mr. Ferris: The Minister will be aware of the presentations made by driftnet fishermen to the Joint Committee on Communications, Marine and Natural Resources, in which they categorically stated they were in favour of sustainability and conservation. Many other groups argued in their presentations to the committee for a voluntary buy-out scheme, with provision for set-aside as an alternative for those who wished to continue in the industry.

Is the Minister aware that the blanket ban on drift netting will affect so many coastal villages, along the west and south coasts in particular, that there will be implications for other sectors of inshore fishing? I refer in particular to lobster and crab fishermen and the added pressures that will be put on that sector when the people who have effectively been made redundant by the Minister's order are forced to partake in it.

Does the Minister accept the proposed compensation package has been described as totally inadequate by the former Minister of State at the Department of Communications, Marine and Natural Resources, Deputy Gallagher, who speaks with the experience of someone from a coastal community? Does the Minister recognise that the €5 million compensation package for affected rural communities is totally inadequate, considering the size of the sector involved and the isolated nature of coastal areas? Does he accept that the five year reference period he is using effectively represents a considerable restriction for the salmon fishing industry? The term of three to four months fishing was cut to 35 or 36 days.

Given that the package is being portrayed as some type of redundancy package and that there is a five year reference period, does the Minister not accept this is a slap in the face for those who have spent their lives in the industry to sustain their communities and local economies? The proposal is an insult to them. Will the severance package be taxed?

Mr. N. Dempsey: For all the reasons I outlined during the discussions, which I will not reiterate, a decision was made on whether the scheme should be voluntary. I do not dispute the Deputy's contention at the committee that this might cause difficulties as people try to operate in fisheries associated with other types of fish. However, this is not a reason to allow for the extinction of the salmon. The problem we face is diminishing salmon stocks, partly caused by drift-netting and partly by other factors, some of which we understand and some of which we do not. We made our decision in order to have an influence in an area over which we have some control, and we have done so in the best interest of conserving salmon stocks.

I do not agree with Deputy Ferris that the compensation is totally inadequate. I have outlined how the figure was calculated, which figure is based on a five year period. A net price of approximately €23 per salmon was arrived at after the subtraction of costs, and this was based on salmon above average weight and certainly above the average weight of those caught over recent years. A top price is accepted rather than a medium or low one. The individual payments from the hardship fund do not comprise a slap in the face and are quite generous. They are even more generous given that the State need not provide any payment at all.

Mr. Broughan: Is the Minister sure about that?

Mr. N. Dempsey: I am absolutely sure. We have legal obligations under both national and EU law, including the habitats directive. There is absolutely no obligation on the Government to provide any form of payment but we did not believe that providing none would be fair. We asked an independent group to make a recommendation to us. It did so and we accepted the recommendation on the basis on which it made it. I had it sanctioned by the Cabinet.

There is some difficulty over the five year period. We were trying to be generous in this regard. The reason some would have done less well in respect of this period is because there are fewer salmon. If we wait for another two or three years, there will be even fewer. The normal applicable period in such cases would encompass the last three years and the application of this period would be even more severe on all concerned. All in all, we have tried to balance the difficulties the period creates for the individuals and communities concerned with the other relevant factors and to alleviate as much hardship as possible.

Mr. Perry: The terms of reference given to the consultants were such that there could be only one outcome, that is, a complete ban on drift-net fishing. On the question of increasing the minimum payment, will the Minister consider the methodology for evaluating the licences? Certain individuals will not even recoup the cost of decommissioning their gear.

Given that the tax-free payment is quite minimal in certain cases, will the Minister not consider an option that would minimise the tax element? He said he is not obliged to make payments but the State has made substantial payments to the fishing community in the past.

Will the Minister consider the €5 million in community funding? He indicated at committee meetings that it would be distributed among State agencies. Will he not consider ring-fencing it in order that its benefits would be clearly apparent?

Mr. N. Dempsey: The Deputy may have misunderstood me at the committee. I did not say the €5 million in hardship funding would be spread among State agencies but that I expected it could be used to leverage other funds from other Departments and agencies. This is my intention and I have spoken on a number of occasions in this regard with the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, who has community funding available to him. This funding could be allocated with a view to leveraging money from various schemes to enhance the value of the €5 million hardship fund.

My Minister of State and the Minister for Community, Rural and Gaeltacht Affairs have spoken on a number of occasions and I have spoken to a

couple of representatives of drift-net fishermen to listen to proposals on alternative employment. When this consultation is finished, we may be able to produce a package. However, it will be very specific to the communities and very visible.

I have no function in tax matters as it is the Revenue Commissioners who decide whether an income is taxable. The independent group made the recommendation that all the compensation be paid in one tranche to assist people to move to a new business as quickly as possible, particularly those who had been deriving a large income from drift-netting. We have agreed from the beginning that if people want to spread the receipt of the payment over a two or three year period, they can do so. This would obviously have tax implications for them.

A radio interviewer told me people's livelihoods were being taken away and that they were only receiving €2,000 in compensation. The only people receiving this amount are those who have had a licence for the past six years and have not caught a salmon. Livelihoods are hardly at stake in such instances. Others are affected more severely.

Consider Deputy Perry's point on the terms of reference. The group was asked very specifically about the consequences and what recommendations it would make in view of us having to move because of scientific advice on which everyone in the House agreed. Most Members said that the Government should have moved in accordance with scientific advice two years previously. In fairness to the group, it met its terms of reference in full and without deviation.

Mr. Ferris: The Minister answered regarding taxation.

Mr. Perry: Regarding the equal valuation of salmon licences, the reference years used to calculate the final figures were based on a very difficult period. Will the Minister consider basing uniformity on the payment of licences and the tax element? Why was only €10 million provided in last week's Estimate for the fund, when the original figure was €25 million, with €5 million for the development fund? Will the €5 million in seed capital be retained and administered by the Department with the support of others?

Mr. N. Dempsey: I have not made a final decision on that, but my aim is that we should act to maximise the fund. The Deputy's other question concerned the €10 million in the Estimates. There was a cross-over between publication of the report and preparation of the Estimates, but whatever money is required within next year's €25 million budget will be provided, either through the Revenue or by way of Supplementary Estimate.

Postal Services.

73. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources if the Government will respond to the new proposal by European Commissioner, Mr. Charlie McCreevy, on abolishing the reserved areas for national postal operators for letters below 50 g; his views on the concerns of Ireland's EU partner states such as France, Italy, Spain, Poland, Belgium and Greece that Commissioner McCreevy's proposal will weaken customer service in the postal sector and lead to thousands of jobs losses; the way or the model by which he proposes to maintain the universal service obligation; if he will establish a new comprehensive postal services strategy to ensure that An Post is robust enough to meet the challenges of the fully liberalised market; and if he will make a statement on the matter. [39126/06]

Mr. N. Dempsey: The European Commission's proposal for a third postal directive envisages that the postal sector across the EU will be fully liberalised on 1 January 2009, subject to political agreement. The proposal is based on a Commission study on the impact on the universal service of the full accomplishment of a liberalised postal market. The study concludes that full market opening is achievable in all member states, including Ireland. It also concludes that liberalisation has the potential to create employment in the postal sector. The focus of the debate in Europe has now moved to the European Parliament and Council.

Liberalisation will undoubtedly encourage new entrants to the market. Other sectors that have liberalised as a result of developments at EU level, such as the telecommunications market, have provided greater consumer choice and achieved reduced prices, and I anticipate that liberalisation of the postal market will also have positive effects.

Ireland has fully implemented European Directives 97/67/EC and 2002/39/EC, which set out the requirements for member states regarding the provision of high-quality postal services and liberalisation of their postal networks. Under the directives, each member state is obliged to provide a universal service, whereby a minimum level of service must be provided. I understand that there are no proposals to amend those provisions in the third directive.

I am anxious to ensure the continued operation of a top-quality universal service and the highest levels of customer service, and Ireland's position on the proposals will reflect that view. No decision has yet been made on how provision of the universal service obligation should be financed in the absence of a reserved area. My departmental officials and I are currently considering various options in that regard. The proposed postal directive will be subject to Oireachtas scrutiny.

I believe that there will continue to be a key national role for An Post in delivering mail and parcels. However, over the coming years, competition can be expected to increase in these sectors, from the privately owned express sector, from large European public operators now looking for international business and from electronic substitution. Therefore, to deal with the challenges facing An Post in the coming years, the company's management, in conjunction with the trade unions, must deliver on restructuring agreements, particularly for mail.

The postal sector in Ireland needs An Post to be competitive and efficient. I believe that liberalisation and the expected increase in competition will ultimately be good for both An Post and consumers and that the company can continue to be a significant and strong player in the market after liberalisation.

Mr. Broughan: Regarding the Minister's comment on the operation of other deregulated markets, is it not correct that the result in the energy sector has been underinvestment, with amber and red alerts and blackouts? Has the Minister transmitted to Commissioner McCreevy the Government's view of the 2009 deadline? Many of his European counterparts have conveyed strong views to the Commissioner. For example, Mr. Alain Hutchinson MEP of the Parti Socialiste in Belgium has stated that the European directive, if adopted, would have disastrous consequences for Belgian citizens.

Perhaps Fine Gael might give me a chance to ask the question. This is the second time that its members have interrupted.

An Leas-Cheann Comhairle: Order, please.

Mr. Broughan: Mr. Hutchinson believes that there would be heavy job losses, an increase in prices and a loss of services to those who need them most in communities, the elderly and frail, who would never be financially viable customers for private companies. That has been the reaction to Commissioner McCreevy's plans in many countries. I believe that the Minister was among those at the airport waving him goodbye when he left for Brussels, happy that he was going. Has he asked him about his plans and their impact on Ireland?

The Minister has spoken of models of maintaining the universal service obligation, but what are they and what subsidy would be required? Is he considering a territorial division, with an unbundling of the network in some areas and An Post delivering for other operators? Would there not then be a danger that certain operators, as they have intimated, will cherry-pick those parts of the network most valuable commercially?

What has the Minister done to create a universal service obligation and lay it before the House? Is a postal services Bill not an absolute necessity before the Government leaves office not only in

this regard, but relating to a whole range of matters? Why has the Minister not prepared a strategy statement for An Post? He will soon leave office without having given us any strategy from 2010. What is his estimate of the number of people employed by An Post in 2010? Is the Fortis deal in jeopardy now that the Irish Postmasters' Union has said that it cannot support it owing to many of its members effectively working for rates below the minimum wage? The Minister will be leaving office with post offices closing at an approximate rate of one every ten days, such is his track record. The network is effectively closing down and falling apart owing to inaction on his part.

Has the Minister held any talks with his colleague, the Tánaiste and Minister for Justice, Equality and Law Reform, Deputy McDowell, regarding post office security in the wake of the "tiger" raids? Three have occurred since we last had the chance to put questions to the Minister, with postmistresses and their families subjected by criminals to the most dastardly treatment. What steps has the Minister taken to protect them?

Going back to when the Minister, Deputy Dermot Ahern, was Minister for Communications, Marine and Natural Resources, the Government will have halved the post office network it inherited in 1997. It has dismantled it through its disgraceful and thoughtless attitude.

Mr. N. Dempsey: I was wondering when the Deputy would have another rhetorical tirade.

Mr. Broughan: That is the track record. The Minister should put it in his election literature.

Mr. N. Dempsey: He is usually good at that kind of thing during parliamentary questions, all doom and gloom.

Mr. Broughan: Until the new Government.

Mr. N. Dempsey: I was not aware that anyone waved Commissioner McCreevy off at the airport; I was certainly not there.

Mr. Broughan: Is the Minister sure?

Mr. N. Dempsey: I am absolutely sure, and I would not mislead the House as the Deputy did by making that claim.

Mr. Broughan: He taxied him out.

Mr. N. Dempsey: Ireland has participated fully in the debate on the liberalisation of postal services in Europe, not only in the last six months but for a longer period. The deadline of 1 January 2009 for the final liberalisation of those services has been in the public domain for a considerable period, before I became Minister. In the course of the labour relations difficulties at An Post a

year ago and in the 12 months previous to that, I put it to those involved on more than one occasion, both unions and management, that liberalisation was hurtling down the track at a rate of knots and that we did not have time for the type of argy-bargy that had gone on for the previous 12 to 18 months. A year later, there is cause to be hopeful those industrial relations difficulties are behind us and that both unions and management can work together effectively. While those labour relations issues were being mediated through conciliation sessions and various triumvirates, I put it to both sides more than once that it would be better to focus on the future rather than the past. That remains the case.

It is a matter for An Post, both management and unions, rather than the Minister of the day to decide how the company will meet the challenges it faces. My job is to ensure, in the context of the discussions on the directive, that our postal services are capable of meeting those challenges. The Deputy asked me specifically how the universal service obligation might be maintained. There are several ways of doing this, one of which is the provision of reserved postal services areas. There is the possibility of a levy on all operators in the country to subsidise the less economically viable areas. Several options are being considered.

I do not believe the Fortis deal is in any danger. It will ultimately be of benefit to the post office network and the postmasters themselves. Discussions are ongoing between the latter and An Post management to reach agreement in this regard. This issue relates to contract staff and is not a case of negotiations between trade unions and management. I have spoken to both sides on the outstanding issues and am hopeful a resolution can be found quickly. It is a matter for the management and the Irish Postmasters Union, IPU.

The question of the optimum size of the post office network is an issue that has been discussed before. It is for An Post to make a decision in this regard as it is part of the mandate it is obliged to deliver. The IPU has clearly indicated its view that there are too many post offices. The document produced by Farrell Grant Sparks indicated the IPU's acceptance of this and its — not unreasonable — assertion that if staff are to leave the service, they should receive greater compensation than is currently the case.

In regard to security, I understand An Post has engaged with the appropriate authorities and taken advice on improving security provisions not only in recent weeks but in the course of the last 12 months.

An Leas-Cheann Comhairle: The time for Priority Questions has expired. Before moving on to other questions, I call Deputy Perry who has requested permission to make a brief correction

[An Leas-Cheann Comhairle.]

to the record regarding a previous parliamentary question.

Mr. Perry: In the course of discussion of Parliamentary Question No. 4 of 19 October 2006, which I tabled and which related to the Lost at Sea scheme, I asked:

How is it possible that two persons, both constituents of the then Minister, Deputy Fahey, received 75% of the funding allocated, which was a substantial amount of money?

I wish to correct the record to state:

How is it possible that two persons, both constituents of the then Minister, Deputy Fahey, received 75% of the tonnage allocated?

Other Questions.

Electricity Generation.

74. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources the timeline on approval of new investment in the Aghada power plant; the communication he has had with the ESB and CER with regard to the proposed leasing of the ESB's current sites; and if the approval of new ESB power plants is conditional on progress being made in this long-term leasing proposal. [38779/06]

Mr. N. Dempsey: The Government's energy policy Green Paper, Towards a Sustainable Energy Future for Ireland, identifies the dominance of the ESB as one of the factors influencing the apparent reluctance of independent generators of scale to enter the market. This dominance arises from the ESB's continued ownership of a large and diverse portfolio of plant and particularly from the company's ability to set prices, through its ownership of virtually all mid-merit plant on the system. The Green Paper is informed by a range of analyses, including the Deloitte report, and it recognises this as an issue to be addressed as an immediate priority.

The Green Paper also notes that the ownership of prime generation sites capable of further development for generation purposes is perceived as conveying a number of advantages on ESB over new entrants seeking to establish themselves in the power generation sector, in terms of planning and access to infrastructure. In that context, we are giving consideration to the creation of a State-owned landbank of suitable generation sites to incentivise the development of new independent generation capacity.

Although it is the case that additional generation plant will be required for security of supply reasons in 2009, the question of the ESB being permitted to bring forward new generation plant

must be examined in the context of the company's dominance in the power generation sector, the development of competition and the overall structure of the electricity sector. Any decision to approve ESB investment in new power generation plant at Aghada would be conditional on agreement on a strategy to address the company's dominance and market power, particularly with regard to mid-merit price-setting plant. Any such approval would also be contingent on compliance with all the terms and conditions that would accompany authorisation by the Commission for Energy Regulation, CER.

I confirm that in the context of developing the White Paper, discussions are ongoing on how best to progress and deliver the requisite reduction of market power and create the conditions for meaningful competition.

Mr. Eamon Ryan: I thank the Minister for outlining the position. I presume the ongoing discussions to which he referred are between the Department and the ESB and that, within the ESB, both unions and management are involved. I am sure the unions have an interest in this issue.

The Minister referred to the tight timeframe within which we must work given that, by 2009, it is predicted we may not have sufficient power generation to meet our expected growing needs. Moreover, it takes several years to develop and deliver a power station. In this context, when does the Minister believe a decision must be made in terms of securing a conditional agreement which takes account of, on one hand, the ESB's ability to build a new power plant and, on the other, the ability of the Minister to set up a State owned landbank of some of these mid-merit plants? Is there a timetable according to which he expects a decision in this regard? Will he outline how these discussions or negotiations are proceeding?

The Minister said any decision to approve ESB investment in new power generation plant at Aghada would be contingent on compliance with all the terms and conditions that would accompany authorisation by the CER. Does the Minister have authority to direct the CER in this regard? Does he have a say in the conditions that apply in regard to any such planning permission?

Mr. N. Dempsey: I have had discussions with the ESB on several occasions, including some, for instance, in the context of the Green Paper and in the aftermath of the Deloitte report. Departmental officials have discussions with the ESB on a regular basis about an entire range of issues relating to energy and electricity markets, security and adequacy of supply and so on. It is my understanding that the ESB and the CER also engage in discussions, but I am unsure as to the degree of formality. I am not sure whether those discussions take place in the context of a consideration of licensing a plant. There would also

be discussions between EirGrid and the ESB, between EirGrid and the Department and between the CER and the ESB. A whole range of different bodies and organisations meet to discuss these issues on a regular basis. It is hoped to finalise the White Paper in January and it would be useful if it was published in the context of finalisation of the Aghada proposal. It will also include the energy capacity requirements until 2012. I understand I do not have power to direct the CER on specific conditions on a licence.

Mr. Durkan: Has the Minister had direct discussions with the ESB, Bord na Móna, Bord Gáis Éireann, Airtricity and other service providers in determining the strength of the electricity grid? Has the Minister examined all the options available? Is he satisfied that agreement will be reached between the ESB and other potential service providers in the sharing of the various sites as identified in the Green Paper?

Mr. N. Dempsey: I have regular contact with EirGrid, BGE, Bord na Móna and the ESB. I had regular contact with the CER, EirGrid and the ESB on the capacity of the grid for this winter. This included two face-to-face meetings with the CER and EirGrid to get their assurances that the system has the required capacity for this winter. The most recent of these meetings took place last Thursday. I have an assurance from both parties that they are satisfied grid capacity is adequate. They have taken several measures, including providing for the importation of electricity if necessary, to ensure adequate supply over this winter. Other power plants will come on stream over the next 12 months which will help this.

Mr. Eamon Ryan: If the Minister does not have power to direct the CER in this, what is his estimation of the ESB unions' and management's position on this? Does he believe they will agree to the concepts set out in the Green Paper on the separation of these plants into a separate State-owned company? If not, how does the Minister intend getting agreement on this proposal early in the new year?

Mr. Broughan: If the Minister is so confident in our energy capacity for the winter, why did he reserve 300 MW on the interconnector? From the daily reports from the CER, the gap between capacity and generation appears very tight. Is the Minister confident we will get through the winter without a break in supply?

Mr. N. Dempsey: The Deputy should have listened carefully to what I just said. I was assured by the bodies responsible for security of supply that all matters are in order. When I received that assurance in June, I asked for further assurances. I met the bodies recently to ascertain what extra measures they had taken. Capacity is tight but those are the expert bodies that have advised me.

At the last meeting, the CER and EirGrid gave details of the extra precautions taken to ensure an adequate supply during the winter, one of which is importing electricity from the North. That was not in place prior to the meetings or my inquires. I am conveying to the House the confidence that has been expressed to me by the two bodies responsible for security of supply.

I do not want to anticipate the ESB unions' position on the Green Paper proposals. As part of the consultation process, they have the opportunity to make their views known.

Written Answers follow Adjournment Debate.

Adjournment Debate Matters.

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy Cowley — the shortage of beds in Beaumont Hospital to accommodate persons awaiting brain surgery; (2) Deputy Neville — the position regarding Athea national school; (3) Deputy Costello — anti-social behaviour in the Oxmanstown area of Dublin; (4) Deputy Ferris — redundancy payments to workers of the former sugar factory in Mallow; (5) Deputy O'Dowd — the removal of services from the Lourdes hospital in Drogheda; (6) Deputy Pat Breen — the consequences for a number of children following the cessation of the orthodontic regional training programmes in 1999; and (7) Deputy Connolly — the implications for health care services in the north-east region of the Teamwork report and the Pat Joe Walsh report.

The matters raised by Deputies Costello, O'Dowd, Pat Breen and Connolly have been selected for discussion.

Leaders' Questions.

Mr. Kenny: In the programme for Government, the Taoiseach stated it was intended to create a society where all people could feel safe in their communities, businesses and homes. While last weekend's weather was bad, it was even worse for crime on the streets. An innocent young woman, Babia Saulite, was assassinated on her doorstep, two young girls were sexually assaulted in Dublin and an elderly priest was savagely beaten with a slash hook or some other bladed instrument. I wonder what the two Hassan boys would think of those words from the programme for Government if they were able to read?

In the Government's ten years, parts of Dublin and other cities have become a 21st century dodge city. In some locations it has not gone from bad to worse but to the dogs. This is not just the case with organised crime but with murder, rape, beatings and stabbings, all now part of everyday life in cities and rural areas. The murder rate is up by 25%, rape cases by 33% and gun crime by

[Mr. Kenny.]

44%. It is correct that the budget for justice has doubled in the past ten years, but crime rates are soaring and detection rates are falling. The human traffickers caught in Cork yesterday will see from the statistics that no serious crime boss has been jailed in the past five years. It is perfectly obvious from the statements of the Minister for Justice, Equality and Law Reform who referred to the murder of the unfortunate Donna Cleary as the sting of a dying wasp that he knows as much about the life cycle of a wasp as he does about the knee-height of a grasshopper.

What is the Government's response to this deplorable situation? What will it do about it? When will we see the 500 extra gardaí and officers out on the streets? When will Garda stations be properly equipped and resourced so that the response time is more immediate and the detection rate more effective? When will hardened criminals be put away for a long time? When will the law get its priorities right and defend and protect home owners in their homes?

The Taoiseach: I join Deputy Kenny in condemning the murder of the Latvian woman. It was an appalling murder at the weekend. Whether someone is executed by a hit squad or criminal gang or some associated individual does not matter. The way this woman was executed requires us to do everything we can to find the culprits and those who had anything to do with the organisation of the killing.

I can give the records and statistics of what happened last weekend which have been furnished to my Department and the resources that have been committed to dealing with them. All we can do, however, in several of these crimes is to try to catch or prevent these criminals as the legislation empowers us to do. The resources of the Garda are available through Operation Anvil and the special Garda operations and the numbers of gardaí in special units.

Mr. Costello: Operation Anvil refers only to overtime. It is not a special Garda operation.

Mr. McGinley: We are looking for results, not resources.

The Taoiseach: It is difficult for the gardaí to be at every house and every street corner. They cannot be there.

Mr. McGinley: Instead of resources we have overtime.

The Taoiseach: They will do all they can to bring the culprits in the Swords murder, the attack on the young girls in Swords and the other incidents to justice. The Government has discussed this matter. The Garda has stated that it has the resources not only in numbers, but in

effectively unlimited overtime in the special units dealing with these issues.

Mr. Costello: What about CAB?

The Taoiseach: This applies particularly to the groups on operations to try to stop this type of crime in certain areas. We discussed that in recent weeks. We continue to put more gardaí into the force. We know the number of those coming through the colleges and Templemore. The Commissioner has been reporting to the Minister who has been reporting to the Government. We will just have to continue to do this in every way we can in terms of resources, laws and efforts to stop the culprits. The law and the will of the Garda exist, but it is not always easy to catch the perpetrators of such ferocious crimes.

Mr. Kenny: On the one hand, Ireland can be painted as going from economic strength to economic strength but, on the other, in one weekend a young mother was assassinated, two young girls were sexually assaulted and an elderly priest was savagely beaten. I have attended meetings recently in parts of this city where mothers have said that their children must walk to school past drug pushers on street corners. They have notified the Garda of this, who I hope are taking action.

Other mothers have told me that their children go to school past kerb walkers and prostitutes who return after the gardaí have moved them on. The gun amnesty has not worked. One can buy a Glock, a hit or a life for a few hundred euro in this city. The outcome of last weekend is devastating for everybody concerned and for the reputation of this country.

The Law Reform Commission is the instrument for change in the law. The Fine Gael Party proposed 18 months ago that home defence should be changed by law to the effect that retreat should not be mandatory on a person in his or her home. The Law Reform Commission has recommended this in a consultation paper. The law is inadequate. We need extra protection for homeowners and they should not be asked to retreat when faced with an invasion of their homes and privacy.

Will the Taoiseach act urgently on this recommendation which requires no money, budget or constitutional amendment? It is a straightforward recommendation to give more power to the homeowner to protect and defend his or her home than to the perpetrators of aggressive and invasive crimes.

The Taoiseach: The Tánaiste has committed to seriously considering the defence and protection of the family home, with a view to its importance to the public as a whole. He has been examining the legal issues involved and these will be taken into account in a consultation paper which will be subject to his approval. The paper sets out the

issues surrounding the various points in this matter; it is a long consultation paper. I am not sure it will resolve many of the problems we must deal with but at least both sides of the argument will be put and it will contain the Tánaiste's views on the matter.

The figures on serious crime and murder here compare favourably to those of other countries. That, however, is not the point. There are too many murders and guns. I do not know how much a hit man costs but whether the price is great or small, it is a serious danger.

Mr. J. O'Keeffe: It is very small.

The Taoiseach: There are too many hardened criminals at large, regardless of the number of cases. We have told the Garda time and again that we are prepared to provide the resources in the special units, through additional gardaí and overtime, to break these gangs.

Mr. J. O'Keeffe: We do not have even half the extra gardaí promised two years ago.

The Taoiseach: The Garda have been successful in some of these cases. I agree these people need to be locked up with lengthy sentences. Although I have seen some briefings on some of these cases, I am not sure whether those involved are criminal gangs or individuals. That, however, should not stop us. We must make an example of some of these hardened gangs or individuals who act for their own reasons and sometimes for related family reasons — we have had a few such cases of late. We must clamp down hard on serious crime. It is neither acceptable nor something that any of us wants to see continue.

Being tough is the only way to deal with crime, through detection and prison sentences, which seem to be all that people understand. We have tough laws and wherever they are lacking, the House has always shown itself ready to bring forward more Bills. We have more criminal justice Bills than other legislative measures before the House in any year, whether to give the Garda numbers or resources. We have a young force now and many special units. We must encourage them and give the Garda every resource possible to deal with criminals because what they try to get away with is unacceptable.

Mr. Rabbitte: This morning Greencore announced plans for a €1.1 billion development on the site of the old sugar plant at Carlow. I hope, in principle, that appropriate development will take place there and that it will contribute to the regeneration of Carlow and employment at the site. Last night I had the opportunity to meet the former workers of Greencore who explained to me in respect of the recent redundancy that the company had refused to implement the Labour Court recommendation. They went back three times to the Labour Court for clarification

and on three occasions Greencore refused to implement the recommendation. The court has unequivocally set out that the interpretation of the workers is the correct interpretation. Despite that, Greencore has come up with an interpretation that leaves the workers I met last night in Carlow, on average, €25,000 short. A total of €4.4 million is owed to the workers under the Labour Court recommendation. The company has refused to attend the national implementation body and has left the workers hanging.

Is it acceptable that a major public company, which incidentally did proportionately well out of the compensation fund as compared to how growers and workers fared, should plan a €1.1 billion development at the Carlow site while owing €4.4 million to the manual workers at Mallow and Carlow? An argument also exists about why the Government permitted Greencore to shut this plant when it might have been adapted for bio-fuels.

An Ceann Comhairle: The time has concluded.

Mr. Rabbitte: I thank the Ceann Comhairle. We ended up paying taxpayer's money to Greencore to knock down the plant and are now going to build a new biofuel plant. Having facilitated this, even the few bob due to the workers under the agreement is not being paid to them. It is utterly unacceptable that a major company such as this should evade its responsibilities to the workforce and trample all over social partnership. Greencore will not even answer the request from the Secretary General of the Taoiseach's Department to attend the national implementation body. I want to know, as do the workers at Carlow and Mallow, what the Government intends to do about it.

The Taoiseach: Deputy Rabbitte met the workers yesterday and a number of my colleagues met them in the past week. They have been engaged in briefing sessions. They were with the Minister for Foreign Affairs on Sunday morning. A number of Deputies from my party have raised the issue with me also.

I wish to make three points I have previously made on this issue. Greencore did extremely well from the European Union package and the arrangements that were outlined in the agreement on the restructuring of the sugar industry. We had an obligation to fulfil the full terms of that agreement to get the maximum resources. We did that. At the time I made the point, as did the Minister for Agriculture and Food and other Ministers, that Greencore was doing very well, and while many of the farmers and workers involved believed they could get another few harvesting years, the least they could expect was for these issues to be resolved. The Minister and others stated at the time that the arrangement should be completed regarding the redundancy

[The Taoiseach.]

package and that other issues should also be resolved by Greencore.

The State always honours Labour Court decisions. In the decades since 1946, it is very rare for it not to honour cases. I expect any company, especially large public companies, to do likewise. I expect Greencore to do likewise. The officials dealing with social partnership and the trade union movements are very clear on what they feel about this case.

The company expects to carry out a large development and to win support for this in terms of zoning changes and restructuring plans for the plant. I wish the company well in its long-term development plans in terms of trying to generate employment and new action. It is a small price for it to pay to deal with the staff and pay up. As I stated outside the House, the company should do this forthwith. It is not a big deal for the company which is in a good position.

Mr. Sherlock: Does the Minister for Agriculture and Food have any say in the matter?

The Taoiseach: The company is doing well at home and abroad. It has been well dealt with under EU rules and by the Government. I accept some legal issues are outstanding with which I am not familiar. As I understand, the Minister for Agriculture and Food has asked the Attorney General, or at least her own legal experts, to examine these matters. However, this does not take away from the fact the workers have received a clear decision from the Labour Court. The company should deal with it.

Mr. Rabbitte: It is true that Greencore has done very well from the package. Unfortunately, it is not true that the workers, growers or the economy have done equally well from the manner in which the Government has handled this issue. We are left with a site which has tremendous development potential for the company but not necessarily for the generation of wealth and certainly not for the growers and workers directly concerned. The fact is that there is a Labour Court recommendation. One would expect a major public company to give its allegiance to the voluntary industrial relations system in operation. It is not doing this. The Labour Court has spelled out in crystal clear terms that the workers' interpretation is the correct one:

For the avoidance of doubt the court wishes to again state that it intended in the recommendation that the staff on annualised hours salaries should have their *ex gratia* lump sum calculated by reference to their full unadjusted salary applicable at the date of redundancy plus 20% as provided for in the company-union agreement.

There is no argument here. The legal issues raised by the Taoiseach arise from the manner of distri-

bution of the compensation fund where the company is arguing that the Minister gave a disproportionate amount to the growers and that it honoured the redundancy settlement. It did not honour the redundancy settlement and growers argue they received too little but the company has the hard neck to go to the High Court to seek a judicial review on the basis that the compensation was intended for it.

The Taoiseach stated the company ought to give its allegiance to the industrial relations machinery but, coming up to Christmas, workers who received none of their redundancy compensation want to know where is their money and whether the Government will vindicate their rights. The workers concerned have done nothing wrong. They did everything by the book. They went to the Labour Court and returned there three times. The Labour Court ruled in their favour three times yet they still have not received the money.

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

Mr. Rabbitte: The workers are owed €4.4 million by a company that, as the Taoiseach himself stated, stands to make extraordinary profits from the development of the site. We stand to lose two factories and we have to build a biofuel plant when the factory in Carlow might well have been adapted for that purpose. The company can buy in developers into its new shareholding structure. The company will make a fortune from the development yet it refuses to pay workers their due entitlement. They asked me to put a question to the Taoiseach, not to seek his sympathy or agreement. The Taoiseach could scarcely disagree. The facts are clear. The workers want to know what he is going to do about it.

Deputies: Hear, hear.

The Taoiseach: What the workers asked everybody else was whether we would look at the legal issues in regard to some of the money that has not yet been paid. I mentioned the Minister is doing this, but I do not know the legal certainties of doing that as it is EU money. It is a private company but it has been through the Labour Court. Because the factories are closed it wants to develop the sites and it stands to make a lot of money. Under the 1946 Act, it is not legally permissible for the Government to force somebody to comply with the Labour Court, but it is the voluntary arrangement. The reason it is not legally compelling is that employers follow the standard norm of industrial relations, namely, to abide by the Labour Court and Greencore should do this. I cannot put it clearer than that. Whether we have a legal hold on some of the money as yet unpaid is a matter that will have to be examined. As I understand it, this money is owed to the staff. The Labour Court has made a determi-

nation. We will look at the legal issues it but the company should pay up. It stands to make large amounts of money out of the redevelopment of these sites. Our view is that the company has been treated well by the State. I am aware the company and its chief executive does not share that view.

Mr. Sargent: I represent a community of north County Dublin traumatised by extreme brutality and obscene violence during the past couple of days and weeks. On 6 November a grenade exploded outside a house in Ridgewood Green, Swords, a matter I raised in the House at the time. Half an hour after that attack another grenade attack took place in Finglas. Last weekend two girls, aged four and six years, were sexually assaulted. To listen to the father of one of those girls is heart rending. He said they had a bad night with her last night. She was up until 4 a.m. She came in crying and said she was having bad dreams about the bold man. She said, "Sorry, Daddy, for causing any trouble." She was starting to blame herself. That is devastating to hear from a four year old child.

The parents in Swords and surrounding areas are living in fear. As if that was not enough to bear, Ms Babia Saulite, a 28 year old mother of two was murdered at her home in a contract killing on Sunday last at 10 p.m. while standing at her front door. There is speculation that an international criminal gang is involved. Can the Taoiseach appreciate not just the trauma affecting the families and neighbours in a community but also the additional burden placed on Garda resources? For every serious incident such as the Rachel O'Reilly murder or these more recent crimes, gardaí are pulled away from normal police work in the community. Meanwhile an area such as Fingal in north county Dublin, like many commuter belt communities, has seen a population explosion without the commensurate growth in facilities. In 2005 one in ten houses in the State was built in Fingal. Swords, traditionally referred to as a village, has a population the size of Waterford City. I am not asking the Taoiseach to comment on the investigation——

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

Mr. Sargent: I am not asking the Taoiseach about national Garda figures but will he direct Government policy to benchmark and resource facilities, such as Garda resources, to match the population size in a town like Swords? We need a task force on meeting the needs of fast growing commuter-belt towns, not only in north County Dublin but throughout the country where commuter belt towns are experiencing an explosion in population without facilities. That task force should report in about three months, if not sooner.

The Taoiseach: The Garda, through the report we received today from the Minister for Justice, Equality and Law Reform, is doing everything it can in that area to track down the murderer and also the individual involved in the abuse of children. In a few other cases in the region last week the Garda investigation is continuing. I am not sure if the Deputy is aware that a substantial number of gardaí not only from that area but from the special units were involved in trying to track the murderers. They were not only from Swords or the north county area.

At all times the Government has to ensure the demands of the Commissioner, in terms of more gardaí, more overtime and more specialists and equipment are met. The directing of numerical strength into areas is an operational matter for the Garda. The analysis of the number of gardaí required is a matter in which the Department of Justice, Equality and Law Reform and the Garda are involved all the time. Proportionately for our population the number of gardaí on active duty at a given time and in overall numbers is high.

Mr. Sargent: Not in those areas.

The Taoiseach: That is an operational matter for the Garda Commissioner. We have made it clear to him on a number of occasions, including last year, that any resources required would be provided. We fast-tracked a number of gardaí through Templemore, including special units, and €1.3 billion has been spent on overtime. We will continue to do this.

Mr. J. O'Keeffe: Four years on.

The Taoiseach: Clearly, the population has increased. Commuter belt communities, traditionally areas of small population operated with part-time Garda stations, need extra resources. At all times when that has been brought to the attention of the Minister for Finance he has been supportive of providing extra resources to the Garda to deal with such areas.

Mr. Sargent: I had an idea the Taoiseach would say operational matters were someone else's problem. I recall him declaring an interest in the writings of Mr. Putnam in his book *Bowling Alone* and how community values and building communities was an area in which he had an interest. The evidence, however, is exactly the opposite. That is the reason I ask what he will do given that he has declared an interest in building communities. Having sufficient gardaí on the streets is part of that. Waterford city has three Garda stations. An area of the same population size in Swords has one Garda station which also covers Donabate and Portrane. Waterford city has 21 primary schools while Swords has less than half that number and no secondary school in Donabate. Waterford city has a FÁS training centre while Swords has none. Waterford city has

[Mr. Sargent.]

three local development agencies while Swords has none. Waterford city has three full-time public libraries, while Swords has one. Waterford city has nine community centres, while Swords has just two.

Mr. Cullen: I did not realise we had done so much.

Mr. Sargent: Waterford city is entitled to its facilities and I would not take any of them away. Will the Taoiseach recognise the deficit from Government policy in pushing housing development without facilities to match that level of housing? Will he undertake to put in place a task force to indicate he means what he says when he talks about the value of building communities? These crime figures are taking away Garda resources.

An Ceann Comhairle: Will the Deputy give way to the Taoiseach? He appears to be moving away from the Standing Order which states there shall be one question on one topical issue. I am not sure, at this stage, what is the Deputy's question.

Mr. Sargent: I am trying to put it in context. Will the Taoiseach direct that the resources are put in place in those communities that do not have them?

Deputies: Hear, hear.

The Taoiseach: The Deputy knows that where the Commissioner decides to deploy gardaí is an operational matter over which I have no control. If I said I was moving gardaí from one place to another, he knows what would be said. In terms of what the overall numbers are, we need to get to 14,000 gardaí, resource the special units and give additional overtime where the Garda requires it — we are giving huge amounts of overtime. We must look to the future of what additional gardaí we need even though proportionately per 10,000, per 1,000, per 100,000 or whatever way one looks at it, for a country of its size and geographic location and in terms of urban and rural areas, under every one of those headings we come out very highly. Apart from that the Government has continued to increase the number of gardaí, increase the specialisation of the Garda——

Mr. J. O'Keeffe: It is not even half way there.

The Taoiseach: ——increase the equipment of the Garda and increase the hours. We will continue to do this.

(Interruptions).

An Ceann Comhairle: Please allow the Taoiseach to speak without interruption.

The Taoiseach: How the Commissioner divides that is a matter for him and the management of the Garda.

Requests to move Adjournment of Dáil under Standing Order 31.

Mr. Healy: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the need for the Tánaiste and Minister for Justice, Equality and Law Reform to reverse his decision to withdraw funding for the missing persons helpline and to fully fund and resource the helpline now.

Mr. Gilmore: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the serious crisis in regard to the compilation of the electoral register throughout the country as a result of which hundreds of thousands of people have been removed from the electoral register, including many who have been on the register at the same address for many years; the consequences for our democratic system of a general election being conducted on the basis of such an inaccurate register; and the urgent need for the Government to take action to extend the date for checking and seeking corrections to the register beyond the deadline of 25 November. Since I came into the House——

An Ceann Comhairle: Sorry, Deputy, it is not appropriate to go beyond the notice submitted to the office of the Ceann Comhairle.

Mr. Gilmore: I know this is somewhat unusual. However, since I came into the House, I have been informed that the Minister has extended the deadline——

An Ceann Comhairle: The matter does not arise at this stage.

Mr. Gilmore: ——in which case——

An Ceann Comhairle: I call Deputy McManus.

Mr. Gilmore: It would save considerable time——

An Ceann Comhairle: Sorry, Deputy——

Mr. Gilmore: ——if the Taoiseach would confirm that the date has been extended, allowing me to withdraw the request.

An Ceann Comhairle: Many requests to move the adjournment of Dáil under Standing Order 31 have been submitted and I ask the Deputy to stay within the rules of the House.

Ms McManus: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the serious crisis in regard to the compilation of the electoral register in County Wicklow and other areas as a result of which thousands of people have been removed from the register, including many who have been on the register at the same address for many years and the urgent need for the Government to take action to extend the date for checking and seeking corrections to the register beyond the deadline of 25 November. I too would like to hear a statement from the Taoiseach on the matter.

Mr. Stagg: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the serious crisis in regard to the compilation of the electoral register in County Kildare and other areas as a result of which thousands of people have been removed from the electoral register, including many who have been on the register at the same address for many years; the particular need to inquire into the situation in Kildare where 40% of all deletions have been in the Celbridge town area; and the urgent need for the Government to take action to extend the date for checking and seeking corrections to the register beyond the deadline of 25 November. An extension to 29 November would be useless.

Mr. Wall: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the serious crisis in regard to the compilation of the electoral register in County Kildare and other areas as a result of which thousands of people have been removed from the electoral register, including many who have been on the register at the same address for many years, including this Deputy; and the urgent need for the Government to take action to extend the date for checking and seeking corrections to the register beyond the deadline of 25 November.

Mr. Costello: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the serious crisis in regard to the compilation of the electoral register as a result of which thousands of people have been removed from the electoral register, including many who have been on the register at the same address for many years, particularly the situation in Dublin Central where up to 30% of names are missing from the register; and the urgent need for the Government to take action to extend the date for checking and seeking corrections to the register beyond the deadline of 25 November.

Ms B. Moynihan-Cronin: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the serious crisis in regard to the compilation of the electoral register in Kerry South and other areas

as a result of which thousands of people have been removed from the electoral register, including many who have been on the register at the same address for many years; and the urgent need for the Government to take action to extend the date for checking and seeking corrections to the register beyond the deadline of 25 November.

Mr. Sherlock: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the serious crisis in regard to the compilation of the electoral register in Cork East and other areas as a result of which thousands of people have been removed from the electoral register, including many who have been on the register at the same address for many years; and the urgent need for the Government to take action to extend the date for checking and seeking corrections to the register beyond the deadline of 25 November.

Mr. Penrose: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the serious crisis in regard to the compilation of the electoral register as a result of which thousands of people have been removed from the electoral register, including many who have been on the register at the same address for many years; and the urgent need for the Government to take action to extend the date for checking and seeking corrections to the register beyond the deadline of 25 November.

Mr. O'Donoghue: The way things are going there will be none of them left.

Mr. Sherlock: I bet they are okay in south Kerry.

Mr. S. Ryan: I will give the Minister for Arts, Sport and Tourism some information in a minute. I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the serious crisis in regard to the compilation of the electoral register throughout the country as a result of which hundreds of thousands of people have been removed from the electoral register, including many who have been on the register at the same address for many years, among them 33,382 who were removed from the register in Fingal; and the urgent need for the Government to take action to extend the date for checking and seeking corrections to the register beyond the deadline of 25 November.

Ms Lynch: I have the feeling that all this might be falling on deaf ears. I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the serious crisis in regard to the compilation of the electoral register in Cork North-Central and other areas as a result of which thousands of people have been removed from the electoral register, including many who have been on the

[Ms Lynch.]

register at the same address for many years; and the urgent need for the Government to take action to extend the date for checking and seeking corrections to the register beyond the deadline of 25 November. It would help if the Taoiseach were to make a statement on the matter.

Mr. Broughan: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the serious crisis in regard to the compilation of the electoral register in Dublin North-East where thousands of people have been removed from the electoral register, including many who have been on the register at the same address for many years; and the urgent need for the Government to take action to extend the date for checking and seeking corrections to the register beyond the deadline of 25 November.

Mr. O'Shea: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the serious crisis in regard to the compilation of the electoral register in Waterford and other areas as a result of which thousands of people have been removed from the electoral register, including many who have been on the register at the same address for many years and the urgent need for the Government to take action to extend the date for checking and seeking corrections to the register beyond the deadline of 25 November.

Mr. M. Higgins: I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: the serious crisis regarding the compilation of the electoral register in Galway West, particularly in Galway where thousands have been removed, and in other areas, including the Connemara Gaeltacht where, outrageously, people who have been on the register at the same address for many years have been removed, and the urgent need for the Government to take action to extend the date for checking and seeking corrections to the register beyond 25 November to a realistic date.

Aengus Ó Snodaigh: I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: the need for the Minister for Health and Children to abandon her plans to close Our Lady's Hospital for Sick Children in Crumlin to minimise the risk to children's safety by ensuring they are not obliged to travel through chaotic Dublin traffic in emergency situations to get to the new, and soon to be only, children's hospital in Dublin located at the Mater Hospital in the north inner city, and for the Minister to recognise the success of Our Lady's Hospital for Sick Children on this the 50th anniversary of its opening.

Dr. Cowley: I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: the need to include a provision in the forthcoming proposed referendum on children to strengthen Article 10 of our Constitution, which is supposed to guarantee our natural resources, to prevent the continued giveaway of our natural resources and also to discuss the need for an independent commission to examine the optimum location for the Corrib gas project, as proposed by Shell to Sea and as supported by a broad spectrum of political representatives.

Mr. Boyle: I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: that the Minister for the Environment, Heritage and Local Government make a statement to the House explaining the circumstances whereby he has appointed to the board of An Bord Pleanála a member of the RPS company intimately involved in the proposal to construct an incinerator for Poolbeg in Dublin, which is part of a trend of similarly compromising appointments by the Government, such as the previous appointment as a director of the Environmental Protection Agency of a former employee of the Indaver company, which is seeking to construct two incinerators at Ringaskiddy, County Cork.

An Ceann Comhairle: Having given the matters full consideration, I do not consider them to be in order under Standing Order 31.

Order of Business.

The Taoiseach: The Order of Business shall be No. 11, motion re referral to select committee of proposed approval by Dáil Éireann of the World Intellectual Property Organisation Copyright and Performances and Phonograms Treaties of 20 December 1996; No. 12, motion re referral to joint committee of proposed approval by Dáil Éireann of the Official Languages Act 2003 (Section 9) Regulations 2006; and No. 13, motion re Book of Estimates 2007.

It is proposed, notwithstanding anything in Standing Orders, that Nos. 11 and 12 shall be decided without debate; the proceedings on No. 13 shall, if not previously concluded, be brought to a conclusion at 7 p.m. tomorrow and the following arrangements shall apply: the speech of the Minister for Finance and the main spokespersons for the Fine Gael Party, the Labour Party and the Technical Group, who shall be called upon in that order, shall not exceed 20 minutes in each case; the speech 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 speech in reply which shall not exceed ten minutes. Private Members' Business shall be No. 61, motion re housing.

An Ceann Comhairle: There are two proposals to put to the House. Is the proposal for dealing with Nos. 11 and 12 without debate agreed?

Aengus Ó Snodaigh: No. Ba mhaith liom chuir i gcoinne an rún seo a chuir chuig an choiste. Measaim gur chóir go mbeadh díospóireacht ar an rún sa Teach seo ar dtús, sular gcuirtear é go dtí an choiste. Déanfaidh an choiste déileáil leis an rún ansin ina iomlán agus, más gá, go tiocfadh sé ar ais anseo arís ionas go mbeidh díospóireacht againn ó thús deireadh ar an cheist mór tábhachtach seo.

Question: "That the proposal for dealing with Nos. 11 and 12 without debate be agreed to," put and declared carried.

An Ceann Comhairle: Is the proposal for dealing with No. 13, motion re Book of Estimates 2007, agreed?

Caoimhghín Ó Caoláin: I object to the guillotining of the motion relating to the Book of Estimates at 7 p.m. tomorrow. I do so because the opportunity for debate in respect of a raft of public expenditure proposals, involving a sum equating to €54 billion in public moneys, will be curtailed by the exercise of this guillotine. We should allow all Members the opportunity to properly participate in the debate. There is another day's sitting this week on which a further opportunity for input and participation could have been accommodated. The Estimates will be referred to Oireachtas committees, but that will be months after the event. I am a member of the Select Committee on Finance and the Public Service which has made the point on numerous occasions that this is absolutely unacceptable. Some of the most far-reaching measures in respect of expenditure on the part of the Government are not included in the Estimates, are not provided for in any motion laid before the House and are not even catered for in legislation. However, the Government is going to proceed in respect of a number of them without their being addressed in the House.

I wish to provide one instance, the Minister for Health and Children's proposals in respect of the co-location of private, for-profit hospital facilities on the sites of public hospitals. This has never been provided for in any shape or form — motion, legislation or Estimate — and it is indicative of the general attitude of the Government towards public expenditure and the use of public moneys. These matters must be properly addressed and debated in the House. On those grounds, I object to the proposed guillotine in respect of the motion on the Book of Estimates.

Question, "That the proposal for dealing with No. 13 be agreed to," put and declared carried.

Mr. Kenny: I wish to begin by paying a compliment. I suppose it is unusual for a Member on this side of the House to do so. I note the circulation of information from the Library and Research Service of the Houses, probably through the Commission of the Houses of the Oireachtas, which is much better staffed than used to be the case and should be available, for information and research purposes, to Deputies. That is a good move on the part of the commission.

There are 11 sitting days remaining until the House proposes to rise at Christmas. When one takes account of the day on which the budget will be introduced and the following day when it will be debated we are effectively left with nine sitting days. Of the 21 Bills that have been mentioned by the Government Chief Whip for publication, three have been published and one is currently going through the House. Will the Taoiseach indicate whether the other 17 will be published before the end of the session or how many of them are likely to be forthcoming during that period?

The Health Service Executive made reference to its interest in a patient safety agency being established. Fine Gael and the Labour Party produced a Bill relating to the establishment of a patient safety authority. In the light of the validity of arguments in favour of such an authority, is the Government prepared to accept the Bill to which I refer or does it intend to introduce its own legislation and if so, when?

Arising from the recent report which shows that Border areas are the most dangerous in the country regarding fatalities resulting from road accidents, is legislation to make provision for equality of penalties, North and South, likely to be introduced in order that this serious matter might be addressed.

Is there any intention to introduce legislation in respect of the governance of primary schools? As a result of the lack of clerical personnel, governance has changed in this regard. There are problems in a number of areas. Are they likely to be legislated for with a change in responsibility provided?

The Taoiseach: I do not know about legislation but the issue of governance is being discussed by the Minister for Education and Science and the church authorities because of the change in numbers, which the Deputy outlined.

On the patient safety issues, three health Bills will come before the House and they can be raised with the Minister for Health and Children then. I am not aware of a proposal to equalise legislation between the North and South, although it would not be a bad idea to keep control of issues. The legislation will be introduced at the beginning of the next session. I do not know whether all the legislation will be reached but a few Bills were before Cabinet earlier and a

[The Taoiseach.]

number of others will come before Cabinet in the next week or two. A large number will be published and circulated during the Christmas recess, if not before.

Mr. Rabbitte: Is it correct that Fianna Fáil backbenchers forced the Minister for the Environment, Heritage and Local Government to back down on his refusal to budge on the deadline of 25 November regarding the electoral register issue?

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

Mr. Rabbitte: Does it not, Sir?

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

Mr. Rabbitte: I do. The Ceann Comhairle will recall that the electoral register's latest state is worse than its first with deletions, inconsistencies, people removed to a—

An Ceann Comhairle: The Deputy has other opportunities to raise this and we cannot have a debate on it. It would set a dangerous precedent for the House.

Mr. Rabbitte: I am grateful to you, Sir, as always. Is it true that the Minister for the Environment, Heritage and Local Government has compounded the mess by extending the deadline from 25 November to 29 December?

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

Mr. Rabbitte: It arises from the point of view of every Member, who ought to be concerned that there will be an electoral contest based on a fair and accurate representation of the people entitled to vote.

An Ceann Comhairle: A number of ways are open to the Deputy to raise the issue. Does the Taoiseach wish to respond?

Mr. Rabbitte: Has the Minister extended the deadline from 25 November to 29 December? Will the resources be supplied to the local authorities to ensure they will have no excuse to fail to achieve 99% accuracy in the register? When the people were paying rates, there was no difficulty having an accurate register. It is a scandal that we are in this situation.

An Ceann Comhairle: The Chair will allow the Taoiseach to answer his question but we cannot have a debate on the issue because it is out of order.

Mr. Rabbitte: We cannot have a debate on anything in here, Sir.

The Taoiseach: If it is helpful, I will make a brief comment. Earlier this year Members asked that we take a serious look, for the first time in 30 years, at the state of the register because all of us knew that it was packed with people who did not live where they were supposed to live and people who were dead or did not exist in the first place. The Government took up the suggestion made in the House to bring in the census enumerators and that job was done. As I knew at the time, that meant all the dead wood on the register, including those who were long dead, would be removed.

Mr. McHugh: That is not fair on Deputy Wall who is still alive.

Mr. Durkan: If the Government keeps going at its current rate, nobody will be left.

An Ceann Comhairle: Please allow the Taoiseach to reply without interruption.

The Taoiseach: I will leave it at that, if the Members do not want to know.

Mr. Rabbitte: I apologise to the Taoiseach that he did not get a silent hearing. I wish he would resume.

The Taoiseach: A number of requests were made by political parties and local authorities seeking additional time to complete the work on the register. The deadline for members of the public to send corrections to the draft register is 25 November while that for the local authorities is 13 December. Local authorities and political parties have asked for the deadlines to be changed and the Minister for the Environment, Heritage and Local Government, therefore, has decided to extend the deadline for local authorities to complete their work on the register to 29 December. In these circumstances he has decided to give an additional fortnight to members of the public to submit corrections and he also decided to request councils to hold registration clinics in their offices and public libraries until 9 December to further facilitate the public. The advice on this, as I stated last week, is that this will probably require amendment. We will provide for these changes by amending the Electoral (Amendment) Bill 2006, which is before the House.

Mr. Sargent: Given the Taoiseach mentioned dead wood, I would like to ask about the forestry (amendment) Bill which will not even achieve half of the Government target of 20,000 hectares of forestry per annum. The budget for the forestry programme was slashed by 3% in the Book of Estimates. Will the Bill come before us in 2007,

as provided for, or has the Government given up on it?

Has the Taoiseach also given up on introducing legislation on the price of building land? The Bill is not on the legislative programme but the Taoiseach promised he would work on it over the summer. Will the Bill be included in the programme after Christmas or is it on a list we have not seen yet?

The Taoiseach: With regard to the forestry (amendment) Bill, a comprehensive review of the sector, including potential legislative implications, commenced in the latter part of 2005 and a consultative group, representative of all the stakeholders, has concluded its evaluation. It will meet again before the end of the year to finalise matters. That should provide for the completion of the Bill. A great deal of work has been done and, while the heads have not been agreed, hopefully, if the work is completed before Christmas, which it should be, we can proceed with the legislation.

We are still working on the Bill relating to withholding land for planning permission. The Bill is at an advanced stage and it is still hoped to try to deal with it.

Mr. Sargent: Next year.

Mr. Durkan: I have previously raised concerns expressed by many people regarding abuse of the Internet by sexual predators who prey on women and young children and the general use of the Internet for the glamorisation of illegal practices and wrongdoing generally. Will the Taoiseach ask the Minister for Communications, Marine and Natural Resources to withdraw the Electronic Communications Bill and redraft it to put such people out of business rapidly as opposed to waiting for something untoward to happen?

An Ceann Comhairle: The Deputy asked this question twice last week and it was answered.

Mr. Durkan: I will ask it again and again.

The Taoiseach: The Bill will be taken this session.

Ms B. Moynihan-Cronin: What legislative proposals has the Government to deal with the U-turn by the Minister for Community, Rural and Gaeltacht Affairs in Kerry last weekend regarding Dingle, Daingean Uí Chúis?

An Ceann Comhairle: Is legislation promised?

Ms B. Moynihan-Cronin: It is required. When it is proposed to introduce this legislation?

The Taoiseach: I do not have a clue.

Ms B. Moynihan-Cronin: The Taoiseach surely read about it.

Mr. Stagg: Do not leave the Minister for Community, Rural and Gaeltacht Affairs hanging out there.

Mr. N. Dempsey: Níl fhios againn.

Mr. Sargent: Is fada an bóthar gan casadh.

Mr. Rabbitte: That is how the people of Dingle felt after the meeting.

Caoimhghín Ó Caoláin: Given the continuing deterioration of morale among frontline hospital staff, will the Taoiseach guarantee the passage of the nurses and midwives Bill before the dissolution of this Dáil?

The Taoiseach: It is due in the spring session.

Caoimhghín Ó Caoláin: Will the Taoiseach guarantee its passage?

The Taoiseach: There will be three health Bills in the next session.

Mr. Wall: Prior to the summer recess, I asked the Taoiseach the position regarding a number of long-term objectors outside Leinster House. The Tánaiste met one of the objectors and the matter was resolved. Another has been at the front gates for 15 years.

An Ceann Comhairle: I suggest the Deputy find another way to raise the matter. The Chair will facilitate him.

Mr. Wall: I have written to the Taoiseach, the Minister for Agriculture and Food, the Tánaiste and——

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

Mr. Wall: ——all of the Government's members. There are some 11 sitting days left before Christmas, but nothing has been done. Will the Taoiseach do something about the matter?

An Ceann Comhairle: I suggest the Deputy find another way to raise it in the House.

Mr. Wall: How could I when it has been raised?

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

Mr. Wall: It is sad——

An Ceann Comhairle: It should be raised in an appropriate matter, not on the Order of Business.

Mr. Wall: —when I cannot raise the matter of the man in question, whose daughter travels from Northern Ireland every day to protest alongside him. Nothing is happening in this regard.

An Ceann Comhairle: If I were to allow the Deputy to raise the matter in an *ad hoc* fashion, I would have to allow every Deputy to do likewise.

Mr. Wall: I have raised the matter every other way. There is no way left.

An Ceann Comhairle: The Deputy should allow his colleague to speak.

Ms O'Sullivan: I understand the Taoiseach stated the Electoral Act would be amended in the light of the problems experienced with the electoral register. Will the Government ensure all local authorities will place their tenants on it?

An Ceann Comhairle: I suggest the Deputy raise the question with the line Minister.

Ms O'Sullivan: It would be a simple matter to cross-reference the register with their housing departments.

The Taoiseach: The legislation will be dealt with next week. The Deputy's suggestion was made to local authorities approximately one month ago.

Mr. M. Higgins: In advance of preparations for a constitutional referendum on the protection of the child, will the Government ratify any of the four conventions on the rights of the child that it has not ratified? Of 23 signed but unratified UN conventions, four deal with the rights of the child, including the convention against the trafficking of women and their children. The protection of the child is sometimes misstated as the protection of the rights of the child.

The Taoiseach: I will bring the matter to the attention of the Minister of State, Deputy Brian Lenihan.

Mr. S. Ryan: Given that a young woman, a constituent of mine, was gunned down outside her home, that a paedophile is at large in my constituency and that there have been 21 savage murders in the country this year, when will the Criminal Justice (Miscellaneous Provisions) Bill be introduced? In the meantime, what protection will be given to the public?

The Taoiseach: The Bill will be published early next year.

International Agreements: Referral to Select Committee.

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

That the proposal that Dáil Éireann approves the ratification by Ireland, at a date to be determined by the Minister for Foreign Affairs following consultation with fellow European Union member states and with the European Commission in the matter, of:

(a) the World Intellectual Property Organisation Copyright Treaty of 20 December 1996,

(b) the World Intellectual Property Organisation Performances and Phonograms Treaty of 20 December 1996,

and authorises the Minister for Foreign Affairs to deposit the signed Instruments of Accession with the Director General of the World Intellectual Property Organisation; copies of the Treaties were laid before Dáil Éireann on 13 November 2006, be referred to the Select Committee on Enterprise and Small Business, in accordance with paragraph (1) of the Orders of Reference of that committee, which, not later than 12 December 2006, shall send a message to the Dáil in the manner prescribed in Standing Order 85, and Standing Order 84(2) shall accordingly apply.

Question put and agreed to.

Official Languages Act 2003 (Section 9) Regulations 2006: Referral to Joint Committee.

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

That the proposal that Dáil Éireann approves the following regulations in draft:

Official Languages Act 2003 (Section 9) 2006 Regulations 2006,

copies of which regulations in draft were laid before Dáil Éireann on 28 September 2006, be referred to the Joint Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs in accordance with paragraph (2) of the Orders of Reference of that committee, which, not later than 5 December 2006, shall send a message to the Dáil in the manner prescribed in Standing Order 85, and Standing Order 84(2) shall accordingly apply.

Caoimhghín Ó Caoláin: I disagree on the basis that I cannot support the motion without a debate in the Chamber.

Question put and declared carried.

Estimates for Public Services 2007: Motion.

Minister for Finance (Mr. Cowen): I move:

That Dáil Éireann commends the 2007 Estimates for Public Services (Abridged) published by the Minister for Finance on 16 November 2006.

The 2007 gross pre-budget Estimates provide for expenditure of just over €54 billion, comprising €46.7 billion current and €7.6 billion capital. This represents an increase of just over €4 billion or 8.1% on the 2006 forecast outturn. The Estimates represent the correct balance between making necessary provision for our public services and ensuring maintenance of a prudent and sustainable budgetary position. They build on the significant increase in public expenditure of recent years that has led to a real improvement in public services in many areas. On budget day I will set out additional expenditure measures in the areas of health and social welfare.

The 2007 Estimates must be viewed against the background of economic and social progress in the past decade. The economy has been transformed during the past ten years. It grew at an annual average rate of more than 7% in GDP terms between 1997 and 2005. Our debt to GDP ratio will be approximately 25.5% of GDP in 2006, the second lowest in the euro area. Ireland's unemployment rate of approximately 4.25% is one of the lowest in the European Union, where the average unemployment rate of 8% is nearly double the rate in Ireland. The level of employment this year exceeded 2 million for the first time in the history of the State.

We are spending €6,700 more on public services for every man, woman and child in the country than we did in 1997. This extra expenditure has led to real improvements in our public services. On the capital side, as a result of the increased spending, great advances have been made in the provision of new roads, radically improved public transport, new and improved schools and hospitals, more social housing and other essential infrastructure that has improved prosperity and enhanced quality of life. The following are just some examples of what has been achieved. We have made major progress on new motorways from Dublin to the south, Portlaoise, to the west, Kinnegad thus far, and the north, Belfast, which is nearly complete, resulting in significant savings in journey times. There has been major investment in roads in urban areas and non-national roads in rural areas.

Under the rail safety programme which we introduced upon returning to office, 760 km of track were relaid throughout the country by the end of 2005, the quality of rolling stock has been considerably upgraded and there has been significant enhancement of suburban rail capacity. The Luas has been built and carried more than 22 million passengers in 2005, more than 60,000 each day.

Since 1997, some 100,000 households or approximately 250,000 people have benefited from various social and affordable housing programmes. In the period 2000 to 2005, 76 new schools were built at primary and post-primary level, with construction under way at a further 23 new schools. Some 380 largescale refurbishment

and extension school projects were completed, with construction of a further 54 projects under way. More than 6,000 small-scale projects involving upgrade works and minor extensions have been delivered. There have been other major improvements in areas such as water and wastewater services, child care and the provision of health facilities.

Major improvements have arisen from our increased investment in current expenditure in the past decade. The total patient throughput in hospitals has increased by more than 300,000 to over 1 million per year; waiting times for common surgical procedures have been dramatically reduced from years to two to five months; there are more than 3,000 home care packages for older people, where there was none in 1997; and there are more than 1,500 additional acute hospital beds in use.

The pupil-teacher ratio at primary level has fallen from 22:1 in 1996-97 to 17:1. At post-primary level, the reduction has been from 16:1 to 13:1 in that time. More than 7,000 extra primary teachers work solely with children with special needs. Alongside them, nearly 8,000 special needs assistants provide individual support for children with special needs compared with fewer than 300 when we entered office. At third level, there are 45,000 more places, wider representation from groups in society and increasing numbers graduating, particularly in the key areas of postgraduate and PhD studies.

These and other positive changes for the better have improved quality of life, enhanced social inclusion, improved access to opportunity and will support our economic development in the years ahead. They refute any assertion that there is little to show for the investment made by the Government.

Turning to the 2007 Estimates, for the third year in a row expenditure is forecast to be within profile, reflecting the Government's sound management of the public finances. In the 2006 Revised Estimates Volume the gross current spending provision was €43.8 billion. Latest indications are that outturn on current spend for this year will be €43.5 billion, or broadly on target.

On the capital side, when account is taken of €182 million which Departments currently indicate they will carry forward for spending in 2007, the capital cash spend will be €6.8 billion in 2006, which is an increase of 16% on the 2005 cash spend and shows the effort being made to build up the productive side of the economy. Of the planned increase of just over €4 billion for 2007, over €3 billion is for current spending on day to day services and almost €1 billion is for capital. The Exchequer capital allocation to address key infrastructural priorities for 2007 is €7.6 billion. This represents an increase of 12.7% on the forecast outturn for 2006. On a cash basis, when account is taken of forecast carryover spending into 2007, the year on year increase will be 13.6%.

[Mr. Cowen.]

The 2007 capital provision will fund a number of service improvements. The sum of almost €1.5 billion to be spent on roads will build on the substantial investment made to date by the Government and will fund the continuing upgrade of the major interurban routes to motorway or high quality dual carriageway standard. These routes are on schedule for completion by 2010. Overall eight roads projects of over 84 km in length are scheduled for completion in 2007 and six projects amounting to 212 km in length will commence.

An increase of 58% or €780 million in public transport demonstrates our commitment to investment in that area. This will fund key projects, including the further development and expansion of the Luas, the commencement of phase I of the western rail corridor and the Cork commuter services in 2007 and 160 new buses for Bus Éireann, in addition to the 100 new buses for Dublin Bus recently agreed.

The provision of €1.3 billion for housing will fund Government commitments under Towards 2016 to planned increases in social housing output targets of 27,000 social housing starts and 17,000 affordable housing starts over the period 2007 to 2009.

The huge progress made in recent years in the provision of environmental services has facilitated record levels of housing construction output and commercial development. The €427 million provided in 2007 will ensure further progress in this area and will, in particular, address the remaining schemes to ensure full compliance under the EU urban wastewater treatment directive.

The capital provision for education will be €707 million, an increase of 11%. This should enable approximately 80 new school building projects to be progressed during the year, together with about 160 large scale refurbishment or extension projects, and over 1,000 smaller scale projects.

In health, the gross capital provision of €657 million will fund a range of important capital services, primarily building and equipping of hospitals and health facilities generally.

A large increase in the capital provision for agriculture to over €275 million will support commitments under Towards 2016. A particular focus is on assisting the farming sector to restructure and modernise and to comply with environmental requirements. Key features include the provision of over €81 million for the farm waste management scheme, which will help farmers meet the requirements of the nitrates directive, and a 55% increase in installation aid rates, bringing the maximum payment rate to €15,000 to advance farm restructuring and modernisation.

On the current side the 2007 Estimate is €47 billion or a 7.4% increase on the 2006 forecast outturn. Over €2.4 billion, or 75% of the additional €3.2 billion, is being allocated to the

three priority areas of health, education and social welfare.

The total current spending allocation for health next year is almost €14 billion, an increase of €1.4 billion or 11.3% on the 2006 outturn of €12.5 billion. The 2007 pre-budget provision for health will fund service improvements in key areas and will include €75 million to commission and open in 2007 eight new units in acute hospitals. A further €40 million is being provided in 2007 on top of the substantial increase in 2006 to meet a commitment to expand services for the elderly and there will be an expansion of primary care teams and of education and training for health professionals.

A further €130 million is being allocated for the office of the Minister with responsibility for children to cover four early child care payments next year, as compared with the three paid in 2006 when the scheme was introduced. An extra €120 million is also being allocated to deal with additional costs in the drugs payment scheme and €360 million is being provided for the long-stay charges repayment scheme in 2007.

The pre-budget allocation for social welfare is almost €14 billion. Social welfare is central to the Government's policies on social inclusion and makes a huge difference to the lives of many people in our society, with just under 1 million people receiving a welfare payment of one type or another each week. Under the Government, allowing for the cost of living, pensions and the lowest social welfare rates have increased by between 45% and 55% in real terms.

Almost €8 billion is being allocated for current spending on education and science in 2007 to make major provision for the education of more than 940,000 young people. This is an increase of €563 million over the 2006 forecast outturn, or 7.7%. Some €2.64 billion is provided in 2007 for current spending on primary level, €2.74 billion for post-primary schools and €1.8 billion for third level education. This will meet the cost of service improvements in a number of key areas, including 800 additional teachers in 2007 which will bring to almost 1,900 the number of new teachers provided since 2005 to reduce class size and help tackle problems of disability and disadvantage. It will provide for more than 1,400 extra special needs assistants who significantly improve the experience of education for disabled young people and a 13% increase in capitation grants for schools. It will also provide an extra €20 million for school buses, bringing the total allocation on school transport to €165 million. At third level €60 million will be provided for the strategic innovation fund, an increase of €45 million on 2006.

The total provision for the justice group for 2007 will be €2.4 billion, an increase of 9% on this year's outturn. The main element, €971 million, is in respect of Garda pay and provides funding for the increase in Garda numbers to meet the prog-

ramme for Government commitment to a force of 14,000. Some €150 million of the justice provision is for capital, including provisions to further modernise the IT and communications equipment available to the Garda Síochána which is vital in the fight against crime.

The provision for day-to-day spending on agriculture is €1.4 billion and is the first year's funding of the seven-year package of rural development measures recently negotiated as part of the social partnership programme, Towards 2016. Again, the strategic focus is on modernisation and environmental requirements. Accordingly, enhancements and increases in grant rates include a 17% increase in rates for REPS, with a 2007 provision of €328 million, an 8% increase in compensatory allowances in disadvantaged area payments, with a 2007 provision of €257 million and an enhanced early retirement scheme with an increased maximum payment rate of €15,000, a 10% increase in that rate.

The commitment of €814 million for overseas development aid in 2007 meets our interim target of reaching 0.5% of GNP by 2007. This represents an increase of €139 million, or 21%, on the 2006 allocation of €675 million. Ireland's contribution rate of 0.5% compares favourably with current average figures of 0.3% in the OECD and 0.43% in the European Union.

Raising Ireland's performance level in science, technology and innovation is essential to our future competitiveness and continued prosperity. The Government is therefore allocating €755 million in capital and current expenditure for implementation in 2007 of the strategy for science, technology and innovation. This is an additional €66.4 million or an increase of 15% on 2006.

Budget 2006 announced a number of child care measures, including a new five-year national child care investment programme designed to create an extra 50,000 child care places by 2010. At least 5,000 of these places will be for school-going children before and after school hours and 10,000 will be pre-school education places aimed at three to four year olds. The 2007 child care provision is €142 million, an increase of €48 million or nearly 50% on 2006, to enable further significant progress to be made towards the achievement of these targets.

In my 2005 budget I announced a multi-annual investment programme for specific high priority disability support services designed to improve the quality of life for disabled persons, particularly in the key areas of health, education and training and access. To provide for further delivery on this commitment, the 2007 Estimates include provision for expenditure of €3.6 billion on disability-specific services compared to an estimated €3.3 billion this year. This is an increase of 10%.

The gross provision for 2007 to fund public service pay and pensions is some €18 billion, an increase of €1.2 billion or 7%. This represents

38% of the total gross current expenditure provision for 2007. The pay terms of the Towards 2016 social partnership agreement accounts for just over €740 million of this.

The 2007 pay and pensions bill of €18 billion is a significant commitment of resources. Of this amount, some €14.9 billion or 83% is in respect of the frontline services of health, education and security. The Government has permitted increases in the number of staff in these areas in recent years and I make no apology for this. These are labour intensive services and if we wish to get maximum benefit from enhanced capital expenditure in the areas of health and education we must adequately staff the resultant new or enhanced facilities and see a contribution from other parts of the service, which is happening.

Nonetheless, the taxpayer is entitled to full value for money in respect of this significant outlay. Accordingly, payment of the pay increases under Towards 2016 will be dependent, in the case of each sector, organisation and grade, on independent verification of co-operation with flexibility and ongoing change, including co-operation with satisfactory implementation of the agenda for modernisation set out in the agreement.

To date, the verification process has brought about real efficiencies and improvements in public services. The introduction of systems such as on-line motor tax systems enable people to pay their car tax on-line. The Revenue Commissioners on-line service reported processing 3.5 million returns in June this year and 7.8 million customer information requests. There are longer opening hours in health facilities in response to public demand involving earlier starts and later finishes, from 8 a.m. to 8 p.m., in a range of outpatient facilities such as dedicated outpatient diabetes, physiotherapy and cancer clinics, radiography departments, weekly late night dental clinics and antenatal classes in a growing number of locations. There is also the example of revised work processes in the Department of Social and Family Affairs which have reduced, among others, the average processing time for disability benefit from some eight days in November 2003 to five days in January 2006.

More generally, I have accorded particular priority to the issue of value for money since being appointed Minister for Finance and have introduced a number of initiatives which are designed to ensure more effective and efficient allocation and management of resources by Government and Ministers, Departments and agencies; better value for money for the taxpayer and greater accountability to the Oireachtas and the public.

We now have in place a value for money framework which includes the rolling multi-annual capital envelopes for public capital investment; revised guidelines for the appraisal and management of capital expenditure; public private part-

[Mr. Cowen.]

nerships to procure suitable projects; reforms to public procurement including moving to more fixed price contracts; additional value for money measures on procurement, ICT projects and consultancies announced in October 2005 which include individual accountability for major projects, peer review of ICT projects and reporting of project outcomes against budgets and timeframes; new arrangements for value for money policy reviews, in place of the expenditure review initiative, under which some 90 value for money reviews with an indicative coverage of 10% to 15% of Departments' and offices' budgets will be carried out in the period 2006-2008; a central expenditure evaluation unit in my Department to promote best practice in appraisal and evaluation generally and compliance by Departments and agencies with the enhanced value for money requirements; and reform of the Estimates and budgetary process announced in budget 2006.

Under the Government's Estimates reforms, from 2007 Ministers will submit to the Dáil an annual output statement in tandem with their Estimates which will enable the relevant committees, in considering the Estimates, to get a better picture of what outputs are being achieved at programme level for the funding for which approval is being sought.

The Government's 2007 Estimates are fiscally sustainable, economically appropriate and politically responsible. Maintaining stability has been the cornerstone of our economic success. Stable sensible policies have enabled us to generate the resources necessary to tackle poverty and social inequalities and to improve public services.

On budget day I will provide for a social welfare package and some additional expenditure on health. The Government will publish the National Development Plan 2007-2013 in January which will set out our seven year investment programme and financial framework for sustainable social and economic development over the medium term. I commend the motion to the House.

Mr. Bruton: The Minister said an extra €6,700 was being spent for every man, woman and child in the country. That is true. The Government has spent an extraordinary amount of money in the last few years. In the seven years 2000 to 2007, current spending by the Government has increased by an astonishing 120%. That is €19,000 more in that period for every family in the country. Consumer prices in that period have increased by 28% so the Government has been commanding a significant extra dollop of resources.

The Government will say GNP has been growing but Government spending has been growing 50% faster than GNP. The Government is hugely expanding its tax take and spending. Indeed, current spending as a proportion of GNP has increased from 24% in 2000 to over 30% this

year. The Government has been dramatically expanding its take.

With this money at its disposal, have we seen a transformation in the quality of public services? I believe the Government spends casually and leaves the taxpayer to pick up the tab. That is the reason we have not seen commensurate change. The Minister cited the extra manpower, buildings and so forth that have been generated by the €320,000 million in current spending and the €60,000 million in capital spending. We would want to see some extra buildings and manpower for that amount. However, that is not the test of value for money.

The real test of value for money is the experience of people who are dependent on and using public services. How are weak pupils doing in our schools? How are people who present with a medical emergency being treated in our hospitals? How are people who are prey to drug dealers and gangsters experiencing protection from the State? On those measures, we do not see an impact. The Comptroller and Auditor General showed that the relative position of weak pupils has not improved over a period of so-called priority for disadvantage.

In accident and emergency departments the same problems are still apparent. Even though there are no more people attending these departments than attended them ten years ago, there are still the same problems and in many cases they are more acute than they were previously. However, I take my hat off to the Minister, Deputy Harney, given that she has admitted that this is a national emergency. I hope the signs of improvement now visible will be sustained. The accident and emergency departments are still in a worse situation than they were two years ago, when she made that announcement. It was only when it became a national emergency and there was an effort to kick ass that anything changed. Similarly, the position of people who are prey to drug dealers and gangsters is continuing to worsen.

These are the tests that must be addressed. Targets must be set and Ministers must be judged against them. The real tragedy is that, once again this year, the Minister has compiled the Estimates with no programme evaluation and no targets set by Ministers by which the success of their spend will be judged. It is a spend of €60,000 million this year. No corner shop in the country would draw up its budget in that way. Anybody who tried to set a budget for the year ahead would be expected to set targets or benchmarks which would indicate success. That is not asked of Ministers and it is not good enough. It is not good enough to ask the taxpayer to stump up that type of money and not apply the rigours one would expect any minor business to apply.

There will be no meaningful debate in the House on the Estimates. Once again there will be no opportunity to evaluate the choices being

made, what the targets should be for these choices or whether better choices could have been made. There will be no such debate. It is a meaningless debate occurring within two weeks of the Budget Statement, when the entire process will be wrapped up. So much for scrutiny and evaluation.

The truth is there is a tendency in the Government to seek to operate in the comfort zone of secrecy. That is the hard reality. Ministers do not wish to undergo serious evaluation but prefer to have their hour in the sun when they issue their press release and tell the world how much better it will be as a result of the 2007 Estimates. However, they do not have any suggestions to make regarding scrutiny of what happened to last year's promises. The taxpayer is expected to believe that all is for the best in the best of all possible worlds and to make an act of faith in the instinct of these Ministers. Unfortunately, their past judgments do nothing to justify such beliefs.

It is intolerable that the Estimates have been presented in the same manner for an eternity and that the same procedure will be inflicted on us next year. One only needs to conduct a casual review of the promises made by Ministers to see why. Eight new units in acute hospitals were promised, yet the acute units announced two years ago for Beaumont Hospital have not yet been delivered. Last year we were told 75 primary health centres would be built but they have not materialised. The promised additional 230,000 medical and general practice cards have not been provided. Fewer than 40% of the target number of affordable houses have been built. Six of the transport projects which were announced last year have not yet commenced, so they are being announced again this year as if the bright eyed and bushy tailed Minister for Transport suddenly thought of a great new programme. The Tánaiste and Minister for Justice, Equality and Law Reform claims to have already reached his target for the Garda, although the Minister for Finance at least has the honesty to admit we will not have reached it by the end of 2007. Spin is not enough when such vast sums of money are being spent.

Ministers seem to make their promises without so much as a blush of shame. How gullible does the Government think taxpayers are? We must insist that Ministers publish key performance indicators when they seek approval for their Estimates. They should not be awarded budget increases, whether of 10% or 2%, unless they commit to setting out what they plan to deliver. Such indicators have to become part of the Estimates procedures in order that they can inform a serious debate in this House on the options. We were promised in a document, which contained some interesting recommendations despite having room for improvement, that key performance indicators would be published by 2005. The Secretaries General of the Depart-

ments came together and decided to take this approach. However, the fact that the benchmarks for performance are to be delayed until after the next general election indicates the seriousness with which value for money is regarded by the Government.

The announcement in June by the Minister for Finance on the value for money initiative does not meet any acceptable standard. When the programme of expenditure review was introduced, it was intended to be a three year rolling programme within which the entirety of the Government's programmes would be subjected to critical evaluation, so that Ministers would act on the review's recommendations. The programme of review has since been ground into the dirt and, as the Secretaries General have admitted, there is no indication that the tiny number of reviews which were conducted have had any impact on programmes. That does not represent value for money but what the Minister announced in June is just more of the same. Of the promised 92 reviews, 31 are inheritances from schemes which were supposed to have been completed three or more years ago. The total value of the reviews to be undertaken in 2006 will represent less than 3% of total expenditure. At that rate, it will take 35 years to complete the programme. The extraordinary exemption given to the Department of Health and Children from any programme review means that we will not see a review from that Department until 2008, even though we have not seen one since 2001. During that period, it will have spent half of GNP, or €84 billion. Therefore, it is not surprising that people continue to sit in accident and emergency departments and wonder why, with spending trebled, the care they are receiving is no better than a decade ago. The Minister must reform this system if we are not to be continually disappointed with the progress we make. He has been citing lists of inputs without mentioning the critical test of success, outcomes.

Hidden within these estimates is a plan to substantially increase taxation. An additional €1,000 million in motor tax, social insurance and health and training levies will be raised from families and businesses in 2007. Families will struggle to find this extra money at a time when they are already tightly strapped from meeting the costs of rising interest rates, mortgage payments and energy bills. There is no evidence of sensitivity in this Government to the fact that it should cut its cloth, in terms of raising tax, to the measure of what people can afford. The Estimates also conceal increases in local authority commercial rates and planning development charges because the Minister is only making provision for a 2% increase in local government spending. I do not know how he will square that with the extra 7.4% he has allotted for the Government's general services.

The Government tries to run under the flag of a low tax administration but the massive pre-elec-

[Mr. Bruton.]

tion spending spree in 2001 and 2002 entirely demolished that reputation. Of course, taxes did not start to bite until after the 2002 election. Since then the tax take, as a proportion of GNP, has increased by 4% and, for ordinary families, the tax take, as a proportion of personal income, has increased by 7% to 38.5%. Overall, the average household has had to come up with an additional €7,500 since 2002, as well as a further €3,000 in stealth taxes.

We have to move on from a sterile presentation of the Estimates which focuses solely on inputs to a serious debate about outcomes. Unfortunately, yet another year has been lost in making that change. Fine Gael and the Labour Party have published a joint programme, *The Buck Stops Here*, because we are determined to make the shift in the discussion from what we expect to gain from taxpayer's money in terms of spending programmes and projects to the question of outcomes. That will require tough discipline for Ministers and other officials with responsibility for programmes, as well as demanding standards in every area of expenditure.

In the area of crime we have to seriously consider the manner by which we deploy the resources of the justice system to deliver results. As Deputy Kenny noted earlier today, the budget of the Department of Justice, Equality and Law Reform, across the courts, the prisons and the Garda, has been more than doubled, yet crime levels have surged since 2000. All the gains made after the killing of Veronica Guerin have been lost in the intervening years. At the same time, detection rates for serious crime have decreased dramatically, from 44% ten years ago to 34% now. That means two out of every three people are getting away with serious crimes. The only measure guaranteed to predict whether crime is expanding is the chance of getting away with an offence. If we are presiding over a justice system in which the odds of criminals being able to get away with their crimes are increasing at an alarming rate, we are failing to deploy resources properly. If rigorous targeting and performance indications were being applied, there would be red faces in the justice system. We would be asking, for example, why the Prison Service does not measure the percentage of people who reoffend. It seems that the most obvious test of the success of a prison is whether those who leave it are more or less likely to reoffend. The percentage is not even measured, never mind a target for improvements.

The Minister ought to take this issue much more seriously. He should warn Departments that they will not receive budget increases if they do not implement evaluation programmes that are more serious and deep-rooted than the ones he announced in June. We will return here year after year, disappointed that the Government has not made sufficient progress in the past seven

years on foot of the enormous opportunity afforded to it by its having 120% more funding available for public spending. We are not squeezing the maximum value from it by any means.

The Minister, or whoever has put together the data, has listed many inputs and outputs but one can ascertain what is missing by reading between the lines. Why do so few have free access to primary health care and why are there fewer preventive programmes? Why is it only the day care figures for hospitals, rather than the inpatient care figures, that have been subject to an increase? Why are there not better conditions for accident and emergency patients? The real tests of performance are being cutely ignored and facts that sound good are being used to fill up the Minister's speech. This is not good enough and the selective accounting in the Estimates is not doing justice to the taxpayer, who must ultimately come up with the money to fund the €6 billion in resources. We need a new Government that will take this challenge much more seriously than it has been taken by the current Administration in the past decade.

Ms Burton: The estimated cost of running the State next year, €54 billion, sounds like a lot of money. If we were talking about the EuroMillions, we would say the punters were throwing money in tax paid at the Minister. As is the case in respect of EuroMillions, everyone hopes to win. Taxpayers hope for a new school for their area, decent care facilities for their older relatives and a bus or train to catch to work every day rather than having to experience a two hour nightmare in a car. As with EuroMillions, the Minister has produced some winners. The consequences of public investment, such as the Luas and Dublin Port tunnel, even if long-delayed and over budget, are welcomed with relief in that they will help to make matters better.

My former Labour Party colleague, Fergus Finlay, now chief executive of Barnardos, the children's charity and lobby group, put his case very well today when he asked why it is that, although the Minister will have 108 times more to spend than Mr. Haughey did when he was Minister for Finance in 1969, today's bonanza figures produce no great joy among the general population. People are worried that the elderly are now more at risk and have less entitlement to dignity than at any time in recent decades. People with disabilities are still waiting in queues for essential services and some 65,000 children still live in consistent poverty. Much poverty is inter-generational such that if a parent is poor, his or her child is also much more likely to be poor. One in three children from disadvantaged areas leaves school with severely limited capacity to read and write and do simple mathematics, which are cornerstones for progressing in education and obtaining a decent job.

People can no longer understand the billions of euro; they only understand the stories and denials that relate to them, their families, friends, villages and communities. Saying this is not to deny the economic progress that has been made, how much it is welcomed and the pride therein on the part of all parties in this House who contributed to it. It is just that, with so much money to spend, the report card for the Minister reads: "He could do so much better".

Consider an article attributed to the Minister in *The Irish Times*, published just before the publication of the Book of Estimates. I suppose he may say he did not write it because it is a bit of a mouthful even for someone as clever as himself. It states:

In parallel with a responsible, long-termist approach to budget policy, we have been making record investments. That year on year investment by Government in our social services and physical infrastructure is now having a real impact.

I am not sure if the Minister believes this. Had he looked at a little cartoon in the health supplement in the same paper, he would have seen the true picture. It alluded to longer delays and more queues and complaints and presented a very different view of conditions on the ground than the rosy scenario painted by the Minister.

Let me raise some serious questions about Leas Cross nursing home. There is no issue in respect of which people feel more uneasy and upset than that of Leas Cross and the other nursing homes in respect of which scandals have been emerging. The Minister for Finance and his predecessor, Charlie McCreevy, have clearly been determined to rely on tax-driven private sector investment in private hospitals and private nursing homes. Leas Cross raises a serious question over having a private health system driven by tax breaks for investors rather than an ethos of care. The Minister will tell me circumstances are different but I do not believe him.

Articles in today's newspapers, particularly one by Colm Keena in *The Irish Times*, carry some extraordinarily disturbing information about the Leas Cross nursing home and the company which ran it, Sovereign Projects Limited. *The Irish Times* records that for the year ended 31 January 2005, the home, on a turnover of just under €4 million, made a pre-tax profit of €619,839, or approximately 16%. This is an extraordinarily high rate of return. Not many enterprises, even in Offaly, are turning over such profits. Given that Leas Cross nursing home is probably in receipt of tax breaks under the special capital allowances scheme for nursing homes, which is very generous, it would be interesting to know how much tax, if any, it was liable for, even before it started incurring losses as a consequence of the HSE taking corrective action in respect of its activities.

It seems that as an investment Leas Cross nursing home, like many others, may have been primarily a tax-avoidance product. The home is located in the green belt and agricultural belt in north County Dublin. Nursing homes and other institutions can be built on such belts with few problems regarding rezoning. As I said to the Minister in last year's debate, such nursing homes, located in rural north County Dublin, are primarily development-based and enjoy the added benefit of extraordinarily generous tax breaks for the ten years for which they must operate.

The ten-year operational period was increased to 15 years for new developments from last February after I raised the issue with the Minister for Finance. Located as they are in remote rural areas, the nursing homes offer their elderly residents no independent access to local shops, the church, post office or local pub. Once again, our friends in Fianna Fáil seem to have the interests of property developers and builders much closer to heart than the needs of the frail elderly.

Ireland lags far behind many other countries such as Australia and even the United States in providing care for the elderly. We know the best solution for elderly people is for them to remain at home for as long as possible. Joined-up, care-driven solutions would include significant grants to insulate homes, install mobility aids and expand the home help system.

I met the carers in Blanchardstown this morning, including one who is looking after her 96 year old mother. We discussed why it was so difficult to obtain an occupational therapist's report and have simple aids installed in old persons' homes. It would not take an Einstein and we certainly have the money to do it.

Experts predict disaster for the health care system. The number of acute beds *per capita* is far below the EU average, with only 2.5 per 1,000 people in the greater Dublin area. The population will continue to increase for the next 15 years and the Minister is not responding. HSE capital spending has been cut by 2.6%.

The crisis in accident and emergency departments continues. HSE figures released to Deputy McManus in September show that only one new accident and emergency consultant post has been approved for the entire country since 2003.

While the Minister for Education and Science, Deputy Hanafin, made great play of increases in her budget that will allow a modest increase in the capitation grant to schools, it is hard for parents to celebrate when they know that their children remain in super-sized classes and can look forward to spending their entire school career in overcrowded accommodation. The increase in the capitation grant will not even meet the increased heating, electricity and insurance bills that many schools face.

The Minister does not seem to recognise the scale of the crisis in the school system. This year

[Ms Burton.]

I have received figures for school sizes showing that in the nine schools in Dublin 15 for which she supplied figures there are a staggering 89 classes with more than 30 pupils out of a total of 155 classrooms surveyed. This means that 57% of pupils in those schools are in super-sized classes. The ongoing failure of the Fianna Fáil-Progressive Democrats Government to recognise and plan for the extraordinary population growth in developing areas such as Dublin West is disturbing. The Minister and departmental officials are putting heavy pressure on most schools in the area to increase to four streams, or 32 classrooms, catering for 1,000 primary pupils. This strategy means that the current and next generation of Dublin West schoolchildren will remain in the most overcrowded classrooms in the country.

Last week, at a public meeting in Littlepace in Dublin West, Dublin Bus confessed that its worst time for a bus from Dublin 15 to town on a quality bus corridor was two hours and 14 minutes because of gridlock on the M50, N2 and N3. It is hard not to appear churlish when one sees the awesome amount of taxpayer's money the Minister has at his disposal in the Estimates but which, although delivering more, does not seem to deliver better. The quality bus corridor from Blanchardstown launched seven years ago is still not complete and the average journey time has risen consistently, now coming in at 111 minutes. One of the draft output statements to which the Minister referred was from the Department of Transport. The output in question was eight quality bus corridors, but it did not state journey times on such corridors from Lucan and Blanchardstown to the city centre had worsened considerably. As an output measurement, that is especially meaningless.

The Taoiseach, when opening the National Aquatic Centre, famously spoke of Blanchardstown being a 20 minutes' journey from the GPO, to gasps from the audience. That might well be the case if one were travelling in a State car or had quality public transport. Unfortunately, we do not and the question is why people should grant the Government five more years of excuses, failure to complete and simply messing about. I concede that there has been welcome progress, but it is equally true that quality of life on many fronts has diminished, including commuting, public transport, buying a home, safety on the streets and reasonable health services.

The Ministers opposite often complain that people do not understand them. Sometimes they sound like they are on their way to a counselling session. They believe people fail to recognise that everything is really improving, but for many, parts are getting very much worse. It is not hard to see that the emperor has no clothes when one is wedged like a sardine on a train from Clonsilla. There are extra trains but twice the number of passengers. Passengers regularly faint because of

overcrowding and are carried off, commuter soldiers in a battle that the Government will not win any time soon.

It is extremely disappointing that the Government has failed to address environmental issues in the Estimates. Irish society faces serious challenges in developing renewable energy sources and tackling carbon emissions. The world energy outlook of the International Energy Agency, IEA, for 2006 warns that many countries are on the road to disaster, with under-investment in renewable energy sources and increasing emissions of carbon dioxide and other greenhouse gases. Strong action is needed from the Government to get off this path, as Ireland currently has over 90% of its energy provided by imported supplies of fossil fuels such as oil and natural gas. Such is the lack of ambition on the part of Fianna Fáil and the Progressive Democrats that, rather than addressing the problem, they seem happy to contemplate our paying tens of millions in European fines for failing to live up to obligations under the Kyoto Protocol.

The allocation in the Estimates for overseas development aid is welcome. However, the increase of 16% in bilateral aid, Ireland's direct programme with some of the poorest counties in the world, is dwarfed by contributions to UN and international bodies which, according to the Book of Estimates, are to rise by between 21% and 37%. A development programme should not simply be a case of blank cheque increases to fora such as the unreformed United Nations and other international development bodies. Ireland provides a positive example on the ground in the developing world, co-operating with local partners to complete water projects and carry out valuable health and education work. I do not know what has happened to our reputation for imagination and brilliance in Third World development that we should now simply put a cheque in the post to the United Nations. That is wrong and does not accord with our country's traditions.

Perhaps decentralisation has something to do with it. We have not heard much on the subject in this programme. I understand the latest bright suggestion from Fianna Fáil and the Progressive Democrats is that technical specialists stay in Dublin, while other development aid staff move to Limerick. That would result in development aid being broken down into several sections. What would this do for the coherence and delivery of the programme? Decentralisation, as implemented by the Government, has been an expensive folly. Ireland and Dublin could do with proper, planned regional decentralisation, but not what we have seen from the Government.

There has been serious mismanagement of public spending projects in recent years, from PPARS to electronic voting, and an extraordinary lack of progress on projects such as integrated ticketing, which is now three times over budget

but has delivered nothing. The original cost was to be €19 million, but that figure has now risen to €42 million and the meter is still ticking without anything having been achieved. There is nothing in the Estimates to show any evidence of joined-up government in providing services and securing value for taxpayer's money.

In short, public services are not being delivered as they should, given the levels of taxation people are contributing. They are willing to pay fair taxes at low rates for quality public services, a view probably shared in the Minister's party. However, members of the Carers' Association to whom I spoke this morning have not seen any delivery to those for whom they care. I know that the Government is trying to do more, but my honest view of the HSE is this. I had hoped it would work, but with €14 billion going on health services, we should be celebrating a milestone in the provision of quality care for those who need it. However, I will not be celebrating any time soon. I am simply awe-struck. The Minister is a clever man and he, too, must be awe-struck at signing off on a provision of €14 billion for the health service when a visit to any of his local health service institutions would surely have him observe with incredulity the standard of service delivery in 2006. Perhaps after ten years in government he is obliged to defend every aspect of public service delivery. He should be allowed off the leash to discuss in earnest the reality of life for so many families throughout the State.

To return to the EuroMillions analogy, it seems the only people who win the jackpot under the Government are those who invest in tax driven schemes, whether to develop private hospitals or other initiatives. There is no doubt such persons are enjoying the jackpot. What about the young couple who must pay stamp duty on the purchase of a modest second-hand home which costs €340,000? Such persons are struggling rather than enjoying any jackpot.

I spoke to a woman today who was in tears because her application for an affordable house had been rejected because her income slightly exceeded the limit for the scheme. She could not see a way for herself and her teenage daughter to get a home of their own. She is aware that she pays more in rent than she would pay in mortgage payments if she were successful in her application under the affordable housing scheme. We will discuss this issue later when we debate the Labour Party's Private Members' motion on housing.

I am aware that a worrying amount of Government expenditure is simply absorbed by public pay rises. Given the scale of funding at the Minister's disposal, however, amounting to some €54 billion, it is clear we could all be jackpot winners if only we had a Government that could manage the expenditure of resources to address the needs being expressed by people in every county, from north to south and east to west.

Mr. Boyle: I propose to share time with Deputies O Caoláin and Catherine Murphy.

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

Mr. Boyle: The motion asks the House to commend the Minister for Finance for presenting the Book of Estimates. This is a parliamentary device and the Government has taken a minimalist approach in having such a debate. I am certain the Minister does not require his ego to be stroked and that he is confident in his own abilities. I am also certain, however, that many of those who speak on the Government benches will do precisely that in the course of this debate.

Our job, as Opposition spokespersons, is not to stroke the Minister's ego. We have significant concerns, not only about what is proposed to be spent next year but also the manner in which that expenditure will be managed. I am disappointed that, despite promises in this regard, little has changed in the presentation of the Estimates figures. We are, once again, presented with a set of global figures for Government spending, both current and capital, for each Department. There is little concrete information that would help us as legislators to analyse whether public money is being spent effectively.

It would be helpful if the Estimates figures were to show the largest spending items in each Department and how these compared with expenditure figures in previous years. The generic headings in the Book of Estimates, as in every previous year, do little to inform us as legislators or the public. We only learn of the detail of the Estimates through subsequent pronouncements by the Minister for Finance and other Ministers. This does not help the process and I hope the Minister's commitment towards reform in this area will become more evident in the short time remaining to the Government before the next general election.

The job of an Opposition spokesperson in this area is a difficult one. It would be churlish to rail against the expenditure of almost €55 billion. The reality, however, is that important questions remain to be asked as to whether the allocations under each heading for each Department are precisely the wisest choices, particularly in the light of our experiences of the Government since 1997 and how public money has been wantonly spent in several key public expenditure areas.

The Minister has tried to make virtue out of necessity in several areas. He is undoubtedly aware of the well known observation regarding lies, damned lies and statistics. His speech was loaded with statistics that are creatively explained. His lauding of the rail safety programme as one of the Government's major areas of expenditure since 1997 refers to what was very much an expenditure of necessity. It was precisely because of the neglect of successive Govern-

[Mr. Boyle.]

ments, in most of which the Minister's party was involved, that the decline of the rail network advanced to such a sorry state. Despite huge expenditure of €750 million, we have not seen one inch of additional rail track.

It is for this reason that I look askance at new public expenditure proposals. As a Cork representative, there is an expectation that by 2008 we may see the first reopening of a rail line since the closure of railway lines in the 1940s, 1950s and 1960s. We have yet to see, however, whether the Government has the imagination to put in place a public transport infrastructure that reflects the way in which the country has been allowed to develop in all the wrong ways in many cases, as my colleague and party leader, Deputy Sargent, observed during Leaders' Questions.

The question of whether public expenditure is being managed effectively in the area of public transport, in particular, was brought home to me last week in the aftermath of my initial response to the Book of Estimates. I travelled to Heuston Station to take a 7 p.m. train home to my constituency. That train did not depart, however, and two new trains that were to follow were cancelled by Irish Rail. I arrived home at 1 a.m. Given the many millions of euro that have been pumped, in a haphazard and unplanned way, into buying new rail stock and improving the rail network, what does the reality of rail travel for many passengers say about public expenditure in infrastructural projects in general?

These are the questions that the Minister and the Government have not asked themselves. A major act of mass hand-washing is taking place in regard not only to providing and spending resources but also in making sure the resources provided are managed in a way that offers value for money. This is something that is apparent across a broad range of public expenditure areas.

Another instance of the curious use of statistics in the Minister's speech is his reference to the waiting times for common surgical procedures being reduced from five months to two. We first need a definition of "common" and how such procedures differ from others. The Minister must be aware, as is every other Member of the House, that the position on waiting lists has changed from those who require services from our hospitals to those waiting simply to see a consultant who will make the decision on whether a medical procedure is required. If the €14 billion to be spent in the health service is being used merely to transform one waiting list into another type, what measure of success can the Government claim? The Minister for Finance and his colleague, the Minister for Health and Children, must answer more forthrightly for their stewardship of the health service.

The issue that is ignored in the Estimates is climate change and the effects it may have on future economic development if it is not tackled

effectively. The Minister merely paid lip service to this issue in his last budget with several initiatives such as the promise to establish a carbon fund, enabling legislation for which has not yet been introduced in the House more than a year later. At least we now have the benefit of the British Government's Stern report to show us there is an intrinsic link between environmental degradation and possible dangers to economic development because of the failure to act on environmental responsibilities. If the Minister wants his stewardship of the economy to be seen in a stronger light, it is not only fiscal budgeting for which he has responsibility but also resource budgeting. If the latter is not acted upon, whatever is put in place will be undermined by the failure to take proper decisions.

Caoimhghín Ó Caoláin: The Estimates represent more of the same from a tired Government, bankrupt of ideas and too long in power. It is spending moneys but has no strategy for equality and delivering public services in a more equitable and efficient way. The Estimates and budget will be the last before the general election. The Fianna Fáil-Progressive Democrats Government will be ten years in office next year. It needs to be judged, not on the Estimates nor on the forthcoming budget but on its record in the past decade.

After ten years the health system is still mired in crisis; housing is unaffordable for tens of thousands of families; and inequality and poverty are still with us, despite the Celtic tiger. The key question is whether revenue is being properly directed at addressing deficiencies in public services and at helping those who have benefited least from the economic boom of recent years.

Headline figures do not tell the full story. The question for many Departments is not how much money they spend, but the extent to which money is wasted, subsidising the private sector through public private partnerships and an unjust two-tier health system. Sinn Féin has called for the Comptroller and Auditor General to examine all existing PPP projects for cost overruns, revenue forgone and wastage against long-term cost and profit projections. We reiterate this call, as we face the huge cost of buying out the PPP contract for the West Link toll bridge.

For Sinn Féin, during this time of affluence, the priority must be using the additional revenue available to the Government to address the plight of those who have been left behind, those on housing waiting lists, those most vulnerable to heat and electricity price rises and those surviving on social welfare payments, inadequate to keep them out of poverty. We will have to wait until budget day to see if the Minister will make any significant commitments to them.

The 10% increase for local authority and social housing programmes is not significant when one considers house price inflation has been running

at approximately 15%. It will not advance in any meaningful way towards the elimination of social housing waiting lists. The additional revenue which has flowed into the State's coffers as a result of the construction boom has not been used to eliminate social housing waiting lists. This revenue stream is unsustainable in the long run. A portion of it must be ring-fenced for addressing the needs of those who have borne the brunt of the escalation of house prices and the underbuild in the social housing sector.

The State continues to pay out many millions annually in rent allowance, most of which goes straight into the pockets of private landlords. This week a constituent of mine seeking rent allowance was informed she would only receive it if she could access accommodation with a rent of €80 per week or less. What kind of accommodation can be accessed for that rent in the Ireland of 2006? This is the plight to which those on low incomes and in need of housing are condemned by the Government's lack of a real housing policy. Instead of providing social and affordable housing, it prefers to subsidise the property speculators, the developers and the private landlords.

There is no indication in the Estimates that the Minister for Finance is prioritising help for those under pressure as a result of energy price increases, nor is he prioritising the promotion of energy efficiency. While the increase for the energy research and development programme is to be welcomed, a focus on helping those faced with huge ESB and gas price hikes is needed. The Estimates should have provided for significant increases in funding for improving energy efficiency in homes and the provision of grant aid for low income households to install renewable heating systems.

While the health budget has again risen, it still continues to be ploughed into an inefficient and inequitable system with two-tier delivery of health care. The best use of facilities in public hospitals is not made because they are shared with the private sector. Many consultants continue to be paid by the State while working in the public and private health care sectors, as the long delayed negotiations with hospital consultants on a new contract continue. There is every indication their privileged position will be maintained.

The two-tier health system with two waiting lists and levels of care will be reinforced by the Minister for Health and Children, Deputy Harney, with her private hospital co-location scheme. In reply to a parliamentary question from me last week she confirmed that she intended that contracts for the ten private hospitals on public hospital sites would be signed by the first quarter of 2007. No cost benefit analysis has been carried out on the scheme which has met with widespread opposition. There is no mandate for it. It was not included in the election manifestos of the Progressive Democrats and

Fianna Fáil. It was not included in the Government's health strategy or the programme for Government, yet it is being forced through without reference to the Oireachtas in the dying months of the Administration and in the run-up to a general election. This fundamentally flawed scheme must be stopped.

No strategy is in place or special funding allocated for the provision of the additional 3,000 acute hospital beds needed. The HSE claims that number is not needed, while the Minister continues to pay lip-service to the Government's commitment to deliver them. This commitment has been dumped, together with much of the Government's 2001 health strategy, including the primary care strategy with its promised widespread network of primary care centres.

There are many other issues I could raise. Nearly a decade after coming to power the Government has reinforced inequality in society. It deserves to be rejected by the people for that reason alone.

Ms C. Murphy: This debate is not about how much is spent in the Estimates but how it is spent. Like the Minister and other Members, I received many pre-budget submissions from such organisations as the Carers Association, the Disability Federation of Ireland and the National Childrens Nurseries Association. All the submissions contained good proposals but we will have to wait for the budget to see how many of these suggestions have been taken on board. Many of the organisations concerned are run on a voluntary basis, meaning it is important that every cent is spent wisely and in an equitable manner.

There are areas where moneys can be spent wisely but savings made at the same time. I recently asked the Minister for Education and Science how much was spent on court cases to challenge parents seeking special educational needs places for their children. I was informed a sum of €20 million was spent and that only a fraction of this amount was dedicated to settlements. Almost all of the cases were settled when services were provided. I believe the figure included in the Estimates for this area is €30 million. If it were targeted correctly and to provide special educational needs places, savings would be made on courts cases which should not be taken in a country that is so well-off. Not only is it good economics, it is also good social policy.

Ms Hanafin: This year's allocation for special educational needs measures is €820 million.

Ms C. Murphy: I was referring to the particular matter of court cases. I will not dispute the Minister's figures but she could spend the money wisely.

I have heard much in recent days about the raising of motor tax, the money going to local authorities and concerns in the business community about the increase in commercial rates.

[Ms C. Murphy.]

The motor tax fund is ringfenced for local government but several local authorities are net contributors to it, the largest being in my area, County Kildare, 35% of whose motor tax receipts go somewhere else.

There was a discussion earlier today about building communities. It is almost impossible to do this in rapidly developing areas if they are starved of cash. There is an inequitable arrangement for the allocation of the local government fund and the areas most affected are the ones that contribute most by way of stamp duty, VAT and PAYE. These are the people from the commuter belt sitting in the traffic jams every day.

The question is not what is spent but how it is spent. This has been an ongoing problem for many years and the system is starting to show serious cracks; for example, there is a major deficit in County Meath, where the council has employed consultants and may have to increase commercial rates by 300% to absorb the debt, in a county where there is rapid development and which is a major net contributor to the motor tax fund.

On public transport, we are going backwards. The number of buses promised is now 100, from 200, and there will be a lower subvention in the Estimates because the extra 100 have not been delivered. Although there has been serious investment in the train already mentioned, it is called the Calcutta Express. I invite the Minister to travel on it any morning at peak time. It is almost necessary to have a person in white gloves outside to push the passengers on board. People want to use public transport but the level of delivery falls far behind the level of need.

I listen to AA Roadwatch to measure how difficult it will be for me to travel here and every time I hear it the West Link toll bridge is mentioned. This is a crisis. Something must be done about it and could be done in the short term by raising the barriers and covering the cost of doing so. We do not have to wait until 2008.

Minister for Education and Science (Ms Hanafin): Tá an-áthas orm a rá that 2007 will be another record year for increased investment in education. With an increase of 10% on last year's Estimates, a net provision of nearly €8.4 billion is being provided to support improvements right across the sector.

Comparable figures in the 1997 Estimates show that €2.8 billion was provided for education. In 2002 the figure was €5.1 billion. The sum of €8.4 billion being provided for 2007 means that the level of investment in education has trebled since 1997. It has risen by 65% since 2002.

Mr. P. McGrath: The Minister might as well go back another ten years.

Ms Hanafin: A total of 11,000 more teachers have been hired since 1997; unprecedented levels

of extra support have been provided for children with special needs and those from disadvantaged areas, while €3 billion has been provided for school building projects, with 1,300 under way this year.

Improvements have been made in the curriculum at levels underpinned by substantial investment in teacher training. With an additional 45,000 students at third level, bringing the total number to 168,000, third level participation rates have increased dramatically.

The scale of the increased investment in education in recent years is a testament to how central education is to the Government's social and economic agenda. The education Estimate allows for an extra €742 million in 2007.

My priorities have been and continue to be investing in special needs education and children from disadvantaged areas. Investment in special education has increased significantly in recent years. There are now 15,000 adults in schools working solely with children with special needs, compared with a fraction of this number a few years ago. We have much more work to do to bring the services to optimum level. Significant improvements are planned for the coming year. Over €820 million is being provided for special education in 2007, €180 million, or nearly 30%, more than the sum announced this time last year. This will cover, among other matters, the full year cost of the thousands of extra special education staff put in place this year. For example, of the 8,200 special needs assistants now in our schools, nearly 1,500 have been hired since September 2005. Increased investment in special education will also allow me to increase the rates of capitation paid to special schools. They range from a 30% increase in some payments to a near doubling of the rate for children with physical disabilities. These increases are a tangible demonstration of my commitment to supporting an important role for special schools.

The extra payments for children in special classes in mainstream schools will also increase at a total cost of €1.5 million. I recently received a plan from the National Council for Special Education for implementing the rest of the Education for Persons with Special Educational Needs Act.

Mr. P. McGrath: Will the Minister give us a copy of her script?

Ms Hanafin: I am not obliged to give one.

Mr. P. McGrath: Is that because of cutbacks?

Ms Hanafin: I am also conscious of the demands for extra support at second level as children move from primary school. These will be major priorities for me in the year ahead.

The significant increase in the provision for special education in the Estimates speaks volumes for the Government's commitment to focusing extra investment on those who need it

most. Our commitment in tackling educational disadvantage is just as strong. Since I launched the Delivering Equality of Opportunity in Schools, DEIS, action plan last year extra teachers have been provided to reduce class sizes in the most disadvantaged primary schools; more children have been given access to special intensive programmes to help with literacy problems at an early stage; the school meals programme has been extended; and extra counselling hours have been allocated to second level schools. Recognising the important influence that parents have on their children's education, a few weeks ago I announced an expansion in the number of home-school-community liaison teachers.

Next year overall expenditure on measures to tackle disadvantage at all levels will amount to approximately €730 million, an increase of €95 million or 15% on the 2006 figure announced on Estimates day last year. As well as providing for the full-year cost of initiatives such as the 22% increase in the top-up grant for third level students already announced, this increased investment will also allow further roll-out of the DEIS plan. This will see increased funding for early literacy measures, the development of a new family literacy initiative and more money for school book loan schemes. There will also be an expansion of the school completion programme. In prioritising extra supports for children with special needs and disadvantaged areas the Government is maximising the potential of our education system to help build a fairer society.

Extra support is also essential to enable children whose first language is not English to make the most of their time at school. There are more than 1,100 language support teachers in our schools, at a cost of €67 million. While this represents more than a fourfold increase in recent years, we are committed to going even further. The Estimates provide for another 200 language support teachers. Extra teachers will be assigned to schools with the largest concentration of children with English language needs. A comprehensive strategy is being finalised which will ensure the extra investment is used to best effect and underpinned by the right support and training for teachers.

Taken together, the extra teachers provided in recent years to work with children with special needs, those from disadvantaged areas and those who need help with their English have led to a major expansion in teacher numbers. The number of primary school teachers has increased by 4,000 since 2002, with approximately 1,200 of these posts having been created in the last school year.

I am extremely proud of the progress that the Government has made in increasing teacher numbers. We have reduced the average primary class size to 24. With the unprecedented increases in support staff, there is now one teacher for every 17 primary schoolchildren, down from one for 22. Children who need extra help are getting

more support than ever before. We are determined to go even further. The 2007 Estimates include provision for another 800 primary teachers, including the extra language support teachers, approximately 500 of whom will be classroom teachers, to meet our commitment to reduce class sizes. The recent improvements in school staffing are unparalleled. This area will continue to be a priority for us.

I am conscious of the need to ensure a positive atmosphere in all of our second level schools and to have effective procedures in place to deal with negative student behaviour where it occurs. The national behaviour support service has been set up to provide strong targeted support for schools that need its assistance most. I have secured €8 million in total for 2007 which will enable an expansion of both in-school and out-of-school supports. This is in addition to the extra investment in recent years in areas such as guidance counselling, home-school-community liaison and measures to tackle disadvantage that also aim to have a positive effect on student behaviour.

At both primary and second level I am pleased to be able to again provide for increases in capitation funding way beyond the rate of inflation. At primary level the basic rate of capitation will increase by €18 per pupil next year, that is, 50% higher than the increase given last year. This means every primary school will receive €163.58 per pupil from next January to cover expenses such as heating, lighting and insurance. The ancillary services grant will also increase by €6.50 to €145.50 per pupil, giving primary schools more money to cover the cost of secretaries and caretakers. Taken together, these increases mean that primary schools eligible for the full ancillary services grant will receive €24.50 extra per pupil to cover their day-to-day running costs next year, with a primary school of 300 pupils receiving approximately €7,400 extra next year. In fact, this 300 pupil school will receive €93,000 from my Department next year to meet such costs.

At second level the rate of capitation will also increase by €18 to €316 per student, while the support services grant will increase by €5 to €112. In addition, an extra €25 per student will be given to voluntary schools to continue the process towards equalisation of funding measures for that sector. This compares with a €10 increase in the equalisation grant last year. With these increases, a typical 500 student voluntary school will receive €293,000 from my Department in 2007 to meet its day-to-day costs, outside of teacher pay which is also covered by my Department. The substantial increases in capitation and services grants to schools provided for in the Estimates are a clear indication of the Government's commitment to improve our schools' finances.

Other areas that will see significant increases next year include teacher pay and pensions, professional development, schools' ICT and youth work services. Funding for the National Edu-

[Ms Hanafin.]

ational Welfare Board will also increase by 20%, while provision for the National Educational Psychological Service will increase by 17% in 2007. These increases will allow for some increased staffing in both areas.

In providing increased support for children in primary and second level schools we are equally determined to substantially improve the opportunities available to those who need a second chance at education. Therefore, I am delighted that many of the extra resources promised in this area under Towards 2016 are being front-loaded and will be put in place next year. My colleague, the Minister of State, Deputy de Valera, announced last week a 12% increase in the allocation for the further and adult education sector which has increased by 50% since 2002, as well as a 14% increase in the allocation for the youth sector which has increased by 123% since 2002. This will provide 38,000 places in adult literacy services and an extra 1,000 places in the case of the back to education initiative, BTEI, in addition to assisting with child care, as well as an extra 400 places on Youthreach programmes.

The funding being provided for universities and institutes of technology in 2007 will allow us to maintain and accelerate this momentum of progress. An extra €147 million for day-to-day spending — an 11% increase over the figure for 2006 — will be provided for our universities and institutes of technology. This includes an increase of €84 million to meet pay increases and other running costs; an extra €6 million to provide for continuing reform and the further expansion of places in medical education, including the commencement of graduate entry programmes, and an extra €45 million under the strategic innovation fund, SIF, bringing the fund to a total of €60 million next year. The fund is aimed at driving transformation of the higher education sector by promoting collaboration, development and change. As implementation of the first round of projects gets under way, we are already focusing on the criteria for the second round of SIF funding.

Next year will also see further major research and development funding increases as we set about implementing the Government's ambitious strategy for science, technology and innovation. An additional €12 million in current funding is being provided for the research programmes under the Education Vote, an increase of 15% over the figure for 2006. This will bring current research funding to €93 million next year. This major commitment to the enhancement of our fourth level research capacity will gather further impetus in 2007 with the allocation of awards under the fourth cycle of the PRTLTI and through the implementation of co-ordinated action measures across the higher education system, public research agencies and the enterprise sector in implementing Government strategy. The over-

arching objective is for Ireland to become renowned worldwide for the excellence of its research and to secure its position as one of the world's most advanced knowledge societies.

There are many areas which I could cover but these are the main ones I wish to highlight. To conclude, the 10% increase in expenditure in 2007 will allow me, among other matters, to increase expenditure on special education by nearly 30% to over €820 million; to spend €95 million more on supports for young people from disadvantaged areas; to hire 800 extra primary teachers; to promote positive student behaviour at second level; to significantly increase funding to schools; and to increase investment in third level institutions and further boost their research capacity. As has been proven, the Government is committed to education. We believe in education and the power of teachers working with parents and communities to ensure every young person receives an opportunity to reach his or her full potential.

Mr. P. McGrath: This will be my last opportunity ever to address the House on the Estimates and I wish to use my time wisely. I am somewhat disturbed at what we heard from the Minister for Education and Science. She began by telling us what a great person she was. She appears to believe the country only began in 1997. Everything about which we hear from members of the Government dates back to 1997, based on which we constantly hear of comparisons. How quickly we forget. If one goes back a further ten years, a Minister from the same party as the Minister for Education and Science was the only Minister in the history of the State to disimprove the pupil-teacher ratio but she has forgotten all about it.

Ms Hanafin: Ten years ago the Minister for Education was a member of the Labour Party.

Mr. P. McGrath: I did not interrupt the Minister. She should just sit and listen.

An Leas-Cheann Comhairle: Order, please.

Ms Hanafin: Ten years ago the Minister for Education was a member of the Labour Party. She was Niamh Breathnach.

Mr. P. McGrath: She was not Minister at the time.

An Leas-Cheann Comhairle: Deputy McGrath should be allowed to speak without interruption.

Ms Hanafin: Niamh Breathnach was Minister for Education until 1997.

An Leas-Cheann Comhairle: Order, please.

Mr. P. McGrath: Will the Leas-Cheann Comhairle please ask the Minister not only to desist

from misleading the House which she has done on two occasions this evening but also to learn her history better? I was a Member of the House at the time and know what happened.

Ms Hanafin: Who was Minister for Education from 1992 to 1997? It was Niamh Breathnach.

An Leas-Cheann Comhairle: Order, please.

Mr. P. McGrath: When the pupil-teacher ratio was disimproved in 1987, the Minister for Education was a member of the Fianna Fáil Party.

Ms Hanafin: The Deputy said ten years ago.

Mr. P. McGrath: That was the only time that ever occurred.

The second matter about which I am disturbed is that when I asked whether a script was available from the Minister, her response was that she was not obliged to make a copy available. This strikes me as being a new approach also. In my time in the House I have not seen such an approach. I am disappointed the Minister would make such a comment. Have we moved to such an extent that we do not bother about such matters?

Ms Hanafin: Only the opening statement is distributed.

An Leas-Cheann Comhairle: Order, please.

Mr. P. McGrath: It is not out of character but in keeping with the response I have received to parliamentary questions I tabled to her today. One was related to the use of and expenditure on prefabs. I will outline the response. A further question was related to the typical cost of leasing a prefab classroom for a primary school for one year. The Minister stated in reply that she did not know. This really means she does not want to put the information on the record of the House. I will do so. The cost of leasing a prefab for a primary school is approximately €60,000 per annum. Such money is wasted by the Department. The Minister is wasting a colossal sum of money in renting prefabs.

Ms Hanafin: We do not lease them anymore.

Mr. P. McGrath: Why did the Minister not answer the parliamentary question I tabled?

Ms Hanafin: Because we do not lease prefabs anymore.

Mr. P. McGrath: The Minister has spent €19 million in renting temporary school premises, including prefab classrooms to date in 2006. That represents an increase of almost €4 million on the figure for the previous year and an increase of €4 million on the figure for preceding year.

Ms Hanafin: That is because there are 11,000 more teachers.

Mr. P. McGrath: The Minister had her opportunity to speak. Is she so disappointed that she made such a mess of it and gave such a distorted view of where she stands that she has to keep interrupting? That is a pity.

Ms Hanafin: I am just trying to be accurate.

Mr. P. McGrath: As I stated before I was rather rudely interrupted, the Minister's attitude is disappointing. She will not answer questions such as the one I tabled on prefab classrooms. There is a significant demand for an increase in the number of classrooms, especially in the area surrounding the Pale — the overflow from Dublin. Many schools need additional classrooms. The Department is prepared to sanction the provision of additional prefabs at the drop of a hat but will not sanction the provision of proper well built classrooms. We continue to propagate prefab villages around schools, especially in the areas to which I referred such as Kinnegad, Rathwire, Delvin, etc.

Debate adjourned.

Private Members' Business.

Housing Policy: Motion.

Mr. Gilmore: I move:

That Dáil Éireann,

calls for the introduction of a New National Housing Policy, to ensure that everyone has access to a good quality home in a sustainable community, and at a price they can afford;

believes that such a New National Housing Policy should:

- enable every working person/ household, who wishes to do so, to buy their own home by:
- the introduction of a new affordable and shared equity purchase scheme, which will enable homebuyers to commence purchasing from 25% of the dwelling equity upwards;
- new tenant purchase schemes for local authority tenants and tenants of voluntary and co-operative housing bodies;
- the introduction of tenant purchase to the private rented sector.
- increase the provision of affordable housing to at least the 6,000 per annum which Part V of the Planning

[Mr. Gilmore.]

and Development Act 2000 is capable of delivering;

- increase from 20% to 50% the maximum social and affordable housing to be provided under Part V for new land zonings or for increased densities in ‘affordability black spot’ areas;
- compulsorily purchase all residential development land in areas where housing is unaffordable, in order to increase the supply of affordable homes;
- embargo on the sale of all State owned surplus land, and ensure that such lands are made available to housing authorities, in order to increase the supply of affordable housing;
- commit to the NESC target of providing approximately 10,000 social housing units per annum;
- end homelessness by 2010;
- replace the rent allowance scheme with a new housing support, which will eliminate the poverty traps and disincentives to work associated with the present scheme;
- reform stamp duty to favour first-time buyers and families acquiring an affordable principal private residence for occupation; and
- stop the rip-off of homebuyers by legislating to outlaw gazumping; protect homebuyers’ rights as consumers; efficient taking in charge of housing estates and the control and regulation of private management companies.

I wish to share time with Deputies Penrose, Lynch, Sherlock and Breeda Moynihan-Cronin.

The Labour Party has on many occasions during the past nine years or more of the current Government raised the issue of housing. We have called successively for the establishment of a commission on housing, action on social and affordable housing, an end to homelessness and the difficulties experienced by many who are unable to purchase a home of their own.

The motion is based on a new Labour Party policy document which we launched yesterday called *Towards a new Housing Plan*. We have prepared this plan because we are aware of the serious housing crisis we continue to face and the abject failure of the Government to ensure that all families have a reasonable chance of putting a roof over their heads. Nothing symbolises more the failure of the Government to ensure that the fruits of economic growth were used for the

benefit of the community generally than the current housing position.

After 15 years of sustained economic growth, families are finding it more difficult than ever to buy a home of their own. There are twice as many people on local authority housing waiting lists than there were ten years ago when the Government took office and more than 60,000 are in private rented dwellings, trapped on the rent allowance system that acts as a poverty trap and a disincentive to work. With our population continuing to increase at the fastest rate since the early 19th century, it is clear the housing crisis will continue to grow unless there is a radical change of direction. It is clear that Fianna Fáil and the Progressive Democrats lack the political will to make the changes in direction needed if working people are once again to be able to aspire to own their own homes.

At every point during the past ten years when asked to choose between the needs of families and the interests of developers and speculators Fianna Fáil chose to side with the mega rich developers rather than with the needs of people. This was evident from the way in which it abandoned the original provisions of Part V of the Planning and Development Act which should, by now, have delivered 30,000 affordable homes and surrendered affordable housing sites back to the developers after the last general election.

It is also evident from the manner in which the Government has refused to take the legislative measures recommended by the All-Party Committee on the Constitution that would have allowed local authorities to compulsorily acquire development land to provide additional housing at affordable prices.

The ten-point plan which the Labour Party launched yesterday provides an agenda for the radical change in housing policy which is needed. It is grounded in the belief that the maximum number of people possible should have the opportunity to buy their own home and should be assisted in every reasonable possible way to do so. In this regard one of our key proposals is a new begin-to-buy purchase option which is aimed primarily at people who in present conditions have little hope of getting a mortgage and buying a home of their own. This innovative scheme would enable people to start purchasing a home as soon as they are in full-time employment and allow them to increase their equity in the home as their incomes increased and financial circumstances improved.

Other key proposals in the plan provide for an increase in the supply of affordable housing, reform of rezoning procedures to allow greater provision of social and affordable housing, greater powers for local authorities to acquire development land for housing and redirection of surplus State land for housing purposes, measures to meet the NESC target of 10,000 social housing units per annum, a commitment to end home-

lessness by 2010, the replacement of the rent allowance system by a new form of housing support, reform of stamp duty and of mortgage interest relief and new legislation to provide stronger consumer protection for homebuyers. The Government's housing strategy has been an abject failure. The Labour Party believes everyone has a right to a home and that it is the duty of Government to ensure everyone has a home that is sufficient to their needs.

I wish to outline the principal features of the Labour Party plan on which this motion is based. Everyone in full-time employment should have the opportunity to buy their own home. Some will choose to rent and there should always be well-developed private and public rented sectors to meet this rental need. The Labour Party reiterates its call for better regulation and higher standards in the rented sector and, in particular, we call again for the updating of the housing standards regulations which have been called for by Threshold.

No worker or their families should be forced to rent solely because they cannot afford to buy. New purchase options need to be developed to maximise the numbers purchasing their own home. These new purchase options need to be designed to take account of the widely differing house prices in different parts of the country. The Labour Party proposes three new options for home purchase. First is a new begin-to-buy purchase option which will enable people to start purchasing a home as soon as they are in full-time employment and to increase their equity in the home as their incomes increase and as their financial circumstances improve. The begin-to-buy scheme should be administered by local authorities whose housing departments should be reformed to fulfil this new function. Any person unable to purchase a home from his or her own resources could apply and two assessments should be made. The person's housing need would be assessed to establish the size and location of housing required. An assessment would be made of the amount the person can afford in loan repayments. Subject to these parameters the applicant would then be approved to purchase a dwelling on a shared equity basis with the applicant purchasing a minimum of 25% and the local authority, either directly or through a financial institution, purchasing the balance. Over time the applicants would have the opportunity to increase their share of the dwelling. They would also have the freedom to sell and redeem their share and to use it in turn to purchase elsewhere under the begin-to-buy scheme.

There should also be a new tenant purchase scheme for tenants of local authorities and for tenants of voluntary and co-operative housing schemes. The existing local authority tenant purchase scheme is outdated and needs to be reformed. Many tenants in voluntary and co-operative housing are also seeking the opportunity to pur-

chase the home in which they live. The terms and conditions of the purchase schemes in the voluntary and co-operative sectors need to be negotiated with the agencies concerned.

We need a tenant purchase arrangement in the private sector. In many cases, where a landlord is selling a house or an apartment, it may be desirable for the tenant to have a realistic opportunity to buy. In cases where a landlord decides to sell up and serves notice on a tenant with a number of years tenancy in order to have vacant possession, it should be possible to make arrangements to encourage the sale of such rented dwellings to existing tenants and a scheme to that end should be devised.

We need to increase the supply of affordable homes. Part V of the Planning and Development Act 2000 should by now, have delivered approximately 30,000 affordable homes. The social partnership commitment should have produced a further 10,000, bringing to 40,000 the number of affordable houses which should by now have been delivered. Instead only 3,000 have materialised, because the Fianna Fáil and Progressive Democrats Government surrendered the affordable sites back to developers after the last general election.

At current rates of housing construction, Part V should be delivering 6,000 affordable homes each year. To ensure this target is met, developers should be required to commit to their Part V obligations before planning permission is granted not afterwards as is the case at present. In addition, the procedures for Part V agreements should be streamlined, the escape clauses in the existing scheme should be abolished and Part V should apply to all residential developments of five units or more. The loopholes, whereby Part V does not apply in the case of unzoned land and many apartment schemes where the site is less than 0.1 ha, should be abolished. In addition Part V dwellings should also be made available to those purchasing under the begin-to-buy option.

The scope of the affordable housing schemes should be widened so that families trading up, based on need, or moving home for work or family reasons will also be able to qualify. At the moment someone buying a starter home of perhaps one or two bedrooms under the affordable housing scheme whose family size increases cannot use the affordable housing scheme to move to a larger dwelling. That issue needs to be addressed.

Recent studies indicate that in the years ahead, up to 50% of newly forming households will not be able to afford to buy a home from their own resources. This is already the case in the cities, and especially in parts of Dublin, including in my constituency. Future decisions on new land zonings and on increased residential density should reflect this reality, by increasing to 50%, where necessary, the amount of development land to be reserved for social and affordable housing.

[Mr. Gilmore.]

The rezoning of land and the increasing of residential densities, which are decisions made by public authorities, confer enormous windfall gains on the landowners and developers concerned. At a minimum, the gain should be shared with the wider public, so that the rezoning of lands and the increasing of densities are directed to meeting the housing needs of those who are being priced out of the market and not just for the financial gain of the landowners and developers concerned.

The November 2004 NESC report on housing identified the existence of “affordability black-spots”, particularly in some urban areas. These are areas where the prices of even the most modest dwellings are now well beyond the reach of most people on good middle incomes. These areas, which are mainly in the cities, require special attention. Otherwise, none but the very rich will be able to afford housing in such areas. In city areas where development land is scarce, local authorities should have the power to compulsorily acquire building land, under the formula recommended by the All-Party Committee on the Constitution, in order to provide additional housing at affordable prices. It was the Taoiseach who referred the development land issue to the all-party committee. It is remarkable that although that committee reported two and a half years ago, the Government still has not taken any action to implement its recommendations.

No surplus State-owned land, which is intended to be developed for housing, should be sold into the private market; it should instead be made available to local authorities or to voluntary or co-operative housing bodies. In recent years the Government has sold off lands of former Army, Garda, harbour and State company facilities. The indications are that further such sales are planned. Those land sales should be halted and the lands made available for housing at affordable prices. In addition the State should compulsorily acquire surplus institutional lands such as former hospital or school lands which are being put on the market, apparently for housing purposes, and which are no longer required for their original use.

Approximately 45,000 applicants are now on waiting lists for council housing, which is almost double the number when the present Government parties took office in 1997. That doubling took place despite the changes the Minister of State made when the last assessment of housing need was being carried out when he changed the method by which they are counted in order to make the figures look better.

The NESC has recommended that social housing output should be increased to approximately 10,000 units per annum, for the next seven years. The Labour Party has committed itself to this target. In order to achieve it, it will be necessary not only to increase output by local authorities, but

also to increase the numbers of dwellings being produced by the voluntary and co-operative sectors. These sectors are already geared to produce approximately 4,000 housing units per annum, but in practice are prevented from doing so by lack of access to sites and by excessive bureaucracy on the part of State bodies. Labour believes these blockages that stand in the way of the voluntary and co-operative sectors should be removed to enable these sectors to achieve their full potential.

Homelessness is a scandal in our affluent society. The Government has committed itself to a national strategy to end homelessness, and the Labour Party acknowledges that some progress has been made but there is a lot more to be done. The four major housing NGOs, Simon Communities of Ireland, Threshold, Focus Ireland and the Society of St. Vincent de Paul have called for an end to homelessness by 2010. Labour supports this objective and if it gets into government commits itself to ending homelessness in the life of the next Government.

Approximately 60,000 households are in receipt of rent allowance or rent supplement at a cost to the State of approximately €400 million per annum. However, anyone on rent allowance who takes up full-time employment will lose all of his or her rent allowance regardless of the amount of income he or she receives. The rent allowance scheme as currently operated acts as a disincentive to work and as a poverty trap. It needs to be reformed. The Labour Party calls for the replacement of the rent allowance system with a new form of housing support, related to the household’s income regardless of source, and to the household’s housing needs. The new housing support would free up people on social welfare and on low incomes to work and to improve their circumstances without losing their homes or their full entitlement to rent allowance.

For many homebuyers, the high price they pay for their house or apartment is only the start of the rip-off. They may be price-gazumped at the purchase stage. Their legal fees may be a percentage of the price even though the same legal work is involved regardless of price. They may buy a new house which has unresolved snags with no sign of the builder returning to address them. Their housing estate may be left uncompleted for years. They may be forced to pay ever-increasing charges to a management company for services which are normally provided by the local authority.

The Government should introduce new legislation to secure the consumer rights of those buying homes. This should include the outlawing of price gazumping, full and timely completion of estates and the control and regulation of management companies and charges.

The final component in the Labour Party’s plan is a proposal for reform of stamp duty and mortgage relief. I do not propose to discuss these

reforms in detail because they will be dealt with by my colleague, Deputy Burton, tomorrow night. Issues such as stamp duty and mortgage relief are important elements in any national housing policy. However, unlike the Progressive Democrats we do not see reform of stamp duty as the be all and end all of housing policy. I have not heard the Progressive Democrats offer a single positive suggestion as to how to assist young couples hoping to buy their own homes—

Ms F. O'Malley: Deputy Gilmore has not been listening.

Mr. Gilmore: —other than the vague statement made by the Tánaiste and Minister for Justice, Equality and Law Reform, Deputy McDowell, in September, which conveyed the impression that he wants to abolish stamp duty. This is a matter in respect of which the Tánaiste bears some responsibility because he has been in or associated with the Government for the past nine and a half years. Almost three months after the statement to which I refer, the Progressive Democrats have yet to produce a single specific proposal for reform of a stamp duty regime that is certainly unfair in a number of its aspects. The Progressive Democrats talk, but it is the Labour Party that produces policies.

This is one of the most important plans the Labour Party has produced in recent years. Labour believes that everyone has a right to a home. Shelter is a basic human need and a basic human right. It is the responsibility of Government to ensure that the State's housing policies are arranged so that everyone has a good quality home, which is suitable to their needs, in a safe and sustainable neighbourhood and comes at a price they can afford. After 85 years of independence and with 15 years of unprecedented economic growth under our belts, that should be a realistic and achievable objective of any Government. Following ten years of the current Administration in office, we have instead ended up with a two-tier society with some people who can afford to buy many properties and large numbers who cannot afford to buy homes of their own.

Mr. Penrose: I welcome the opportunity to support this extremely important motion, which has been put forward, on behalf of the Labour Party, by Deputy Gilmore. I am glad that in the 1960s my parents were able to secure a county council house. They found themselves in a position to move out of inadequate accommodation into what then was adequate accommodation provided by a local authority. In that context, it is difficult to imagine that, despite our current affluence and international economic success, we are failing our children. When, 40 to 45 years ago, this country had nothing and exported its best product, namely, its people, it could still manage

to provide homes for those who were left behind. During the period to which I refer, many of my uncles left Ireland and never returned. The legacy of Fianna Fáil in power was that they got a one-way ticket.

Ireland's national housing policy is clearly in need of radical change. We do not need a continuation of the *laissez faire* attitude that permeates the Government, which is ideologically driven by a right-of-centre party. Fianna Fáil appears to have abandoned one of its traditional values, namely, that families should be provided with decent homes, as mine was in the 1960s. The Government amendment to the motion highlights the bankruptcy of the Government's commitment — if the latter ever needed to be illustrated -to people who do not own properties and who will never do so. I refer here to young men and women who do not own their own dwellings and who have no prospect of doing so under this uncaring, selfish Administration which has zero commitment to them.

The Government only becomes concerned when it comes to a choice between looking after the interests of developers and catering for those who are on housing lists and who live in substandard rented accommodation. In such circumstances, there can be only one winner. Fianna Fáil and the Progressive Democrats look into the hospitality tent and see who contributes most. Those unfortunate people who are obliged to pay rent are not able to contribute to any big *ruaille buaille* in Galway or anywhere else. The individuals to whom I refer are barely able to make ends meet and pay their bills. They have recently been obliged to cope with huge increases in ESB and gas prices, a development which will ensure that the standard of living decreases even further under this uncaring Government.

Let us consider what Sister Stanislaus said about this matter. I always like to take on board what people on the outside state because people say that we are politically motivated. Sister Stanislaus is not politically motivated; she has given her life to promoting the need to provide people with housing of a decent standard. Approximately eight or nine months ago, she stated that the Government has abandoned its historical policy of providing social housing for people who cannot afford to buy their own homes. Basically, she informed this Administration that it has abysmally failed the people for whom it should have catered.

Deputy Gilmore is correct in stating that the Minister of State will indicate that over the past ten years 500,000 new homes — approximately one third of the country's entire housing stock — have been built. However, house prices in Mullingar have more than trebled and they have quadrupled in Dublin. I am sure the latter is the position in Cork and other cities. Houses are being built but the people who need them cannot

[Mr. Penrose.]

buy them because they cannot afford to do so. Why is that the case? It is because the Government has ensured that people can buy three, four, five or six houses, thereby becoming the sort of landlords of whom Michael Davitt tried to rid the country. Approximately €400 million is paid out each year in rent supplements. This money is paid by the relevant arm of the Government to the people to whom I refer in order that they can buy their third, fourth or fifth houses. It is a beautiful merry-go-round, with everybody in the circle. As Robert De Niro stated in a recent film, once a person steps out of the “circle of trust”, they cannot step back in again. The unfortunate people who cannot step back into the circle are those who cannot afford to buy or build houses, those who cannot purchase sites for houses and those who are homeless.

Is there no longer such a thing as a social conscience? Is it not time to tell the speculators and those who display a grab-all mentality that they have benefited enough? The Government reduced capital gains tax from 40% to 20% in order that these people would free up land to ensure that housing would be available to those who need it most. What did they do? They took advantage of the 20% reduction and pocketed the money. As the Minister of State, Deputy Noel Ahern, indicated previously, we were obliged to get rid of the first-time buyers grant because developers were also pocketing that money. Do developers have no shame? The more incentives they receive — the Minister of State is very good at ensuring they get them — the more money they will pocket. The longer the Government remains in power, the wealthier these people will become because no one will tackle them.

I have some experience in the area of rent allowance. When she served as Minister for Social and Family Affairs, Deputy Coughlan exacerbated the situation in this area despite warnings I issued to her when we debated particular legislation. There are 60,000 tenants in private rented accommodation who are subjected to means tests. The system relating to the rent supplement allowance is administered by community welfare officers. The vast majority are social welfare recipients but there are some people on low incomes who should also be able to avail of the allowance. The then Minister, Deputy Coughlan, made the situation worse by introducing a provision which means that a person who is employed for 30 hours per week cannot qualify for rent supplement. Even if one member of a couple works 30 hours per week and the overall household income is low, payment cannot be made. It is time to get rid of what is clearly a poverty trap that was introduced by the then Minister, Deputy Coughlan, despite our warnings with regard to what would happen.

Earlier today, the Multiple Sclerosis Society of Ireland made a presentation to the Joint Committee on Social and Family Affairs of which I am Chairman. Its representatives stated that the disabled person's housing grant provides essential financial support to people who are obliged to adapt their homes to increase their mobility. Will the Minister of State increase the grant and ensure that the full amount is given to local authorities? Many of the latter do not possess the one third funding necessary to allow them to engage in co-financing.

Ms Lynch: I congratulate Deputy Gilmore on the motion and the excellent policy document he produced lately on housing in Ireland. Public representatives are very accessible in Ireland, unlike in other countries where people do not see them between one election and the next. Housing is a constant theme of representations by people at one's home or advice centre or on the street. Yesterday morning, I spoke to ten women in Knocknaheeny, Cork, about women's participation in politics and the necessity to vote. Of the ten women, five approached me afterwards about their children's need for housing. That group is representative of the area. It is frightening that when the Minister of State and I bought our first houses, the average mortgage was for 15 years. At the time, unemployment was at its height but I could still pay off the price of my house within 15 years. My daughter and her partner, who have good jobs, have taken out a 30-year mortgage. We must ask ourselves questions about this situation. Where is our value system? What are we doing about our children and their future?

An affordable housing scheme is being undertaken in Cork and successful applicants recently received a letter stating they had qualified. They then received a second letter asking them to obtain mortgage, which they did. Only one or two banks are participating in the scheme, which is outrageous. They should be ashamed of themselves but when was a bank ever embarrassed about anything? However, the bank in Cork has refused mortgages to applicants on the scheme. One couple, with both partners working, pay €1,200 a month in rent for themselves and two children. They cannot be considered by the local authority for social housing. While they are considered well off enough to house themselves, they were refused a mortgage of €180,000. That is scandalous. People with reasonable incomes are being refused mortgages and they are falling outside the affordable housing loop.

I was informed by a young woman who deals with mortgage applicants in the bank that she had met several people seeking loans under the affordable housing scheme who had been refused. She said she is seriously considering not voting anymore because the next customer was a property developer seeking a mortgage for his twenti-

eth house. He was on this way to the manager's office because, naturally, he would not have to stand at the counter like the rest of the plebs. He boasted it would not cost him a penny because of tax incentives. That is the society the Minister of State's Government has created and encouraged.

At the conclusion of the debate, the Minister of State will tell the House how great he is and how many houses he is providing. He will also have the impertinence to tell Members that if they have individual cases of people who cannot be housed, they can approach him and he will sort them out. That is not how it works. People have a right to a roof over their heads and to shelter and they should not be in bondage to landlords or banks for the rest of their lives for the privilege. The Government is a disgrace because it has allowed the housing market to escalate out of control. The price of houses has increased tenfold over the past five years, but the Minister of State sits in the House as if it has nothing to do with him and he is an innocent bystander. Young couples are desperately worried. People in their twenties never worried about the Bundesbank and interest rates before but they are worried now.

Mr. Sherlock: I am very disappointed the Minister of State and the Government tabled an amendment to the motion. The motion is relevant but, on the basis of politics, the Government tabled an amendment. Housing is an essential social necessity and houses must be provided to purchase or rent at a reasonable cost. Local authorities must build houses for families to rent or purchase because people need their own homes. Families spend years living in totally inadequate flats as they await housing, but the conditions are wrong. The price of houses in the private market is outrageous. Both partners must work to pay the mortgage. NESC stated 10,000 affordable housing units should be provided as quickly as possible, but thousands of families remain on local authority housing waiting lists. The Government parties have failed the public and they have forgotten the great people who depend on local authority housing and affordable housing schemes.

A new national housing policy should ensure everybody has access to a good quality home in a sustainable community at a price he or she can afford. This issue will not be brought to a close tomorrow evening. The Labour Party will continue to pursue this matter to ensure attention is being paid.

The rent allowance scheme was referred to by previous speakers. Community welfare officers have made it more difficult for people to obtain the allowance in recent months. They are putting pressure on single mothers by telling them they will lose the allowance and, consequently, this issue must be examined.

Mention was made of Part V of the Planning and Development Act 2000. Having introduced the provision, it was outrageous that the Government should amend it to provide for landowners and speculators. The housing programme will always change when builders are not making a profit. That scene is changing and it is about time the Government changed its attitude and built houses for people that they can afford.

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): I move:

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

"welcomes:

- the launching of the Housing Policy Framework — Building Sustainable Communities in 2005, which firmly sets the housing policy objective of enabling every household to have available an affordable dwelling of good quality, suited to its needs, as far as possible at the tenure of its choice, in the broader context of building sustainable communities; and
- the announcement of additional investment in the 2007 Abridged Estimates to honour the commitments entered into in Towards 2016 to increase social and affordable housing supply over the coming three years, with a view to assisting some 60,000 households;

acknowledges that evolving policy is built on the achievements of this Government in:

- delivering over half a million homes since 1997 and thereby enabling unprecedented numbers of first-time buyers to access home ownership during that period;
- increasing housing supply as the key response to the broad range of housing needs and demands with one third of Ireland's total housing stock being completed in the past ten years;
- improving affordability for first-time buyers through targeted measures including improvements in tax reliefs and stamp duty, and investment in affordable housing initiatives;
- taking steps to ensure that sufficient zoned and serviced land is available to support the achievement of ten successive years of record-breaking housing output, likely to exceed 90,000 units in 2006;

[Mr. N. Ahern.]

- taking action to promote reform and development of the private rented sector generally, including the enactment of a modern legislative code that strengthens tenants rights and supports a more professional approach by landlords and the recent launch of an action programme to promote improvement in standards of private rented accommodation;
- taking action to improve the regulation of property services and to address various issues relating to the management of common areas and facilities in private developments;
- introducing the ground-breaking legislation under Part V of the Planning and Development Acts 2000 to 2006 which provides a Constitution-proofed framework through which a reasonable and proportionate share of the betterment derived from residential zoning and planning decisions is captured for social and affordable housing purposes;
- significantly increasing delivery under Part V in terms of both social and affordable housing;
- assigning over 70 State and local authority sites to the affordable housing initiative, as part of its commitment to affordable housing;
- establishing the affordable homes partnership, which is playing an important role, in particular, in driving the delivery of affordable housing in the greater Dublin area;
- bringing forward five-year housing action plans by local authorities to co-ordinate, accelerate and bring greater integration to action on housing at local level;
- introducing a housing support for recipients of rent supplement with long-term housing need called the rental accommodation scheme;
- dedicating significant resources to the renewal and regeneration of existing local authority estates; and
- providing for the needs of 100,000 households in the last ten years through various social and affordable housing programmes;

notes the commitment of the Government in the housing policy framework and elsewhere to:

- enhance the supply of affordable housing and to support paths from social housing to home ownership, involving new affordable and shared equity options and sale of flats to local authority tenants under certain conditions;
- deliver additional homes to those in need of social housing through a range of options;
- eliminate the long-term occupancy of emergency homeless accommodation by 2010; and
- investigate the possibility of introducing a ‘use it or lose it’ scheme that could entail compulsory acquisition of land for housing purposes at below market value in specified circumstances.”

I welcome the opportunity to comment on the call by the Labour Party for a new housing policy to ensure that everyone has access to a good quality home in a sustainable community at an affordable price. This Government has already launched that policy, entitled Housing Policy Framework — Building Sustainable Communities.

Mr. Gilmore: It is a leaflet, not a policy.

Mr. N. Ahern: It sets out housing policy firmly in the broader context of building sustainable communities and was launched last December with a package of increased resources for housing programmes. There is an extraordinary similarity between many of the issues raised by the Labour Party and the contents of our framework document.

In developing this agenda, we have sought to build wide support for the approach among stakeholders. I welcome the fact that the new policy has been endorsed by the social partners in *Towards 2016* and that the Labour Party endorses our approach and has picked up on many of the elements of our statement in its policy document. However, it has also included proposals that seem more aspirational than practical or achievable. I am sure Deputies agree that policies are worthless if they are not viable.

I will highlight the broad context of the announcement of the new housing policy framework last year. In 2004, the National Economic and Social Council, NESC, prepared an important report on housing in which it referred to the dynamic nature of the Irish housing sector, which has responded to the unprecedented growth in incomes and employment, and a range of demographic factors, with some 90,000 new homes to be built this year compared to less than

34,000 in 1996. Earlier in that decade, the figure was just over 20,000.

This situation did not arise without Government action. The large growth in housing supply by both historical and international standards resulted from the Government's reform of the planning regime, investment in the servicing of land and the promotion of policies to ensure more effective use of land. The Government has had a clear policy objective of increasing supply to meet demand, promoting access to housing by first-time buyers and assisting those who cannot meet their accommodation needs through the housing market.

Within this framework, our policies have been flexible enough to adapt to changing circumstances. Indeed, NESC referred in particular to the dynamism of policy development in recent years. We have been innovative in our responses including reforming the planning regime in 2000; introducing Part V provisions to improve social integration and to provide new delivery mechanisms for social and affordable housing; modernising the private rented sector through the passage of the Residential Tenancies Act 2004 to expand choice of tenure; introducing new affordable housing schemes to meet new demands in this area; using previously underutilised State lands for housing purposes, including via land swaps; and establishing the affordable homes partnership to drive the delivery of affordable housing in the greater Dublin area and developing the rental accommodation scheme as a new social housing option for households on rent supplement. All of this has taken place alongside a significant increase in investment in housing.

The needs of some 13,000 households were addressed through social and affordable housing measures in 2005 compared to approximately 8,500 in 2000. We are building on our achievements and experience to respond to housing need in a sustainable way. When the Labour Party does not copy our policies and actions in its proposed programme, it promises options that will not produce housing in the short term even if it were possible to see the party's suggestions through.

In the housing policy framework, the Government has reiterated its firm belief that home ownership should be available to as many people as possible where this is their preferred option. We have substantially increased these opportunities. For example, in 1997, the shared ownership and mortgage allowance schemes were the only affordable housing options available. In 2005, more than 900 households accessed housing through these options and an additional 2,000 households benefited in 2005 from the new schemes introduced by the Government.

Local authorities are delivering additional affordable housing options by building on their lands or State land and acquiring units through

Part V arrangements. We have committed to a greater streamlining of these schemes and this work is now in hand. Considerable progress has been made by the affordable homes partnership in developing and implementing innovative approaches, such as land swaps and calls for additional land for social and affordable housing. We should hear from the partnership on its work in that regard shortly.

The momentum of delivery is growing and we expect to deliver some 17,000 affordable homes between 2007 and 2009. This is a considerable commitment to meeting the needs of first-time buyers who find themselves priced out of the market. It is part of a wider policy that seeks to improve access by boosting supply. We have ensured that our tax regime is favourable to first-time buyers by adjusting mortgage interest relief and stamp duty.

The commitment to improving access to home ownership must encompass not only affordable housing options, but paths from social housing. While it is legitimate to address the home ownership aspirations of tenants of social housing, we need a balanced approach. We must seek to achieve a range of different ways to provide social housing that offer better choices and quality of accommodation to tenants and that respond to how needs change during the life cycle.

Taking all of these aspects together, we have committed to enhancing paths to home ownership in the context of both the framework and Towards 2016. We have indicated that this will include shared equity schemes and the sale of flats under certain conditions. We are working on the detailed schemes, including the supporting legislative provisions. They will be brought to Government shortly.

Where property is owned by others, we cannot simply announce schemes and mislead tenants. We must respect the legal framework set down in the Constitution and advance by consultation. Therefore, we are in discussions with the voluntary and co-operative sector to determine how the home ownership aspirations of new tenants in that sector can be best addressed. I await with interest the details of the Labour Party proposal, which seems to involve forcing private sector landlords to sell to their tenants.

Mr. Gilmore: We said "encourage".

Mr. N. Ahern: That sounds interesting, but I wonder how one would do it and what type of landlord would let accommodation with that encouragement.

Mr. Gilmore: When they are selling.

Mr. N. Ahern: One could not do it by coercion.

Mr. Gilmore: We are not talking about coercion.

Mr. N. Ahern: Irrespective of whether it is real, I admit that it is an innovative approach.

The housing policy framework sets out an important agenda for social housing. It is not only a question of delivering quantity, but also quality. This issue is absent from the Labour Party motion. We are not going down the road of quantity; quality and building communities are important.

Mr. Gilmore: We said “sustainable” and “good neighbourhoods”.

Mr. N. Ahern: In the 1960s, we chose quantity. We spend approximately €240 million per year trying to put——

Mr. Gilmore: Who was in power in the 1960s?

Mr. N. Ahern: I am sure that we were all there.

Mr. Gilmore: We were not. Fianna Fáil had that decade to itself.

Mr. N. Ahern: If the Deputy wants, I will broaden the period in question to include the 1970s. We are spending €240 million per year trying to put right some past policies that were based on keys and numbers. Numbers are important, but so is quality. In recent years, everything that has been built has been of the highest quality. There was a time when local authority houses stuck out for a mile, but some of the new houses are of fine design. In many cases, they are better built than private homes. That is the way it should be.

Mr. Gilmore: That is true.

Mr. N. Ahern: We are building new social housing at rates not seen in a generation. Some 11,000 units were in progress at the end of June 2006 and we are well placed to deliver on the commitments in *Towards 2016* to start or acquire some 27,000 new homes for those in need of social housing in the next three years. This commitment was entered into against the backdrop of the NESC report and its associated targets. We have provided resources in the 2007 Estimates to honour this commitment with a record provision of €1.5 billion — a 9% increase in Exchequer housing programmes over 2006 levels, which was one of the biggest Vote increases in my or any Department.

We are also employing innovative approaches in social housing. The rental accommodation scheme, which we have been rolling out for the past year, provides new choice to households on rent supplement in the private rented sector. In particular, it provides long-term high quality

accommodation. Again, it is strange for the Labour Party to call for a new scheme when the Government has already introduced it.

Mr. Gilmore: No, it has not.

Mr. N. Ahern: Deputy Gilmore is normally up to speed on these matters.

Mr. Gilmore: That is not what we are talking about.

Mr. N. Ahern: I am surprised the Labour Party called for a new scheme. The rental accommodation scheme has the potential to solve many of the problems to which the Labour Party spokespersons referred, by not penalising people for taking up a job.

Mr. Gilmore: How many are on the scheme? Are there a dozen?

Mr. N. Ahern: There are more like 12,000.

Similarly, we have already committed, in *Towards 2016*, to work with the social partners on the elimination of people in long-term emergency accommodation by 2010. We have made good progress tackling the many issues of homelessness. An independent review of implementation of the Government’s homeless strategies, published earlier this year, acknowledged that “substantial progress has been made across all aspects of homelessness from the provision of housing to health services and reducing rough sleeping”.

We all know it is not just about putting a roof over people’s heads. If it was, and only required money, it would have been done a long time ago but many people in such circumstances have complex addiction and mental health problems and the involvement of the Department of Health and Children, which spends almost as much as my Department, is vital. We intend to build on this success by now focusing on the development of long-term accommodation, as opposed to emergency accommodation.

I will now turn to the important questions of land for housing and the role of Part V. Part V of the Planning and Development Acts, 2000 to 2006, is a groundbreaking piece of legislation. It is one of the important means of delivering on the housing agenda introduced by the Government, a fact acknowledged by NESC. This legislation provides a constitutionally-proofed framework through which a reasonable and proportionate share of betterment derived from residential zoning and planning decisions is captured for social and affordable housing purposes. I appreciate Deputy Gilmore’s proposal but it was difficult to achieve a provision for even 20% with the agreement of the Supreme Court.

Mr. Gilmore: The proposal was only for newly-zoned land.

Mr. N. Ahern: Not all housing output in the State is subject to Part V.

Mr. Gilmore: It should be.

Mr. N. Ahern: The mistake is regularly made, when viewing output under Part V, of simply applying a percentage to the total overall housing output to determine the Part V contribution. While some people make that mistake, others, including Deputy Gilmore, encourage a misreading of the provision. This has led many to jump to erroneous conclusions and make wild pronouncements about what Part V should achieve.

The affordable housing strategy being rolled out by the Government will deliver 17,000 homes over the coming three years. This will not be at the expense of social housing because some 60,000 households will benefit under the measures committed to in the housing policy framework and Towards 2016.

We have also implemented the NESC recommendation to develop active land management strategies and these are now a companion piece to the multi-annual housing action plans that are designed to deliver an integrated and holistic response to housing need. More broadly, we are exploring the feasibility of introducing a “use it or lose it” scheme that could entail compulsory acquisition of land for housing purposes at below market value in specified circumstances.

The Government has put coherent and connected policies in place to address the current and future demands of the housing sector. We are providing resources for expanding programmes and, importantly, we have projects in place to deliver them. We focus on the delivery of homes, rather than mere aspirations.

The purchase of a home is the largest transaction most people undertake. Therefore, we are taking action on a number of fronts to improve consumer information and protection. In this regard, the auctioneering and estate agency review group report to the Minister for Justice, Equality and Law Reform, published in October 2005, contained a number of valuable recommendations that will impact positively on the housing sector and be of particular benefit to consumers.

A key recommendation of the review group was that a new property service regulatory authority be established to regulate the auctioneering and estate agency businesses and related matters, including regulation of property managing agents and property letting agencies, which have not been subject to regulation up to now. I am glad to say that action to implement the review group recommendations is well under way. Legislation

to regulate property services, including the establishment and role of the property services authority, is in the course of preparation by the Department of Justice, Equality and Law Reform. Arrangements for the early establishment of the authority and its structures are already under way.

The review group also looked at the issue of gazumping. Deputies will be aware that this issue has been examined in some detail by a number of agencies, including a law reform study as far back as 1999.

Mr. Gilmore: Why has the Government not done anything about it?

Mr. N. Ahern: The review group report indicated that any Government action to outlaw or prohibit the practice would require changes to the law of contract. It concurred with a previous Law Reform Commission conclusion that the only practicable way to protect buyers would be through consumer information and it recommended that the property services regulatory authority address this as a priority.

I understand that the general scheme of the property services Bill will make provision for regulations to take account of the Law Reform Commission report on gazumping. The Irish Home Builders Association has operated a voluntary code of practice since 1999, which is designed to give buyers of new homes protection against gazumping. It is my view that gazumping has not been a significant feature of the housing market for some time and the voluntary code has gone a long way towards dealing with the issue.

The Government is very conscious of issues that have emerged about property management in Ireland. Action to achieve improvements in the area as quickly as possible is being taken by a number of agencies. Action is being taken by my Department on planning aspects and taking in charge of estates. Planning authorities have been advised that management companies should not be conditioned for traditional housing estates and, pending further guidance, should only be conditioned in mixed estates in cases where they would clearly be of benefit to the residents.

Planning authorities have already been reminded of their responsibilities over the taking in charge of traditional housing estates. A working group involving relevant interests has been set up to delineate the extent of the local authority responsibilities for facilities in high density estates. It is intended that the group finish its work before the end of the year and that further guidance issue to planning authorities in early 2007 at the latest.

My Department is also pursuing agreement with the construction industry on measures to prevent management problems involving developers. The issues in question include, for

[Mr. N. Ahern.]

example, incorrect obligations being placed on buyers of houses or apartments and developers retaining control of management companies. Agreed measures would be incorporated in an industry code of practice.

Actions are also being taken in this area by other Departments. The legislation being developed by the Department of Justice, Equality and Law Reform for the new property services regulatory authority will include the regulation of managing agents. The authority will licence, regulate and deal with complaints relating to managing agents, which are commercial firms engaged by management companies to carry out day-to-day management and maintenance. The authority will also have a public information function relating to property management.

In addition, action is being taken by the Department of Enterprise, Trade and Employment on legislation to reform company law, which governs management companies. I draw Deputies' attention to the useful information booklet published by the National Consumer Agency on management companies and charges, and a report containing a range of recommendations on the issue.

The Law Reform Commission is examining legal aspects generally regarding the management of multi-unit structures. A consultation paper is likely to be published before Christmas. Recommendations are likely to deal with both the prevention of future problems and identification of effective legal mechanisms to remedy existing problems, for example, due to defective legal documentation or dissolution of management companies. Following the consultation period, a final report will be prepared by the Law Reform Commission. Its recommendations will be considered by the Departments concerned to see what new measures are necessary. In the meantime the actions I have outlined will help to achieve improvements in this area, without prejudice to the recommendations from the commission.

This Government has been successful since 1997 in increasing investment in housing, expanding the range of housing supports and generally facilitating a vibrant housing market. It has been, perhaps, the most remarkable era for house building since the foundation of the State, a circumstance helped in no small measure by the priority given to housing policy by this Government. In the early 1990s the total number of houses built, both private and social, was approximately 22,000 per year. That has increased to 80,000 last year and 90,000 this year, based on the figures for the first nine months.

We are building on these approaches to ensure housing policy is seen in the appropriate context of building sustainable communities. That is the

key issue. We are not just opting for numbers. One could have adopted a policy of just building vast local authority estates on greenfield sites, as was done in previous decades.

Mr. Gilmore: Now it is opting for vast private estates.

Mr. N. Ahern: No, they are integrated estates. They are a mixture of private, voluntary and social houses.

Mr. Gilmore: There are no schools and no community infrastructure.

Mr. N. Ahern: If the Deputy is complaining that our Department has been so good and quick that it has left the Department of Education and Science grasping to catch up, I accept that can be a problem.

Mr. Gilmore: We need joined-up Government.

Mr. N. Ahern: The Department of Education and Science, however, would claim that historically when new estates were built there were four or five years for families to be established whereas nowadays many ready-made families are arriving from various places, including people returning to live here. That has put pressure on education in certain areas.

The policy announced by the Government has been endorsed by the social partners. That took a considerable amount of time during the year but it was worthwhile. The social partners will be involved in the housing forum, whose first meeting will be held shortly.

Mr. Gilmore: Is that meant to keep them quiet?

Mr. N. Ahern: It is to hear their views and have their input. It is to move forward in partnership, which has been the hallmark of this Government for some years.

The detailed statement we are working on will be announced in early 2007. When we issued the framework document last December, we thought various things might have moved forward more quickly during the year. Perhaps if we had produced our final document, it would have deprived the Opposition of the opportunity to pinch some of our ideas.

Mr. Gilmore: That was not a document, it was a leaflet. It was not a strategy.

Mr. N. Ahern: It is a framework document outlining our thinking. If one reads Towards 2016, one can get a greater flavour of that. The final document will be issued early in the new year. Legislation is required and we will introduce a housing miscellaneous provisions Bill to give legal effect to some aspects, such as the sale of

flats scheme. What we are doing will complement the funding announced last week for housing programmes and continued investment across the range of infrastructure necessary to support the housing demand from our growing population.

The announcement last week was a 9% increase, so the amount of social housing we are committed to providing is considerable. Resources are no longer a problem. In fact, the problem has been to drive the local authority and voluntary housing sector to spend the money. There were times in the past, when other Governments were in office, when the Department seemed to slow the plans of local authorities. They would get them to send in the plans repeatedly for various matters to be approved. I recall that during my 20 years as a member of a local authority tactics were used that appeared from the outside to be delaying tactics. I am sure they were for loftier reasons but that has not been an issue in recent years. The problem has been to drive the local authorities to spend the money, whether it is on new build, turn key developments or buying secondhand houses. We are driving them to spend the money. There is no shortage of money, although we will not let them blow it. We want quality and numbers.

The spend on housing under the national development plan over recent years has been above target. I accept the output was below what we thought would be achieved but over recent years the housing section of the Department has got more resources than it was promised. Its allocation last week is another reflection of that.

We have been innovative and dynamic in our response to the unprecedented circumstances of recent years. There has been a booming economy for a number of years. The census figures show an 8% increase in the population, after an 8% increase in the previous census. That previous census showed an 18% increase in the population of 25 to 34 year olds. Naturally, housing is struggling to keep up with a booming economy and such a population increase. However, the Department has done a considerable amount to look after those who are unable to buy a home while at the same time being innovative with affordable schemes and encouraging more of them.

The Affordable Homes Partnership was established last year. It advertised a call for lands in the media some months ago. It has received a number of submissions from owners of land that was not previously zoned.

Mr. Gilmore: I will bet it has.

Mr. N. Ahern: It is examining those submissions and I expect announcements soon. I sincerely hope Deputy Gilmore will encourage local authority members in the greater Dublin area to support these proposals so we can move forward

with more provision of affordable houses over forthcoming years.

Mr. Gilmore: Are these zoned lands? Will it involve any dodgy rezoning?

Mr. N. Ahern: Zoning is dealt with by local authorities.

Mr. Gilmore: They could not get the zoning through the front door so they are going through the Affordable Homes Partnership to get it through the back door.

Mr. N. Ahern: I was a member of a local authority for years. I believe in local authorities, provided they do their job. When the Affordable Homes Partnership comes forward with its proposals and recommendations I hope local authority members in the councils in Dublin, who are so committed to the provision of affordable homes for their constituents, will support them.

Mr. Gilmore: Some of them are not too committed to it, given some of their decisions.

Mr. N. Ahern: We have been innovative and dynamic in our response to the unprecedented circumstances of recent years. Our success has been based on practical interventions. This will remain our focus, centred on addressing the needs of first-time buyers and low income households. It surprised me to hear Deputy Lynch say she repaid her mortgage over 15 years because I repaid mine over 25 years. I accept that many mortgages are now taken out for 35 years but affordability can be as important as house prices. The key issue is the percentage of take home pay spent on mortgages and, while that proportion has risen over the past 30 years, it has not increased by the same multiples as house prices.

Mr. Gilmore: Mortgages have increased by 50% over the past three months.

Ms B. Moynihan-Cronin: Where is the Minister of State living?

Mr. N. Ahern: I think that is a fair record of the work being done by the Government.

Mr. O'Dowd: During Private Members' business on Wednesday, 15 November, I cited a report from the Health Service Executive concerning Bedford House nursing home in Balbriggan, County Dublin. The report stated that the registered owner of this home was a Dr. Nasser. For clarity, this doctor is registered with the Irish Medical Council as doctor No. 10840, with the full name of Dr. Khawaja Jamel Nasser.

With regard to the comments of the Minister of State at the Department of the Environment, Heritage and Local Government on housing, it

[Mr. O'Dowd.]

has now become impossible for young people to buy homes in this city unless they are extremely wealthy. Housing estates in the adjoining counties of Louth, Meath, Kildare, Wicklow and as far afield as Wexford and Portlaoise are now occupied by Dubliners who have been driven out because they cannot afford to buy homes in their own city. Despite the success of our economy, a second Ireland has been created which consists of all who are excluded from the benefits of this new wealth.

I welcome the Labour Party motion because I have studied that party's policies and believe it is time for changes in government and housing policies. As a society, we need to provide young people with opportunities to purchase houses of their own. A challenge arises in that respect because of the increase in mortgage rates and, although house prices appear to be stabilising, a person living in Dublin would have to save €30,000 this year to keep pace with the increase in the price of a house that he or she could have bought last January. There is no way out for these people and it is a mark of social exclusion that they are not allowed to participate in the success of the economy. Government policies have not been successful in terms of intervening in the market to ensure sufficient units of affordable housing. Fine Gael has brought proposals of its own on this issue, some of which are already in the public domain and which contain many of the proposals set out in tonight's motion.

The Progressive Democrats Party, eager for a bit of media attention before its day out in Malahide, has flown a kite about the abolition — not just the reform — of stamp duty. In response, a grumpy Minister for Finance makes it clear that nothing will be done. The confusion leaves young couples scratching their heads at how little the Government has done for them in terms of housing, while the auction market grinds to a standstill in anticipation of what, if anything, will be done on budget day. The Government is characterised by two extremes. On the one hand, the Progressive Democrats Party recklessly wants to get rid of stamp duty and, on the other, Fianna Fáil believes there is no need for reform. The Irish public, particularly those seeking to get on or move up the ladder, are not served by such a scenario.

Fine Gael will support this motion. I am particularly gratified to see reference in the motion to Part V of the Planning and Development Act 2000. It is abundantly clear that Part V, which was designed to provide social and affordable housing units and ensure social integration, is not working. When first proposed, the idea was considered a revolutionary attempt to end the ghettoisation of social and affordable housing by bringing more units on stream. That has not happened because local authorities interpret Part V differently, developers appear unwilling to meet their com-

mitments and the units are not being delivered. Cash sums are often provided instead of land or actual homes. It is time to end the practice of allowing local authorities to accept cash payments in lieu of land or housing units. We will take this matter in hand by insisting that 20% of all new developments comprising five or more units are allocated for social and affordable purposes. No local authority will be permitted to accept cash payment in lieu of housing units. Where the private development is situated in an area with already high levels of social housing, it should be possible for the developer to provide 20% of the land for the construction by the developer of social and community facilities, such as sports complexes, swimming pools and educational facilities. This will help to maintain and improve social cohesion by encouraging a greater mix of private housing within a predominantly social housing area and the entire community can benefit from improved facilities.

I offer my full backing to the argument made in the motion that building must be commenced on land zoned for residential use. According to the economist, Mr. Jerome Casey, site costs constitute 42.5% of the cost of the average house, rising to 50% in Dublin. His conclusion is that eight years in the normal life of a 25-year mortgage goes on site costs. Mr. Casey also estimates that 25 individuals or companies control more than half the housing development land in the Fingal area, which includes Balbriggan, Donabate and Blanchardstown.

Figures from the Department of the Environment, Heritage and Local Government indicate there was enough zoned land in Dublin city and county in mid-2004 to produce 112,000 housing units. Nationally, there were 12,500 hectares of zoned serviced land with an estimated yield of 367,000 units, which equates to sufficient capacity for residential development nationwide for over five years. Despite this, demand has not been met, land prices have continued to soar and many remain unable to step on to the property ladder. Fine Gael is determined to ensure that the zoning process is made to work for rather than against the creation of sustainable communities and a healthy balance of private, affordable and social housing, together with the necessary amenities.

Local authorities should issue compulsory purchase orders where land zoned and serviced for housing is not being developed in a timely fashion. This land should be acquired at below market rates. The clear message to anyone hoarding land will be "use it or lose it".

I also support the point made in the motion on the use of State land. Housing cannot be provided if there is insufficient land available for building purposes. In light of gross mismanagement of the public finances, it is unfortunate that Departments and State agencies increasingly see private land banks as revenue streams rather than poten-

tial sites for new and desperately needed housing. Recently, mental health facilities, prisons and the SDS site in south Dublin have been earmarked for sale. Instead of this disjointed, piecemeal approach, Fine Gael proposes to implement a coherent land disposal policy.

We will instruct the homeless agency, in tandem with the Office of Public Works, to conduct a full audit of State-owned land with a view to identifying whether it is necessary to the further development of the Department or agency. If not, and if it is suitable for housing development, it will be developed by the State for a mix of social, affordable and private housing or through public private partnerships. We will end the practice of selling valuable State lands to pay for capital investment in hospitals, the Defence Forces etc. That is the reason we pay our taxes. Any development will also provide for retail, leisure and community facilities on site, both as amenities for the new housing and to benefit existing communities.

I am happy to endorse the call to end homelessness by 2010, made recently by the housing charities that joined together for the Make Room campaign. There are 5,581 homeless people in Ireland, living in 3,773 units. In Dublin, 4,060 people are homeless and they include 1,140 children. That is enough to fill the Point Depot. The Simon Community claims the figures are a "gross underestimation".

There are 492 homeless children in Ireland, the majority of whom are in their mid to late teens. However, according to figures compiled by the Health Service Executive and the Department of Health and Children, 22 homeless children are under the age of 12. The overall number of homeless children grew from 476 in 2003 to 492 in 2004. The highest numbers of homeless children were recorded in urban areas. There were 210 in greater Dublin, followed by 132 in the south, 46 in the west and 43 in the mid-west. The lowest figures were in the north west, where five children were found to be homeless.

It is intolerable that, after a decade of prosperity, we still live in a society where homelessness is a daily fact of life for so many. All of us, in government and opposition alike, must work towards eliminating homelessness once and for all. To do so, I am convinced that the State must invest heavily in move-on accommodation. Such housing is designed to assist homeless people move out of homelessness and to ensure vulnerable people do not become homeless. In essence, it provides a semi-sheltered environment for those who cannot cope with independent living.

It goes without saying that the Government's shameful failure to deliver on the social housing units it has repeatedly promised is adding to the problem. It is vital that the root causes of homelessness, such as poverty and the twin scourges of drug abuse and alcohol dependency, are tackled.

These problems are not limited to Dublin. Recent evidence from the Combat Poverty Agency shows that poverty is not limited to our major urban centres. While this summer's announcement of funding for the regional drugs task forces is welcome, it comes after years of an absence of funding. The Government is only now addressing that.

The rent allowance scheme is not working, certainly not in my town. The cap on the amount a local authority is allowed to pay for rent is too low and landlords will not agree to it. Initially a number of landlords signed up to the scheme but it is now practically impossible to get them to do so. While the principle behind the scheme is good, it is not working. Last year, €16 million allocated for the scheme around the country went unspent. The Government was not able to give it to local authorities to allow people to have decent rented accommodation. That is a serious failure.

Ms B. Moynihan-Cronin: They do not have the staff.

Mr. O'Dowd: In Louth the authority has enough staff but the problem is that landlords will not sign up to the scheme because the cap is too low. It might be fine in other counties but it should not apply in towns such as Drogheda, which is now in the greater Dublin area. This cap requires significant adjustment if the money is to be spent. The money is available and I acknowledge that the Minister must balance the setting of the cap against the desire of landlords to acquire rental income over the odds. There is a fundamental flaw in the rent allowance scheme but I do not have a problem with it *per se* because it helps certain people.

Ms B. Moynihan-Cronin: I welcome the opportunity to contribute to this debate. I give credit where credit is due and acknowledge that the rent allowance scheme is good. However, as Deputy O'Dowd said, it needs to be extended and facilitated if it is to work.

There is a perception that it is only in the satellite towns around Dublin that young people cannot afford their own houses. In the three main towns of the constituency of south Kerry, namely, Killarney, Kenmare and Dingle, there is a huge problem in this regard in that it is literally impossible for young people to buy houses. There are nearly 1,500 people on the waiting list for houses in the constituency at present, yet only three affordable houses in Killarney were made available to them this year. That is an absolute disgrace.

Part V of the Planning and Development Act should have delivered 30,000 affordable homes. The number built in my constituency should have been considerable.

Mr. B. O’Keeffe: Has the Deputy checked how many fell under Part V? How many had planning permission before Part V was introduced? These facts should be determined and then an accurate analysis should be carried out.

Ms B. Moynihan-Cronin: A deal was done with the local authorities and they were paid money instead of being afforded the possibility of building houses. The money is no good to our local authorities because when they go to buy land, they cannot deal with the developers bidding against them.

Planning permission presents a problem in Kerry. A few years ago, a problem arose in Kerry County Council regarding the moving of motions under section 4 and it made headlines all over the country. A deal was made with the councillors such that if farm families or other families with some land were facilitated with planning permission, no more section 4 motions would be moved. In fairness to the councillors, they went down this road. However, planners are now placing every obstacle in the way of the applicants, be it associated with the location of an entrance or otherwise, such that the farm families are moving out of the area. They apply for planning permission a couple of times but it costs them more than the deposit for a house.

The aforementioned has a knock-on effect in that the families concerned are no longer living near their elderly relatives to look after them. This arose in the debate on nursing homes last week. The problem arises in the Minister of State’s constituency, that of Deputy O’Dowd and all other rural constituencies. We need to loosen the planning legislation.

Mr. B. O’Keeffe: The county council can include such conditions in the county development plan.

Ms B. Moynihan-Cronin: If they did, it would be grand but the guidelines are not strict enough.

The Government should note that lands attached to St. Finian’s Hospital in Killarney are not to be sold into private hands. The psychiatric hospital in Cork, St. Mary’s, was sold into private hands for a good deal of money. Magnificent apartments are now being sold on the site for considerable sums. The land in Killarney is very valuable and is needed for housing for the elderly, individuals with Alzheimer’s disease and the disabled, and for sports facilities for young people. I appeal to the Minister of State, Deputy Batt O’Keeffe, who is from the constituency next to mine, to assist in this regard. His colleagues in the Progressive Democrats will sell off HSE lands into private hands for private hospitals but we will lie down in front of the gates of St. Finian’s Hospital in Killarney to prevent the lands from being sold into private ownership.

Mr. B. O’Keeffe: The local authorities do not want to offer a reasonable price for the land.

Ms B. Moynihan-Cronin: The local authority should not have to pay for the land. It is State land owned by me and the Minister of State, as taxpayers.

Mr. B. O’Keeffe: The Deputy should talk to the Comptroller and Auditor General.

Ms B. Moynihan-Cronin: It should be available to the people and no issue about costs should arise. What happened in Cork was a disgrace and the people of Killarney will not be so foolish as to let their good facility, the land at St. Finian’s, be sold in the same manner. The time allowed for this motion is almost up, but I wish to state that the St. Finian’s lands are in public ownership for the benefit of the people of Killarney.

Adjournment Debate.

Crime Levels.

Mr. Costello: My motion concerns the need for the Tánaiste and Minister for Justice, Equality and Law Reform to address the serious anti-social behaviour in the Oxmanstown area of Dublin 7, particularly the vandalising of 14 cars last Sunday morning.

I condemn in the strongest terms the wanton damage caused to so many vehicles on 19 November 2006. At least 14 cars had their windscreens smashed in a trail of mindless destruction in the early hours of the morning. That is the number reported to gardaí, but we do not know how many others there were. In addition, a member of the Polish community was assaulted. The previous Wednesday, there had been a spate of tyre-slashing in the same area. Those are the instances regarding which residents have reported damage to gardaí. They do not necessarily represent the entirety of damage caused. We do not know the full extent of the mayhem perpetrated in the area in the course of a single week.

I gather that no one has been identified or apprehended in connection with the crimes. Some of the offences took place in areas covered by CCTV cameras, but no arrests were made. Perhaps the cameras are there for show or deterrence rather than serving any purpose regarding serious ongoing investigations. Local inhabitants are extremely worried that such wanton destruction should occur so regularly in such a settled residential community. They are further concerned that gardaí appear incapable of identifying the culprits and bringing them to justice, thus eliminating the problem.

Such serious anti-social behaviour causes fear and apprehension in a community with a high percentage of elderly people. It makes existence difficult and miserable for many, destroying their quality of life. Moreover, it is expensive for vehicle-owners to have their windscreens and tyres replaced several times a year. Whole communities should not be held to ransom by a small group of hooligans who run amok when pubs close at weekends or midweek. It is a sad reflection on the state of policing in the neighbourhood.

The Tánaiste and Minister for Justice, Equality and Law Reform, who should be here in person, regularly bluffs and blusters on various issues, but he has no answer and no plans to address those very serious problems, which are replicated across Dublin city and in other urban communities throughout the country. It is a disgrace that the Tánaiste has totally failed to address either gangland crime or anti-social behaviour after four and a half years in office as Minister for Justice, Equality and Law Reform, and he should seriously consider his position.

We clearly require a more comprehensive and targeted Garda approach, more gardaí on the beat, more in uniform, and more out at weekends so that rampages of this nature might be prevented and the culprits apprehended and prosecuted. At present, it seems that they can act with impunity, and only the certainty of detection and prosecution will put a stop to the mayhem. This small community has suffered greatly in the space of a week. The problem will recur at least once before Christmas, and the Tánaiste seems to have washed his hands of the matter. While he may have tossed his head around, he has not provided any solution, and we need answers. We cannot have such activity going on indefinitely or allow this anti-social behaviour to continue. We need action and results. I ask that the Tánaiste make practical proposals to resolve the situation and a commitment to put the necessary resources in place.

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I thank the Deputy for raising this matter. I am speaking on behalf of the Tánaiste and Minister for Justice, Equality and Law Reform, Deputy McDowell, who is unfortunately unable to be present this evening, as he is speaking on the Government's behalf at another function. I assure the Deputy that the Tánaiste and I share his concerns about anti-social behaviour, and in particular the vandalising of cars, in the area concerned.

Before commenting on the matter raised by the Deputy, it may be helpful to put the issue of crime into perspective. Headline crime in 2005 was 4.4% lower than in 2002. 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 crime figures, for the third quarter, released for the first time by the Central Statistics Office, show a decrease 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 to be informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength, all ranks, of the Garda Síochána increased to a record 13,000 on Thursday, 16 November 2006, following the attestation of 299 new members. That compares with a total strength of 10,702, all ranks, on 30 June 1997 and represents an increase of 2,298, or 21.5%, in the personnel strength of the force during the period since. The induction of 280 new Garda recruits to the Garda College on 6 November resulted in a combined strength, of both attested gardaí and recruits in training, of 14,137.

The year 2007 will see more than 275 fully trained gardaí graduating from Templemore every quarter — 1,100 in total over the year — allowing the Commissioner to provide a highly visible policing presence throughout the country. The Tánaiste has asked the Commissioner to devote significant resources to policing RAPID programme areas where residents experience persistent vandalism, intimidation and other forms of anti-social behaviour.

I am further informed that the personnel strength, all ranks, of the Dublin Metropolitan region north central division, which includes the Bridewell Garda station, which has responsibility for the area concerned, increased from 585 to 642 between 31 December 1997 and 31 October 2006, representing an increase of 57, or 9.74%, in the number of Garda personnel allocated to the division.

In addition, I point out to the Deputy that the division's resources are further augmented by several Garda national units, such as the Garda national drugs unit and other specialised units.

It is the responsibility of Garda management to allocate personnel to and within divisions on a priority basis in accordance with the requirements of different areas. Those personnel allocations are determined by several factors, including demographics, crime trends, administrative functions and other operational policing needs. Garda management states that such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. That ensures that optimum use is made of Garda resources and that the best possible service is provided to the public.

The Government continues to provide record resources for anti-crime strategies. The publi-

[Mr. T. O'Malley.]

cation of the Estimates for 2007, which show an increase of 10% on this year's budget, serve to underline the Tánaiste's commitment in this respect. The additional overtime allocation will yield almost 3 million extra personnel hours of policing by uniformed and special units throughout the State. That significant increase in funding, and the continuing increase in the strength of the force, will enhance the capacity of the Garda Síochána to combat crime.

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. In addition, 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.

More recently, the Tánaiste brought forward additional provisions in the Criminal Justice Act 2006 to deal with anti-social behaviour. This Act empowers a senior member of the Garda Síochána to apply to the District Court by way of a civil procedure for an order to prohibit an adult from behaving in an anti-social manner. Separate provision is being made in regard to young people. The relevant provisions of the Act will be commenced following consultations between the Tánaiste's Department, the Office of the Minister for Children and the Commissioner of the Garda Síochána. These consultations are ongoing.

The Tánaiste was informed by the Garda authorities that they received several complaints concerning criminal damage to vehicles parked in the area concerned on Sunday, 19 November. These incidents are under active investigation and every effort, including the examination of CCTV footage from the area, is being made to identify those responsible for these acts of criminal damage. The Tánaiste is assured that the local community policing unit has been directed to make contact with all of the injured parties to inform them that their complaints are being actively investigated by the Garda authorities.

The Tánaiste has been advised that additional Garda patrols by uniform and plain clothes personnel, on foot and mountain bike, have been put in place in order to ensure a visible Garda presence in the area concerned. Local Garda management will continue to utilise the resources necessary to combat this unacceptable behaviour.

Health Services.

Mr. Connolly: I am sure people who are not from the north east consider the Teamwork report as nothing to do with them. Moreover, some of my colleagues from the north east, including counties Cavan, Louth and Meath, consider it to be none of their concern. The perception is that it only applies to Monaghan General Hospital. However, if such persons were to consider the implications of patients being unable to avail of services in Monaghan, they would realise that the facilities in Cavan General Hospital and Our Lady of Lourdes Hospital in Drogheda are unable to cope with increased demand.

One may well ask how it can be proposed to close a hospital on which so much funding has been expended. I acknowledge that the level of resources assigned to Monaghan General Hospital in the past three or four years is unprecedented. Some €4.5 million has been spent in renovating two wards and a state-of-the-art six-bay accident and emergency unit has been constructed. Despite this, however, the hospital is about to be gutted in terms of services.

What is happening in the north east is part of a pilot project. People sometimes forget that a pilot project will eventually get to their door also. It is proposed to roll out these changes nationally but a mess has been made of the project in the north east. The Teamwork report is not short on glossy, flowery language; one could describe it as five star language. It is laced with references to "world class services", "international best practice", "evidence based practice", "safer services" and so on. It is also laced with references to non-existent staff grades. There are no advanced paramedics in the State, for example, and we have only one advanced nurse practitioner in Monaghan General Hospital. These grades represent the backbone of what is envisaged in the Teamwork report but the staff are not in place.

Whose view of "safer services" should we accept? Should we listen to the experiences of the patient who has suffered a heart attack, for example, or the mother who has taken her child in the throes of an asthmatic attack to hospital? Should we listen instead to the views of a health administrator based in Dublin on what constitutes safer services?

In addition to the problems of the language in the report, what is also evident is the confusion that exists in regard to services in the north east. I cannot use the word "lie" because that is not a nice word to use in the House and I will be asked to withdraw it. There seems to be an attempt to confuse people and divide opinion. We have several versions of the future of health services in the region. The Minister for Health and Children tells us that Monaghan General Hospital will not close, but this assertion was scuppered by the Pat Joe Walsh report which recommended that the

Mr. Costello: I will not hold my breath.

name "hospital" be removed altogether and that the facility should be closed as quickly as possible. That report has never been debated and there is no official acceptance or rejection of its findings. If it has not been rejected, it must be in the pipeline.

We were told last week that Monaghan General Hospital will lose its seven-day, 24-hour services. In other words, we will lose the hospital *per se*. We are told, however, that a vast volume of work will continue to be done there. I can only assume that assigning appointments at other hospitals to the people walking up and down the corridors there will be classified as work. Professor Brendan Drumm stated that no service would be removed from Monaghan General Hospital until a better service is in place. We would be fools not to want better services and we would be greater fools not to use them. These improved services should be installed and people will then be able to vote with their feet.

Five days after Professor Drumm made that statement, however, the general manager of the five hospitals in the north east stated that acute emergency services at Monaghan General Hospital would cease in March. Although he made this statement in front of several county councillors and other concerned persons, he now denies it. The head of the implementation group in the north east then said that services will be phased out over a two-year period rather than in March. In other words, the services will be removed in the night when nobody is watching.

It is not the case that people do not understand what is being proposed in regard to the services to be provided in the north east. We had a practice run in the region from June 2002 to January 2005, during which time at least 17 lives were lost at Monaghan General Hospital. The lives of some patients were saved because they were brought in cars to other hospitals. We were accused by Professor Drumm of scaremongering in this regard. Despite the 17 lives lost, the attitude was that we must move on and secure "safer services". Can anybody claim that a safer service is one in which so many lives are lost? I cited three examples of people who died while being brought from Monaghan General hospital and three examples where lives were saved when people were brought there in that period. I could have given many more examples of each but I was met simply with a shrug of the shoulders.

At last Thursday's meeting of the Joint Committee on Health and Children, of which I am a member, two representatives of Teamwork Management Services attempted to sell their wares. In the course of this meeting, Mr. John Saunders said there is no logic to what is being done at Monaghan General Hospital. Somebody should go back and check the record. The co-author of the report is effectively saying that it is not being implemented in the way he envisaged. This is

serious and deserves further examination. Mr. Saunders should be invited to address the steering group so he can discover what is happening, after which he should make a further assessment of whether his report is being accurately implemented.

Mr. T. O'Malley: I am replying on behalf of the Minister for Health and Children, Deputy Harney.

The Health Service Executive recently established a steering group and project group to oversee a programme designed to improve safety and standards across the acute hospital network in the north-east region. The decision was taken having regard to the issues raised in the report prepared for the HSE by Teamwork Management Services and the findings of the recent report into the death of Mr. Pat Joe Walsh.

The Teamwork report concluded that the current system, where five local hospitals deliver acute care to relatively small populations in the region, is exposing patients to increased risks and creating additional professional risks for staff. The report highlights the need to develop a high quality and responsive emergency and planned service, in line with international standards, by developing local services within existing hospitals and other local centres supported by a new regional hospital.

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

Since the death of Mr. Walsh, the HSE has confirmed that a new protocol was put in place which provides that all requests for transfer from Monaghan General Hospital to Cavan General Hospital or Our Lady of Lourdes Hospital, Drogheda, be granted and processed immediately. International best practice demonstrates that patients have better outcomes when treated in hospitals with appropriate numbers of specialist staff, high volumes of activity and access to the right diagnostic and treatment facilities. It must be ensured no patient is exposed to increased risk because specialist services are being provided in some hospitals that lack the necessary critical mass of activity and patient throughput. Patient safety and quality must be paramount and the key drivers in the reconfiguration of our acute hospital services. Government policy is to provide safe, high-quality services that achieve the best possible outcomes for patients. This will mean rebalancing service delivery to ensure those services that can be safely delivered locally are

[Mr. T. O'Malley.]

and more complex services that require specialist input are concentrated at regional centres.

Led by the HSE's National Hospitals Office, the north-east steering group has representation from key stakeholders including clinicians and primary care providers. The project group is led by Dr. Eilish McGovern, a renowned consultant surgeon. The Minister, HSE representatives and Dr. McGovern met recently with Members, including Deputy Connolly, and members of Monaghan County Council to specifically discuss the future configuration of services at Monaghan General Hospital arising from the recommendations in the two reports. The HSE has given the Minister an assurance that, in progressing the implementation of these reports, there will be no discontinuation of existing services until suitable alternative arrangements have been put in place.

Mr. Connolly: On a point of order, the Minister of State referred to protocols being in place.

An Leas-Cheann Comhairle: That is not a point of order. I call on Deputy O'Dowd. There is no provision for questions on the Adjournment Debate.

Mr. Connolly: There are no protocols in place. Five weeks ago a young man who came off a motorbike was left begging for a bed for two hours.

Mr. O'Dowd: Deputy Connolly is eating into my time. Throw him out, a Leas-Cheann Comhairle.

Mr. Connolly: The protocols are not in place.

An Leas-Cheann Comhairle: Deputy Connolly should resume his seat. I call on Deputy O'Dowd.

Hospital Services.

Mr. O'Dowd: Serious concerns have been expressed by general practitioners in Drogheda and the surrounding area about Our Lady of Lourdes Hospital, Drogheda. This evening I spoke to a doctor in the area for over 27 years who finds the normal arrangements he had with the hospital for those years have now been changed. Doctors in the Drogheda area are making the charge against the HSE that they can no longer refer patients to the hospital for blood tests. Their patients have to wait six to eight weeks for routine X-rays. No physiotherapist or ultra sound is available for referral patients. Blood samples are sent out of the hospital for analysis. Their most serious charge against the Minister for Health and Children and the HSE is that both refused to meet with them.

The knock-on effect is that it is driving patients lucky enough to have health insurance into private care or other hospitals. It is a drive by the Department to force people out of the health services into private hospital care. The ordinary medical cardholder is getting a dreadful service. It is a serious matter when the doctors of Drogheda town and district are up in arms. I hope the Minister of State will ensure a change of course in the hospital's management. In Dundalk or Navan, one only has to wait one week for an X-ray. In Drogheda, one waits eight weeks. People in Drogheda want the previous service restored. The Government is on a course of conflict to drive them into private hospitals. The State health system is not providing the services which the people and the doctors are demanding.

Mr. T. O'Malley: The HSE has confirmed that Our Lady of Lourdes Hospital, Drogheda is experiencing some difficulty in the provision of services as outlined by Deputy O'Dowd. The executive is working to address these difficulties, which appear to have arisen due to staffing issues. The executive has confirmed there has been some curtailment recently in phlebotomy services due to staffing deficits resulting from staff resignations and increased activity pressures. The executive considers the phlebotomy service can appropriately be provided to patients in a community setting. Accordingly, hospital management and the primary, community and continuing care directorate are working together to finalise plans to facilitate the taking of bloods from GPs' patients in a local primary care setting.

Due to the refurbishment of the digital X-ray room at the hospital, patients referred to Drogheda by GPs will experience a delay until this refurbishment plan is completed. The HSE has advised that the refurbished facility will be operational by the end of December. However, GPs have been advised that their patients can be facilitated in the interim at both Louth County Hospital and Our Lady's Hospital, Navan.

There has been a temporary curtailment of outpatient physiotherapy services at the hospital due to staffing difficulties. A recruitment process is under way to replace staff who have left and appointments are to be expedited. While there has been some improvement as a result of existing staff working overtime, full restoration of the service will be possible only when the full staff complement is in place. The Department supports the achievement of this as soon as possible.

Health Services.

Mr. P. Breen: The Minister of State is aware of the critical situation with orthodontic services in the mid-west. It is not an exaggeration that orthodontic services in the mid-west are in a mess. The several reviews established in this area are also in

a mess. Since 1998, five reviews have been held, three from the Department of Health and Children. This is a shocking number which gives the false impression that the Department is engaging with the problem. The Department appears to be proud of these reviews when it should be ashamed of them.

In 1998 the Moran report was produced. The Joint Committee on Health and Children carried out a review of orthodontic services in 2002. This was followed by a review by the former health board chief executive officers of the orthodontic service to consider the committee's report and assess progress on implementing the Moran report, a review of the reviews.

We were then blinded by the conclusion that the shortage of trained orthodontists was restricting the provision of orthodontic services. The committee published a follow-up to its 2002 report which recommended a return to the regional orthodontic training programme which ran successfully between 1985 and 1999 and where trainee orthodontists were treating 250 patients a year.

Not to be put off by such a simple and effective solution, the Department sanctioned yet another review called the orthodontic review group, established in April 2005 but which has yet to report although it was supposed to in June 2005. The Minister of State will go into detail about the great work this group is doing. I believe its conclusions will claim the delivery of orthodontic services through the HSE is a shambles. It will continue to be so unless firm action is taken. I do not know whether the review group will ignore the committee's recommendation that the regional training programme be reinstated.

In today's edition of *The Irish Times*, an eminent consultant orthodontist, Dr. Ian O'Dowling, has dissociated himself from its findings. The work of the group must be in doubt.

9 o'clock Dr. O'Dowling directly addressed the issue of the number of children damaged, pointing out that this has not been addressed. I want an estimate of the number of children who have suffered irreversible damage to their teeth, gums and faces after orthodontic regional training programmes ended in 1999. I dread to think what the answer will be. Year after year frustrated parents of children in dire need of orthodontic services beat a path to the door of every Oireachtas Member in the country, asking what has gone wrong and why a public health service in one of the richest countries in the world is letting them down so badly.

In Clare, there were 982 patients on waiting lists last year, 682 waiting for assessment and 300 waiting for treatment. Those are staggering figures for one orthodontist, under the guidance of a consultant orthodontist, to cope with. Parents tell me of their teenage children being bullied at school, of the emotional damage done to them,

and of their despair at having to wait up to four years at such a vulnerable stage in their lives.

The figures, bad as they are, do not represent the true picture because many hard-pressed parents take one look at the waiting lists and decide, correctly, that they have no option but to seek private treatment. Other children are put on the waiting lists when the specialists know they will be too old and mature to be treated properly by the time they come to the top of the list.

It is a sad situation in which even Government backbenchers feel powerless. They have no faith in the Minister for Health and Children to grasp the nettle on this issue and take on the vested interests that are frustrating the delivery of a properly run orthodontic service.

In a recent article in my local newspaper, *The Clare Champion*, I saw that a Fianna Fáil Senator was blaming orthodontic consultants in private practice who were "using a dominant position to prevent the delivery of the service through the public service". No doubt there is some truth in that but I was under the impression that it was the Government that formed and implemented public health policy. If it is reneging on this commitment it should come out and say so.

I urge the Minister of State ask the Minister for Health and Children, in the few months she has left in office, to take a firm stand on this issue and to re-instate the regional training programme over the objections of the dental schools which have so spectacularly failed to come to terms with the problem. This is a big problem in Clare and the mid-west. Parents come to my office every day wanting to know why their children are not receiving treatment.

Mr. T. O'Malley: On behalf of the Minister for Health and Children I am happy to have the opportunity to address the issue raised by Deputy Breen. The Minister and I understand from the Health Service Executive that during a dispute in 1999-2000, some patients undergoing active orthodontic treatment had their treatment delayed. The Minister and I are not aware of any clinical evidence of irreversible damage because some patients' treatments were delayed.

We also understand from the Dental Council, which deals with serious clinical issues, that the matter has not been referred to it. If any such clinical evidence is available, it should be brought to the attention of the relevant authorities. The provision of orthodontic treatment to eligible persons is the statutory responsibility of the HSE in the first instance. The Department and the HSE have the shared objective of developing sustainable quality, standards, treatment capacity and outcomes of our orthodontic services.

The Joint Committee on Health and Children carried out a review of orthodontic services which culminated in the publication of its report, *The Orthodontic Service in Ireland*, in 2002. The com-

[Mr. T. O'Malley.]

mittee published a follow-up to that report in June 2005.

The HSE established a national orthodontic review group to draw together an agreed national approach under four principal headings: guidelines, training, service provision and manpower planning. The group consists of representatives from consultant orthodontists, management from the HSE, the Department and the dental schools in Cork and Dublin. The review group has concluded its meetings and is finalising its report and recommendations, which will be presented to the chief executive of the HSE soon. This will include recommendations on training. I look forward to considering this report, which my Department will receive shortly.

At the end of June 2006 there were almost 25,000 patients receiving orthodontic treatment in the public orthodontic service. Over twice as many patients are getting orthodontic treatment as are waiting to be treated. Over 5,500 extra patients are receiving treatment compared with four years ago. This tangible improvement will be further enhanced as the HSE develops the orthodontic services.

Our aim is to continue to make progress and to develop a high quality, reliable and sustainable orthodontics service for children and their parents.

The Dáil adjourned at 9.10 p.m. until 10.30 a.m. on Wednesday, 22 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 16, inclusive, answered orally.

Questions Nos. 17 to 68, inclusive, resubmitted.

Questions Nos. 69 to 74, inclusive, answered orally.

Telecommunications Services.

75. **Ms C. Murphy** asked the Minister for Communications, Marine and Natural Resources the discussions he has had with ComReg and the action he will take in view of the recent problems experienced by customers of Smart Telecom as a result of their service being discontinued by Eircom; the measures to be put in place to ensure that consumers are not subjected to similar situations in the future; and if he will make a statement on the matter. [38822/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The telecoms market in Ireland is fully liberalised and open.

Statutory responsibility for the regulation of the electronic communication sector rests with the independent regulator, the Commission for Communications Regulation (ComReg), under the Communications Regulation Act 2002 and the Regulations transposing the EU Regulatory Framework for Electronic Communications Networks and Services.

As the Minister with responsibility for policy in the sector, I am concerned about the disruption and inconvenience caused to so many customers. A number of steps have been taken by the Regulator to ensure that disconnected customers can move to alternative service providers and have a telephone service restored to them.

Energy Conservation.

76. **Ms O'Sullivan** asked the Minister for Communications, Marine and Natural Resources if he is prepared to implement any of the measures from the new 75 step programme to tackle energy inefficiency and increase energy awareness and conservation across the EU that was recently brought forward by the Energy Commissioner, Mr. Andris Piebalgs; and if he will make a statement on the matter. [38832/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Energy Efficiency Action Plan for Europe presented by the Commission sets out a very comprehensive range of proposed policies and measures aimed at realising at least 20% savings in EU energy consumption by 2020.

Its related objective is to provide EU citizens with the most energy efficient infrastructure, buildings, appliances, processes, transport and energy systems.

Energy efficiency has the potential to be the most effective and economical means of delivering on the challenge of reducing import dependence, reducing the energy demand and reducing CO₂ emissions.

The Commission's ambitious Action Plan is to be welcomed in terms of its overall approach. The Plan sets out 10 priority actions for transport, built environment power generation, economic sectors and individual consumers. The actions are underpinned by a large programme of 57 measures which the Commission will progressively propose to Council and Parliament up to 2012.

The Council of Energy Ministers will discuss the Action Plan this week and I fully expect colleagues to share my view that this is a very welcome plan. Obviously the debate on the very many individual actions proposed in the plan will continue into the future. But the immediate

[Mr. N. Dempsey.]

requirement is to endorse the overall thrust of the plan and encourage the Commission to move ahead rapidly.

It is essential that we have effective co ordination and synergies between National Energy Efficiency Action Plans and action at Community level. Member States need to retain room for manoeuvre depending on specific circumstances.

I recently launched the multi annual national energy efficiency campaign Power of One which is the umbrella for a comprehensive series of actions on energy efficiency to be rolled out over the next 12 months. Energy Efficiency is a cornerstone of Irish Energy policy as it is for European Energy Policy. I look forward to working in Europe and here at home to deliver the very considerable dividend which energy efficiency offers.

Broadcasting Services.

77. **Mr. Deenihan** asked the Minister for Communications, Marine and Natural Resources the position in regard to the separation of TG4 from RTÉ; and if he will make a statement on the matter. [38794/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Government is committed to supporting the development of Irish language broadcasting, and to the establishment of TG4 as an independent public service broadcaster.

In mid 2005 I appointed consultants to assist in the preparation of a detailed implementation plan for the establishment of TG4 as an independent entity. The consultants submitted their final report to my Department by end 2005. This report outlined the most appropriate methodology and structure for giving effect to the separation of the assets and trade of TG4 from RTÉ and establishing TG4 as an independent entity.

Following consideration of this report, the Government has agreed to establish TG4 as an independent body as provided for in Part VI of the Broadcasting Act, 2001 on 1 April 2007.

A Project Management Group, chaired by the Department of Communications, Marine and Natural Resources and comprising representatives of the Department of Community, Rural and Gaeltacht Affairs, RTÉ and TG4, has been appointed to oversee the implementation of this task. Good progress has been achieved by the Group to date.

I am glad to say that, on this, the tenth anniversary of TG4's first broadcast, I have been able to secure the provision of an additional funding for TG4 in 2007 of the order of €2.5million. It is also proposed that similar increases would be provided for in each of the years 2008-2010. This additional funding will allow TG4 to improve its Irish language schedule and reduce its repeat ratio.

Fishing Industry Development.

78. **Mr. Sargent** asked the Minister for Communications, Marine and Natural Resources the progress made with the European Union in establishing new recording mechanisms for fishing boats operating under the common fisheries policy to ensure that there is instantaneous electronic recording of all catches and landings. [38789/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): There is great need to make full use of communications technologies in the monitoring and control of fishing activity. Over the past two years, the Department and the Naval Service have developed new information management systems in the fisheries area which are proving effective in the monitoring, recording, analysis and reporting of fishing activities.

An example is the installation of a Vessel Monitoring System on every vessel over 15m that facilitates the tracking and monitoring of vessels fishing in EU waters, including Ireland's Exclusive Fisheries Zone.

Along with Minister Browne, I have strongly pushed for the use of new technologies that would strengthen Ireland's capabilities to monitor and control fishing activity, including giving the Naval Service access to catch levels of vessels in advance of boardings. In this regard, Ireland has been at the forefront in pushing for the introduction of electronic logbooks and have worked closely with the EU Commission on the early adoption of their proposal.

The proposal for an EU Council Regulation on Electronic Recording and Reporting of fishing activities and on means of remote sensing is on the agenda for decision at the Council of Ministers meeting in Brussels today, which my colleague — Minister of State John Browne — is attending. This Regulation has two main aims:

1. To oblige fishing vessels to record and submit their logbooks, transshipment declaration or their landing declarations electronically, at least once a day. The first sales notes should also be electronically recorded;

2. To require Member States to be able to monitor and locate their vessels and match this with their VMS system in order to assess the presence of fishing vessels in a particular area.

Minister Browne will be pushing for the adoption of this Regulation at today's Council, which we believe will deliver efficiencies for our control services. It is particularly important for Ireland because of our disproportionately large European Economic Zone (EEZ) and the high level of activity by other EU vessels in our waters.

The use of electronic fishing logbooks will also facilitate earlier and more accurate transmission of data, direct from the fishing vessel, rather than

after the vessel returns to port as in the current manual system.

The introduction of the Commission's proposal is, I am convinced, a major step forward in giving the control authorities tools to effectively address illegal fishing and the non-recording and the mis-reporting of landings.

Aquaculture Sector.

79. **Ms Burton** asked the Minister for Communications, Marine and Natural Resources if he will report on the recent new €2.2 million package to develop the Irish aquaculture sector; where these measures will be targeted; if he will bring forward a national aquaculture strategy; and if he will make a statement on the matter. [38842/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Given that there are a number of important issues facing the Irish aquaculture sector, €2.2m was recently identified within the BIM budget to support a number of technical initiatives.

The package will target six projects:

- Technical Environmental Support Programme, TESP,
- Resource Development Grant, RDG, Pilot Projects
- Carrying Capacity Project
- Technical Aqua Equipment
- Technology Transfer Project
- Salmon Ova Hatching Capacity.

These projects range from:

- the interdisciplinary study of the carrying capacity of bays, which will estimate the level of aquaculture a bay can sustain, thus optimising the development of aquaculture in these areas;
- to testing the potential impact of the use of renewable fuel sources, such as biomass, which would act as an alternative energy source to a sector highly dependent on electricity; and
- the provision of biosecure salmon ova hatching capacity.

As regards the formulation of a National Aquaculture Strategy, the Seafood Strategy Review Group was established by myself and the Minister of State in June 2006 with the objective of consulting with all stakeholders, including the Aquaculture sector, to devise a strategy for the entire Seafood industry under the 2007-13 National Development Plan. The over arching aim of this Strategy will be to deliver a sustainable and profitable seafood industry in Ireland. I expect to receive the report of the Seafood Strategy

Review Group within the next two to three weeks.

The achievement of this Strategy will require the taking of a set of integrated, market led actions to improve competitiveness and profitability across all the sectors of the industry — including aquaculture — by targeting investment so as to achieve the highest level of value generation.

Given that Ireland is no longer a low cost economy, constant improvements in efficiency are required of our Aquaculture sector for it to remain competitive. Therefore, our objectives going forward must be to further develop environmentally sustainable farming techniques, including organic farming, and achieve successful diversification into new species, while ensuring that the highest international quality standards are met.

Telecommunications Services.

80. **Mr. G. Murphy** asked the Minister for Communications, Marine and Natural Resources his plans to provide cutting edge telecommunications technology in all areas throughout the country, urban and rural; if he has had discussions with interested parties with a view to expanding, extending and improving the service and its availability; and if he will make a statement on the matter. [38755/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I meet with industry and interested parties on a regular basis in pursuit of my objective to facilitate the widespread availability of competitively priced broadband in Ireland.

The provision of telecommunications services, including broadband, is a matter in the first instance for private sector companies operating in a fully liberalised market, regulated by the independent Commission for Communications Regulation, ComReg.

The role of Government is to implement regulatory and infrastructure policies to facilitate the provision of affordable, high quality telecommunications services, by competing private sector service providers.

However, it has been clear for some time that the private sector has failed to invest at the level necessary to keep pace with the demand for broadband. Direct funding has already been provided under the National Development Plan 2000-2006 for the provision of backbone infrastructure and to upgrade local access infrastructure. My Department's regional broadband programme is addressing the infrastructure deficit by building high-speed open access broadband networks, in association with the local and regional authorities, in the major towns and cities. These Metropolitan Area Networks (MANs) allow the private sector to offer world-class broadband services at competitive costs. The networks also

[Mr. N. Dempsey.]

offer towns opportunities to attract inward investment in advanced technology and knowledge based enterprises.

The Department also offered funding assistance for smaller towns and rural communities through the Group Broadband Scheme. The scheme is technology-neutral, allowing the community to select the most suitable broadband delivery platform for the area.

Despite private and public investment in broadband infrastructure there are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. Options to address these gaps in broadband coverage are currently being considered by a Steering Group comprising officials from my Department and representatives from ComReg. I expect to finalise proposals shortly.

Post Office Network.

81. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources his policy in regard to the future of An Post and the retention of the maximum number of upgraded post offices throughout the country; and if he will make a statement on the matter. [38776/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The future of the post office network and the upgrading of post offices are a matter in the first instance for the board and management of An Post. As set out clearly in the Programme for Government, this Government and the board of An Post, are committed to the objective of ensuring the continuation of a viable and sustainable nationwide post office network. The precise number of post offices is a matter in the first instance for the board and management of the company and one in which I have no function. The challenge for stakeholders in An Post is to generate sufficient profitable business to maintain the network at its current size.

It was in this context that I asked the company to ensure that any strategy for the development of the company should ensure the long-term viability of the post office network.

It was to this end that the Government recently gave its approval for An Post to enter into a joint venture agreement with Belgian Bank, Fortis, to set up a retail banking business. This will entail the provision of a range of financial services operated through the post office branch network, using the An Post brand and other An Post assets. Key to the Government approval of this joint venture was that it not only offers a real opportunity for the growth and development of An Post and the post office network but that it will, in time, greatly benefit the income streams of postmasters.

With regard to the automation of post offices, the company has recently completed a pilot project in which ten smaller post offices were fully automated.

It is intended to evaluate the business generated and the income gains in these newly automated offices, in order to see if there is a justified commercial case for further automation of non-automated offices. There are currently 386 non-automated post offices in the country which account for just over 2% of the current business of the network.

Alternative Energy Projects.

82. **Mr. Stanton** asked the Minister for Communications, Marine and Natural Resources the extent to which an evaluation has been carried out of the use of bio-diesel for domestic heating purposes; and if he will make a statement on the matter. [38809/06]

86. **Dr. Twomey** asked the Minister for Communications, Marine and Natural Resources the extent to which he has examined the various options available in terms of bio-fuels with particular reference to the growing of energy crops; the extent to which any one of the alternatives is most attractive in terms of meeting the requirements and cost effectiveness; and if he will make a statement on the matter. [38815/06]

121. **Mr. Deasy** asked the Minister for Communications, Marine and Natural Resources the extent to which he has examined the merit of introducing further incentives to promote the production of energy crops as an alternative to the payment of fines for failure to comply with Kyoto; and if he will make a statement on the matter. [38816/06]

161. **Mr. McGinley** asked the Minister for Communications, Marine and Natural Resources his preferred options in respect of the development of the alternative energy sector with particular reference to the need to generate adequate import substitution to assist in safeguarding security of supply and meeting the Kyoto principles; and if he will make a statement on the matter. [38814/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 82, 86, 121 and 161 together.

The development of an Irish biofuels market and the increased development and deployment of bio-energy resources in Ireland is a key priority. Biofuels and biomass strategies are critical components of the Government's energy policy objective to significantly enhance the contribution of renewable energy sources to the electricity, heat and transport sectors.

A range of initiatives are already in place to support the development of a biofuels sector. The biofuels excise relief scheme is creating significant opportunities for the development of pure plant oil, biodiesel and bioethanol processing facilities in Ireland and also provides economies of scale and commercial returns for processors. In that context, the technical feasibility for promoting usage in the domestic and commercial heating sector will be progressed as part of the strategy to optimise the potential of the bioenergy resources right across the spectrum.

The 2005 pilot mineral oil tax relief scheme for biofuels resulted in eight projects being awarded excise relief for a two year period under the scheme.

Building on the success of this scheme I launched the Biofuels Mineral Oil Tax Relief Scheme II, valued at over €200m, in July last. The excise relief scheme will enable us to reach the initial target of 2% market penetration of biofuels by 2008. The Green Paper proposes to double this to a target of 5.75% biofuel market share by 2010. The scheme will underpin the production and use of some 163 million litres of biofuels each year. Applications received under the scheme are currently being assessed and the results will be announced shortly.

One of the related aims of the new scheme is to send the necessary market signal to stimulate the development of biomass/feedstock production to support a sustainable domestic biofuels industry. There are considerable benefits to be accrued from a cohesive approach to bio energy and biofuels for both the demand and supply sides. The Government has made it clear that a fully cohesive approach by all relevant Departments and Agencies is key to delivering on the bioenergy agenda.

The Ministerial Bio Energy Task Force is overseeing the finalisation of the national bioenergy strategy which will set out the roadmap for bioenergy development and deployment. This strategy is taking account of EU developments, and the Energy Policy Green Paper consultation process.

Aquaculture Development.

83. **Ms B. Moynihan-Cronin** asked the Minister for Communications, Marine and Natural Resources if his Department retains the bond for £420,000 lodged by the Drogheda Port Company in 1998 in relation to the mussel productivity levels of an association (details supplied); and if he will make a statement on the matter. [38844/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): It has not been possible to provide a comprehensive answer to the Deputy within the time available. This matter goes back a number of years and to fully respond to the Deputy's question will require further examination of the detailed records held

in my Department and possible consultation with third parties.

I am, however, arranging to have the matter comprehensively examined and I will write to the Deputy at an early date with full information on the issue raised.

Geological Survey.

84. **Mr. P. Breen** asked the Minister for Communications, Marine and Natural Resources the full extent of the GSI with particular reference to the extent to which modern technology has been used to update this information; if he will restore the GSI Bill to the Order Paper; and if he will make a statement on the matter. [38803/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Earlier this year, the Geological Survey of Ireland, in cooperation with the Geological Survey of Northern Ireland, published a new 1:500,000 bedrock geology map of the island of Ireland. This map takes into account new information acquired by both surveys over recent years arising, for example, from ongoing surveying of the island, major infrastructural developments and drilling. The map is compiled and produced using the latest Geographic Information Systems (GIS) technology. GSI has been a pioneer in the use of this technology in mapmaking since 1994.

As regards the GSI Bill the position is, as advised in reply to Parliamentary Question No. 32 of 19th October 2006, that my Department is separately, considering whether there is a case for converting the GSI from a division of the Department into a stand-alone agency. The question of advancing legislation is in abeyance pending the outcome of that consideration.

Telecommunications Services.

85. **Mr. English** asked the Minister for Communications, Marine and Natural Resources further to Parliamentary Question No. 148 of 9 November 2006, the options being considered to ensure full connectivity of broadband, telephone and mobile phone services to those parts of the country such as the Black Valley, County Kerry which do not have access to a reliable and quality service; the groups, bodies, agencies or individuals with whom he is having discussions; when he expects to reach a conclusion; and if he will make a statement on the matter. [38792/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, telephone and mobile phone services is a matter in the first instance, for the private sector companies operating in a fully liberalised market, regulated by the Commission for

[Mr. N. Dempsey.]

Communications Regulation (ComReg), the independent regulator.

As regards the deployment of broadband infrastructure, it has been clear for some time that the sector has failed to invest at the level necessary to keep pace with the demand for broadband.

Despite private and public investment in broadband infrastructure there are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. Options to address these gaps in broadband coverage are currently being considered by a Steering Group comprising officials from my Department and representatives from ComReg. My aim is to see a situation where every reasonable request for broadband will be met at a reasonable price. I expect to finalise my proposals shortly.

Question No. 86 answered with Question No. 82.

EU Directives.

87. **Ms B. Moynihan-Cronin** asked the Minister for Communications, Marine and Natural Resources the Government's position on the recent EU discussions on the extension of the Television Without Frontiers Directive to the internet; and if he will make a statement on the matter. [38843/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Television Without Frontiers Directive, which was first adopted in 1999 and updated in 1997, aims to create the conditions necessary for the free movement of television broadcasts within the European Community.

The development and application of digital technologies, combined with other developments in the broadcasting markets, are changing the reality of European broadcasting. To address these changes the European Commission published its proposal for a revised Directive in December 2005.

The Commission, as part of its proposal, has proposed two new definitions to describe the services that would be covered by the revised Directive. These definitions are aimed at giving certainty in a rapidly changing audiovisual media services landscape.

The first of these definitions relates to 'linear services', which would include those services that have the same characteristics as a television broadcasting service and are available to all viewers at the same time, for example, traditional scheduled broadcasting, via traditional TV, the internet, or mobile devices. The logic is that the medium used to deliver the service does not matter. The same regulation should apply to the same type of services regardless of the type of technology used to deliver the service.

The second definition relates to the proposed introduction of a new definition of non-linear services. These are services that are not delivered to all viewers at the same time, for example, services such as video-on-demand. These services are sometimes described as services where the viewer 'pulls' content from a network. The Commission proposes that a basic tier of rules would apply in the case of non-linear services.

I have supported the two-tier approach taken by the Commission while expressing the view that there is a need for as much clarity as possible regarding the identification of the new services that would come within the reach of the new Directive.

The Finnish Presidency's text was discussed at Council on 13th November and included amendments which proposed a definition for television programmes and explicitly excluded user generated content, which is primarily non economic and not in competition with television broadcasting. The Directive will be considered by Parliament, under the co-decision procedure, in December.

Postal Services.

88. **Mr. Neville** asked the Minister for Communications, Marine and Natural Resources if he has issued policy directives through An Post, directly or through the Regulator, in regard to the future development of the postal and packaging services throughout the country having due regard for compliance with EU directives and the retention of a nationwide efficient and cost effective postal service; and if he will make a statement on the matter. [38772/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have issued no policy directions to An Post, either directly, or through the Commission for Communications Regulation (ComReg) in recent times in relation to the development of the postal services.

An Post operates within a regulatory framework as enshrined in EU and Irish law and therefore, the universal service obligation, which includes nationwide postal delivery requirements, is a statutory requirement for An Post, as the designated universal service provider. This is set out in Statutory Instrument 616 of 2002 European Communities (Postal Services) Regulations.

The Commission for Communications Regulation, ComReg, in accordance with the provisions of S.I. 616 of 2002 European Communities (Postal Services) Regulations, is responsible for the monitoring, measurement and regulation of the postal sector including measuring the levels of service to be achieved by An Post and ensuring that the company abides by its statutory universal service obligations.

Furthermore, the regulations also provide for the liberalisation of the postal sector. Liberalis-

ation has already commenced and the current postal directive is due to expire on 31 December 2008 and the postal market will, subject to political agreement, be fully liberalised across the EU on 1 January 2009.

Issues that will be important for Ireland in the context of any new directive will include the protection of the universal service in a liberalised market, ensuring that Irish citizens continue to receive a broad suite of postal services and the continued viability of An Post in the face of open competition.

Energy Supply.

89. **Mr. Hayes** asked the Minister for Communications, Marine and Natural Resources the lessons which can be learned from the most recent power blackout throughout Europe; the steps that can be taken to prevent such an occurrence here; and if he will make a statement on the matter. [38768/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Security of supply in relation to electricity in Ireland is the statutory responsibility of the independent Regulator, the Commission for Energy Regulation (CER). The independent Transmission System Operator (TSO), EirGrid, monitors the adequacy of generation capacity over time and reports to the CER accordingly.

I am advised by the CER that the Council of European Energy Regulators (CEER), of which CER is a member, is currently undertaking an urgent enquiry on the blackout which occurred across central Europe on Saturday 4 November. The aim of this enquiry is to provide some preliminary advice before the end of the year and a full report on the event not later than February 2007.

While the outcome of this inquiry is awaited, the CER understands from initial information available from the German federal grid regulator that the blackout may be attributable to simple human error.

The CER advise me that a similar situation is unlikely to occur in Ireland as we operate a closed Island Grid system at this point. The CER has also ensured significant levels of investment in the Irish transmission system in recent years with plans for continued investment to the end of this decade. Between 2002 and 2010, almost €1 billion will be invested in the Irish transmission system, which will ensure, to the greatest extent possible, that the system is capable of handling exceptional circumstances.

The key lesson nevertheless which can be learned from this blackout occurrence is that no electricity power system can be fully protected from such events and that fast, effective and specific emergency measures must be in place to deal with such incidents.

In any emergency situation in Ireland, the TSO, as part of its licence conditions, has in place a number of specific Emergency Plans to deal with an incident quickly and effectively. Implementation of the plans is at the discretion and under the control of the TSO.

Telecommunications Services.

90. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources the progress his Department has made in coordinating the existing backhaul networks that are in the ownership of different State owned companies to assist the development of a competitive telecommunications infrastructure for Ireland. [38778/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): In April 2005 a team of advisers was engaged to examine the potential for enhancing and augmenting existing State owned infrastructure. This team submitted a Feasibility Report in December 2005. The report found that, while technically feasible, there would be considerable financial, legal, regulatory, operational and organisational challenges in harnessing and enhancing the existing State owned infrastructures. It is not my intention to publish the report given the extent of the commercially sensitive information contained in it. My Department is considering options to enhance competitive backhaul connectivity.

91. **Mr. Stagg** asked the Minister for Communications, Marine and Natural Resources if in view of a new Eurostat survey ranking Ireland within the bottom four of States surveyed for household broadband connection rates and due to the fact that Ireland has fallen back yet another place in the OECD broadband league tables he will bring forward measures to address the ever increasing broadband deficit; and if he will make a statement on the matter. [38854/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated by the independent Commission for Communications Regulation, ComReg.

It is accurate to say that the Irish broadband market is currently ranked lower than more developed markets in terms of broadband take-up. This reflects the relatively late launch of affordable and competitive broadband services in Ireland by telecoms and cable companies in the early 2000's.

However, Ireland is now a fast growing broadband market and broadband take-up has more than tripled since late 2004 when I set a target of 400,000 subscribers by end 2006. This target has

[Mr. N. Dempsey.]

already been comfortably exceeded. The challenge now to industry is to reach 500,000 subscribers by 2007. If the current growth holds I should be in a position to announce 500,000 subscribers by Spring 2007.

The role of Government is to implement regulatory and infrastructure policies to facilitate the provision of affordable, high quality telecommunications services, by competing private sector service providers.

However, it has been clear for some time that the private sector has failed to invest at the level necessary to keep pace with the demand for broadband. Direct funding has already been provided under the NDP 2000-2006 for the provision of backbone infrastructure and to upgrade local access infrastructure. My Department's regional broadband programme is addressing the infrastructure deficit by building high-speed open access broadband networks, in association with the local and regional authorities, in the major towns and cities. These Metropolitan Area Networks (MANs) allow the private sector to offer world-class broadband services at competitive costs. The networks also offer towns opportunities to attract inward investment in advanced technology and knowledge based enterprises. However, it has been clear for some time that the private sector has failed to invest at the level necessary to keep pace with the demand for broadband. Direct funding has already been provided under the NDP 2000-2006 for the provision of backbone infrastructure and to upgrade local access infrastructure. My Department's regional broadband programme is addressing the infrastructure deficit by building high-speed open access broadband networks, in association with the local and regional authorities, in the major towns and cities. These Metropolitan Area Networks (MANs) allow the private sector to offer world-class broadband services at competitive costs. The networks also offer towns opportunities to attract inward investment in advanced technology and knowledge based enterprises.

The Department also offered funding assistance for smaller towns and rural communities through the Group Broadband Scheme. The scheme is technology-neutral, allowing the community to select the most suitable broadband delivery platform for the area.

Despite private and public investment in broadband infrastructure there are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. Options to address these gaps in broadband coverage are currently being considered by a Steering Group comprising officials from my Department and representatives from Comreg. I expect to finalise proposals shortly.

92. **Mr. Crawford** asked the Minister for Communications, Marine and Natural Resources the reason for the delay in announcing the third call for broadband; when the call will be made; and if he will make a statement on the matter. [38707/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I am aware of the importance of the roll out of broadband in rural areas and smaller communities. The most recent phase of the group broadband scheme, which provides grant aid for the installation of broadband in rural areas, has closed.

However, the nature of the scheme is currently being reviewed in the context of options being considered for the achievement of nationwide broadband. Ultimately, my aim is to ensure that the most effective and efficient mechanisms are put in place to assist in the roll out of broadband nationally as quickly as possible.

Options to address these gaps in broadband coverage are currently being considered by a Steering Group comprising officials from my Department and representatives from the Commission for Communications Regulation, ComReg. I expect to finalise proposals shortly.

93. **Ms O. Mitchell** asked the Minister for Communications, Marine and Natural Resources the full extent of the BT proposals in regard to the provision and facilitation of broadband throughout the country; and if he will make a statement on the matter. [38761/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have no function in this matter. The provision of telecommunications services, including broadband, is a matter in the first instance for private sector companies operating in a fully liberalised market regulated by the independent Commission for Communications Regulation, ComReg. Private sector companies' investment proposals are matters for those companies.

94. **Mr. Bruton** asked the Minister for Communications, Marine and Natural Resources if he is satisfied all former Smart Telecom customers have been provided with alternative and satisfactory service; and if he will make a statement on the matter. [38749/06]

99. **Mr. Rabbitte** asked the Minister for Communications, Marine and Natural Resources the position regarding the recent Smart Telecom fiasco; the discussions his Department has held with ComReg and the telecoms industry in this regard; when he will bring forward the emergency legislation that he promised to ensure there will be no repetition of this episode; the regulatory reform he will introduce on foot of this debacle; if he will adopt ComReg's suggestion of establishing a statutory basis for notice of withdrawal

of service by a telecoms operator; and if he will make a statement on the matter. [38856/06]

125. **Mr. G. Murphy** asked the Minister for Communications, Marine and Natural Resources the number of subscribers whose broadband and telephone service was disconnected in the course of the dispute between Eircom and Smart Telecom; if all such subscribers have been reconnected with full service in respect of both broadband and telephone; the number of reconnections undertaken by Eircom and other service providers; if provision is being made to prevent a recurrence of the outage and inconvenience to customers; and if he will make a statement on the matter. [38754/06]

164. **Aengus Ó Snodaigh** asked the Minister for Communications, Marine and Natural Resources his proposals, or the discussions he has had, in relation to preventing another Smart Telecom situation which occurred recently with over 45,000 customers being disconnected in view of his recent commitment to request ComReg to examine the matter in order to prevent such a scenario happening in the future. [38820/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 94, 99, 125 and 164 together.

The telecoms market in Ireland is fully liberalised and open. Statutory responsibility for the regulation of the electronic communication sector rests with the independent regulator, the Commission for Communications Regulation (ComReg), under the Communications Regulation Act 2002 and the Regulations transposing the EU Regulatory Framework for Electronic Communications Networks and Services.

As the Minister with responsibility for policy in the sector, I am concerned about the disruption and inconvenience caused to so many customers. A number of steps have been taken by the Regulator to ensure that disconnected customers can move to alternative service providers and have a telephone service restored to them.

Electricity Market.

95. **Ms Shortall** asked the Minister for Communications, Marine and Natural Resources if he has held discussions with the management of the ESB in relation to media reports of a possible ESB takeover of a company (details supplied); his present views on measures to promote competition in the electricity market here; and if he will make a statement on the matter. [38824/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): There is no such proposal on the table.

The Green Paper on Energy Policy has articulated the need to enhance competition in the electricity market as an immediate priority. Structural change to deliver meaningful competition and reduction of market power in generation are clearly signalled as key objectives. The strategies to deliver this are being developed in the context of the consultation process to inform the White Paper.

Telecommunications Services.

96. **Mr. Gormley** asked the Minister for Communications, Marine and Natural Resources the support mechanism he is considering for the roll-out of broadband accessibility to the whole of the country; and the timetable and estimated cost for the development of such a facility. [38787/06]

97. **Mr. Deasy** asked the Minister for Communications, Marine and Natural Resources when he expects 100% broadband availability will be achieved here; if specific steps are required to achieve this target; and if he will make a statement on the matter. [38759/06]

178. **Mr. McGinley** asked the Minister for Communications, Marine and Natural Resources his plans, either directly or through the Regulator, to accelerate the delivery of broadband to all areas throughout the country within a short time, having particular regard to the progress in Northern Ireland and the UK; and if he will make a statement on the matter. [38758/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 96, 97 and 178 together.

The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated by the independent Commission for Communications Regulation, ComReg.

The role of Government is to implement regulatory and infrastructure policies to facilitate the provision of affordable, high quality telecommunications services, by competing private sector service providers.

However, it has been clear for some time that the private sector has failed to invest at the level necessary to keep pace with the demand for broadband. Direct funding has already been provided under the NDP 2000-2006 for the provision of backbone infrastructure and to upgrade local access infrastructure. My Department's regional broadband programme is addressing the infrastructure deficit by building high-speed open access broadband networks, in association with the local and regional authorities, in the major towns and cities. These Metropolitan Area Networks (MANs) will allow the private sector to offer world-class broadband services at competi-

[Mr. N. Dempsey.]

tive costs. The networks also offer towns opportunities to attract inward investment in advanced technology and knowledge based enterprises.

The Department also offered funding assistance for smaller towns and rural communities through the Group Broadband Scheme. The scheme is technology-neutral, allowing the community to select the most suitable broadband delivery platform for the area.

Despite private and public investment in broadband infrastructure there are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. Options to address these gaps in broadband coverage are currently being considered by a Steering Group comprising officials from my Department and representatives from Comreg. I expect to finalise proposals shortly.

Energy Conservation.

98. **Mr. Kehoe** asked the Minister for Communications, Marine and Natural Resources the extent to which he has entered into discussions with the relevant Departments with a view to achieving energy efficiencies as prescribed by the EU; and if he will make a statement on the matter. [38800/06]

389. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the extent to which he has entered into discussions with the relevant Ministerial colleagues with a view to achieving energy efficiencies as prescribed by the EU; and if he will make a statement on the matter. [38911/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 98 and 389 together.

I am working with all relevant Ministerial colleagues including the Minister for Finance, the Minister for Environment, Heritage and Local Government and the Minister for Transport to ensure a fully cohesive national strategic approach to delivering on energy efficiency objectives both in terms of EU obligations and directions as well as specific national targets.

Question No. 99 answered with Question No. 94.

Prospecting Licences.

100. **Mr. Allen** asked the Minister for Communications, Marine and Natural Resources if he has had discussions with oil, gas or other exploration companies with a view to identification of a new licensing regime that would meet all requirements; and if he will make a statement on the matter. [38753/06]

123. **Mr. McCormack** asked the Minister for Communications, Marine and Natural Resources if he will ensure in the context of a future review of oil, gas or other mineral exploration licenses that such regime is pitched in such a way as to encourage exploration and at the same time be seen to give a fair, adequate and transparent return to the taxpayer; and if he will make a statement on the matter. [38766/06]

138. **Mr. Connaughton** asked the Minister for Communications, Marine and Natural Resources his preferred options in respect of his anticipated review of the exploration licensing regime in the future; and if he will make a statement on the matter. [38765/06]

143. **Mr. McCormack** asked the Minister for Communications, Marine and Natural Resources the nature of discussions he has had within his Department or with the exploration sector within the context of the review he has suggested of the exploration licensing regime; and if he will make a statement on the matter. [38767/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 100, 123, 138 and 143 together.

My Department is currently undertaking a review of the licensing regime under which offshore exploration companies operate in this country. Indecon International Economic Consultants Indecon has been engaged to assist my Department in this regard and is due to report to my Department by the end of this month. I have had discussions with officials of my Department about the analysis which was referred to Indecon and about the terms of reference for the assignment.

I have not had meetings with representatives of the exploration sector to discuss this review, though I understand that Indecon, as part of its work, has consulted with industry representatives.

It is my objective to ensure that the licensing regime in place maximises the return to the national economy while, at the same time, encouraging exploration for petroleum. This regime must be sufficiently progressive to accommodate both future variations in oil and gas prices and the high cost of deep-water field development. Non-fiscal aspects of the terms, such as the types of licences and their duration, are also being reviewed to ensure that they are conducive to an effective and timely approach to exploration.

With regard to non-petroleum minerals, it is Government policy to stimulate discovery of economic mineral deposits and to maximise the contribution of the mining sector to the national economy, with due regard to its social and environmental impact. Exploration and development is undertaken by private enterprise and

regulated under the Minerals Development Acts, 1940 to 1999. All extraction of minerals under the Acts is subject to payment of royalties to the State. While it is my intention to consolidate and update the Minerals Development Acts in a new Minerals Development Bill currently being drafted in the Office of the Parliamentary Counsel, I do not propose to change that policy.

Alternative Energy Projects.

101. **Mr. Callely** asked the Minister for Communications, Marine and Natural Resources the alternative energy services that have been given consideration by his Department; the status of alternative energy projects and results of same; and if he will make a statement on the matter. [38716/06]

145. **Mr. McEntee** asked the Minister for Communications, Marine and Natural Resources his preferred options for the incentivisation of alternative energy production; and if he will make a statement on the matter. [38806/06]

425. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources his proposals for setting up alternative or bio-fuel infrastructure or support services with a view to increasing availability and access and developing the industry in order to improve Ireland's compliance with Kyoto principles and the need to reduce dependence on imported fuels; and if he will make a statement on the matter. [39205/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 101, 145 and 425 together.

A number of innovative alternative energy programmes are in place as part of a €65m initiative announced last year. The programme is being rolled-out over a five year period and provides funding for the domestic, commercial, services and industrial sectors as follows:

- The €27m 'Greener Homes' domestic renewable heat grants programme is providing grants for householders for the purpose of installing renewable heating including wood biomass boilers and stoves, solar panels and heat pumps.
- The €22m Bioheat grants programme provides grants for commercial scale wood biomass boilers aimed at the business and services sectors.
- The €11m Combined Heat and Power grants programme is providing funding for the commercial sector to switch to more efficient electricity and heat generation.

In addition to these funding measures, a number of other financial initiatives have been introduced:

- In July, I launched a five-year excise relief programme for biofuels, valued at over €200m. The successful applicants under this scheme will be announced shortly. The programme builds on a pilot initiative rolled out in 2005, in which eight biofuels project were granted excise relief over a two-year period.
- In June, I launched the Renewable Energy Feed-in-Tariff which is providing a fixed feed-in-tariff for renewable electricity over a fifteen year period.

The Bio-energy Ministerial Task Force, which I established in July this year, will develop, by end-year a cohesive national bioenergy strategy including biofuels. Further initiatives including the question of additional supports are being considered in the context of the Green Paper on Energy Policy, and the Estimates and Budgetary processes.

The Renewables Directive (2001/77/EC) obliges Ireland to develop and implement a programme capable of increasing the amount of electricity from renewable energy sources to 13.2% of total consumption by 2010. We have proposed a target of 30% by 2020 in the Green Paper.

The target of 13.2% approximates to 1450 megawatts (MW) of installed generating capacity to be operational to the electricity network by 2010. Currently Ireland has over 940MW of renewable capacity connected. This consists of approximately 670MWs of wind-powered plant, 236MW of hydro powered plant with the balance (c. 35MWs) made up of different biomass technologies. The additional new capacity required to achieve the target will be delivered by projects already selected under the AER VI competition and the new Renewable Energy Feed In Tariff (REFIT) programme I launched on 1st May last.

On 29th September I announced the first tranche of support under REFIT to over fifty new renewable powered electricity generating plants. The combined capacity of these projects is over 600 megawatts (MW), with wind-power accounting for most of the new support. Full details of REFIT and the successful applicants are available on my Departments website at www.dcmnr.ie.

Fisheries Protection.

102. **Mr. Boyle** asked the Minister for Communications, Marine and Natural Resources the body to be charged with overseeing the implementation of the new salmon regime; the legislative powers the body will be vested with; and the resources to be allocated for the additional monitoring of salmon numbers and for the introduction of new river management schemes to improve the spawning conditions and water quality for salmon. [38780/06]

158. **Ms McManus** asked the Minister for Communications, Marine and Natural Resources the way he will provide resources for river counters and inland fisheries staff to implement the salmon conservation programme highlighted as urgent in the report of the Independent Salmon Group; and if he will make a statement on the matter. [38837/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 102 and 158 together.

Under the Fisheries Acts, primary responsibility for the management, conservation, protection, development and improvement of inland fisheries rests with the central and regional fisheries boards.

Funding is allocated directly to each fisheries board from the vote of my Department. These funds are applied by the fisheries boards towards their statutory functions, including the management of the wild salmon fishery, in each of the regions according to their needs. I am committed to enhancing the funding available to the fisheries boards for their protection and enforcement effort to ensure that the salmon stocks we are trying to rebuild are not unlawfully taken. I am confident that this increased funding will be reflected in the Revised Estimates Volume when published in the New Year.

As the Deputy may be aware, the management of the existing fish counters is undertaken by the regional fisheries boards and supported by the Marine Institute and this will continue through the National Fish Counter Programme. In so far as real time monitoring and management of stocks is concerned, I am advised that counters are only one method by which the assessment is made. Reliance is also placed on the expert analysis of catch data and surveys by fisheries officers and research officers of spawning areas, fish populations and habitat etc to monitor stocks.

Post Office Network.

103. **Mr. O'Dowd** asked the Minister for Communications, Marine and Natural Resources the number of post offices that have been closed or downgraded in the past five years; the number of new offices opened or upgraded in the same period; and if he will make a statement on the matter. [38775/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The matter of post office closures is, in the first instance, a matter for the board and management of the company and one in which I have no function. According to An Post the number of Post Offices that have been closed in the past five years stands at 211. The number of Post Offices converted to postal agencies in the same period stands at 279. One new Post Office opened during

this period. The number of Post Offices automated in this period stands at five.

Foreshore Licences.

104. **Mr. Gogarty** asked the Minister for Communications, Marine and Natural Resources if there is a maximum timeframe limit for approving foreshore licence applications; and if there are plans to introduce a formal appeals mechanism for foreshore licenses that have been refused or for licence applications that have been delayed. [38785/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The timeframe for considering foreshore lease and licence applications depends on a number of factors, including the precise nature of the activity proposed, the observations from expert consultees and issues arising from the public consultation process.

The Foreshore Acts do not provide for appeals against decisions on foreshore lease and licence applications, and there are currently no proposals to introduce a formal appeals mechanism in respect of such applications.

Alternative Energy Projects.

105. **Mr. Cuffe** asked the Minister for Communications, Marine and Natural Resources the arrangements he will take with regard to wind farm developments which were approved under the AER support mechanisms but which have not met the required timetables for development of the projects; and the support measures the Government intends putting in place to support the development of off-shore wind farms in Irish waters. [38782/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Alternative Energy Requirement programme (AER) and its successor, the Renewable Energy feed-in tariff programme (REFIT), are designed to support the construction of new renewable energy powered electricity generating plants which would not otherwise proceed to build and operate. Both programmes are subject to EU State aids clearance. A condition of the State aids clearance for the AER programme is that projects can be supported for fifteen years or until 2019 whichever is earlier.

Any AER supported project, which is not yet built or under construction, cannot achieve the full 15 years support under the AER programme. The REFIT programme permits any project, which was previously selected in the AER programme but which was neither built nor under construction in April 2005, to enter REFIT and achieve a fifteen year support programme. It is a matter for individual project developers, including projects developers already declared success-

ful in AER, to determine whether any particular project is compliant with the conditions precedent in REFIT and whether the REFIT support is acceptable. I am also moving any unused support capacity or capacity which becomes available under the AER programme into the REFIT support programme to ensure it is available to the maximum number of project proposals.

One exception to the 2019 deadline in the AER programme and the transfer of capacity to REFIT is the offshore wind category in AER VI. This category permits support to end 2021. Projects in this category have until end 2006 to construct. Correspondence with developers in this category is ongoing and it is premature to reach any final decisions in advance of that deadline.

Future targets across all renewable technologies, beyond the REFIT programme, will be settled in the context of the White Paper on Energy Policy.

Electricity Generation.

106. **Ms Shortall** asked the Minister for Communications, Marine and Natural Resources his plans for the development of microgeneration; if his Department is making a submission to CER on the regulator's current public consultation on microgeneration; if and the way he is liaising with the Department of the Environment, Heritage and Local Government on the issue in view of his recent public commitments in relation to planning aspects of microgeneration; and if he will make a statement on the matter. [38823/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Government is committed to developing domestic scale renewable electricity and heat technologies. Sustainable Energy Ireland (SEI) has undertaken work on Metering Options for Small Scale Renewable and CHP Electricity Generation. The study identified a number of areas which require further analysis 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.

These technical and administrative issues are currently being addressed, and my Department is working with the relevant agencies, including SEI, the Commission for Energy Regulation (CER), ESB Networks and the Electro-Technical Council of Ireland in this regard.

As part of the ongoing work to progress this area, the CER launched a public consultation in early October on arrangements for micro generation which deals with metering issues.

I have raised the issue of planning guidelines for domestic renewable technologies with my colleague, the Minister for the Environment, Heritage and Local Government, with a view to

ensuring a common national approach on such issues.

We are working with all relevant agencies and the CER 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.

Energy Policy.

107. **Mr. Hogan** asked the Minister for Communications, Marine and Natural Resources the role he intends for the ESB in the future; and if he will make a statement on the matter. [38751/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Government is firmly of the view that there is strategic value in maintaining a strong, commercially viable ESB into the future. Retaining the natural monopoly networks in State ownership is also stated Government policy.

Structural reform is nonetheless essential and urgent in the interests of the development of a competitive market in electricity, providing consumer choice and driving efficiencies within the ESB itself. The creation of the Single Electricity Market in 2007 is a critical context.

The Energy Green Paper outlines the lines of action that the Government is considering as a means of achieving the necessary structural reform, including consideration of establishing a State-owned land-bank of potential generation sites and addressing ESB's dominance in the area of price-setting plant. Discussions and consultations are underway, in the context of developing the White Paper, to crystallise and agree the actions to be taken to deliver on the two policy imperatives of competition and security of supply.

Mobile Telephony.

108. **Ms McManus** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to research linking mobile phone use to male infertility; if he will review the findings of same; and if he will make a statement on the matter. [35495/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My officials are aware of a number of studies in relation to male infertility and mobile phone usage, including the recent preliminary results from a study carried out in Cleveland. To date the balance of scientific and medical evidence does not support a causal relationship.

[Mr. N. Dempsey.]

I am guided in these matters by the advice from international expert bodies, such as the World Health Organisation and the International Commission for Non-Ionising Radiation Protection. These bodies continually examine the totality of the scientific and medical evidence available so we have the most up to date and accurate information in regard to the potential health effects, if any, of electromagnetic fields.

Post Office Network.

109. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources the Government strategy on the post office network; if he will provide the full list of the closures to date in 2006 and the number of post offices, sub-post offices and postal agents on 1 January and 21 November 2006; and if he will make a statement on the matter. [38847/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): As set out clearly in the Programme for Government, this Government and the Board of An Post are committed to the objective of ensuring the continuation of a viable and sustainable nationwide post office network.

In line with this objective, I asked the company to ensure that any strategy for the development of the company should ensure the long-term viability of the post office network. It is in this context that the Government recently gave approval for An Post to enter into a joint venture with Fortis, with a view to providing a variety of financial services through the post office network and improving income for both An Post and postmasters.

The closure of individual post offices is in the first instance a matter for the board and management of the company and one in which I have no function. According to An Post the following is the full list of closures to date in 2006.

16 Sub-Office closures in 2006

Brandon, County Kerry	Martinstown, County Limerick
Tomhaggard, County Wexford	Kildinan, County Cork
Grangecon, County Wicklow	Boholas, County Roscommon
Church Cross, County Cork	Bornacoola, County Leitrim
Crosspatrick, County Tipperary	Carrigrohane, County Cork
Drumcree, County Westmeath	Holycross Kilmallock, County Limerick
Cranford, County Donegal	St. Margaret's, County Dublin
Fortel, County Offaly	Whitehall, County Dublin

10 Postal Agency closures in 2006

Shannon Harbour, County Offaly	Bellacorick, County Mayo
Derreens, County Mayo	Kiltormer, County Galway
Moneygold, County Sligo	Askamore, County Wexford
Brittas, County Dublin	Straide, County Mayo
Ballylickey, County Cork	Sherkin Island

The number of post offices, sub-post offices and postal agents in existence on 1 January and 21 November 2006 is set out in the table below.

1st Jan. 2006	No.	21st Nov. 2006	No.
No. of Company Offices	88	No. of Company Offices	84
No. of Sub-Post Offices	1,321	No. of Sub-Post Offices	1,281
No. of Postal Agents	161	No. of Postal Agents	171

Postal Services.

110. **Mr. Noonan** asked the Minister for Communications, Marine and Natural Resources if, in the context of the future development of postal and packaging services here and notwithstanding his previous references to postal services in other European countries, he will have due

regard for the topographic and geographic nature of Ireland; and if he will make a statement on the matter. [38771/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Matters relating to the provision of postal services are in

the first instance a matter for the board and management of An Post. The standards of service delivery in the postal sector are set out in the two European postal directives, which outline the universal service obligations to which universal service providers including An Post, must comply. The USO currently requires the provision of collection and delivery services 5 days per week, regardless of geographic location. There are no proposals to change this requirement in the context of future liberalisation of the postal sector.

111. **Mr. Penrose** asked the Minister for Communications, Marine and Natural Resources if the Government will respond to the new proposal by European Commissioner Mr. Charlie McCreevy on abolishing the reserved areas for national postal operators for letters below 50 grammes; his views on the concerns of Ireland's EU partner States such as France, Italy, Spain, Poland, Belgium and Greece that Commissioner McCreevy's proposal will weaken customer service in the postal sector and lead to thousands of jobs losses; the way or the model by which he proposes to maintain the universal service obligation; if he will establish a new comprehensive postal services strategy to ensure that An Post is robust enough to meet the challenges of the fully liberalised market; and if he will make a statement on the matter. [38846/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 39126 of 21st November 2006.

112. **Mr. J. O'Keeffe** asked the Minister for Communications, Marine and Natural Resources the cost of post codes; the degree of implementation; the benefit to consumers; and if he will make a statement on the matter. [38795/06]

150. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources if he will immediately publish and lay before Dáil Éireann the feasibility study and cost-benefit analysis produced by ComReg on the introduction of postcodes; when he is planning to introduce postcodes; if there will be a general consultation process before a system of postcodes is introduced; and if he will make a statement on the matter. [38861/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 112 and 150 together.

The generally accepted definition of a postcode is a unique, universal identifier that unambiguously identifies the addressee's locality and assists in the transmission and sorting of mail items.

The introduction of a postcode system in Ireland would assist with improving efficiencies in the sorting and delivery processes for postal items and would also help facilitate new entrants

to the market, should the EU postal market be liberalised in the future. Ireland is one of the few developed countries that does not have a postcode.

The National Postcode Project Board (NPPB) has now presented to me for consideration its recommendation as to the most appropriate postcode system for Ireland, the costs and benefits arising from its introduction along with a detailed implementation plan. As part of its analysis, the NPPB's advisers carried out an extensive consultation with stakeholders both within the postal sector and outside it with a view to arriving at a postcode model that best meets the needs of the stakeholders and measures the likely costs and benefits of the introduction of such a postcode.

I am now considering the next steps including any Government approvals, tender processes, legislative requirements and administrative supports required to introduce the recommended model by 2008.

Gas Network.

113. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources if he will report on the development of the gas network throughout Connaught; the reason towns such as Belmullet and Ballinrobe were omitted from this expansion of the domestic and business gas infrastructure; if these and similarly sized communities not on the published list can now be added to the national gas network; and if he will make a statement on the matter. [38828/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I can advise the Deputy as follows:

The position is that, since 2002, the Commission for Energy Regulation (CER), which is a statutory independent body, has been charged with all aspects of the assessment and licensing of prospective operators who wish to develop and/or operate a gas distribution system within the State under the Gas (Interim) (Regulation) Act 2002.

The construction by Bord Gáis Éireann (BGÉ) of a natural gas transmission pipeline, known as the Mayo-Galway Pipeline, has recently been completed. The pipeline is one part of the infrastructure required to transport natural gas from the Corrib gas-field to the national gas network.

Earlier this year the Commission for Energy Regulation (CER) directed BGÉ to implement a new Gas Connections Policy, which determines the economic viability of connecting towns to the gas network. The new policy allows for the appraisal of a new town either on its own or as part of a regional group of towns. Having regard to this new policy, BGÉ carried out a comprehensive review of towns being considered for connection to the national gas network. The review is being conducted in two phases, and phase 1, which covers the towns in the proximity of the

[Mr. N. Dempsey.]

Mayo-Galway Pipeline, has already been completed.

Following consideration of this phase of the review, the CER made the decision to allow Bord Gáis to extend the natural gas network to eleven towns along the route of its Mayo-Galway gas transmission pipeline. The towns to be connected to the network are Athenry, Craughwell, Headford, and Tuam in Co. Galway and Ballina, Ballyhaunis, Castlebar, Claremorris, Crossmolina, Knock and Westport in Co. Mayo, and it is hoped that some of these can be connected as early as the end of 2007.

Bord Gáis is continuing its evaluation of the viability of extending the gas network elsewhere to towns in other parts of the country with a view to completing its review by July, 2007. Following completion of this study, the CER will consider whether other towns with an economically viable case may be connected.

With regard to the Deputy's question about Belmullet and Ballinrobe, I am advised that the review carried out by Bord Gáis indicates that connection of both towns to the network would not currently be economically viable. Full details of the issues taken into consideration by Bord Gáis in its review of these and all other towns examined so far, as well as a map which shows each of the towns to be examined in phase 2, may be examined on its website www.bge.ie.

My Department has also engaged consultants for a Gas to the Northwest Study, in the context of the Government's objective for regional policy in the National Development Plan and having regard to the National Spatial Strategy.

The scope of this study is firstly, to determine the feasibility of bringing gas from the Mayo-Galway pipeline to Donegal Town via Sligo, considering three specified alternative routes; secondly, to examine and assess options for and issues surrounding the development of gas-fired power generation along the pipeline routes; and finally, to present options for the provision of gas pipeline infrastructure and gas-fired power generation, with recommendations as to how best the options may be pursued. The study is scheduled for completion in January 2007.

Energy Supply.

114. **Mr. Gormley** asked the Minister for Communications, Marine and Natural Resources when the Government expects to make a decision regarding the construction of a new east west inter-connector with the UK; the projected grid reinforcement measures that will be required on the UK side of such an inter-connector; and the respective roles for the UK and Irish transmission grid companies in the operation of the facility. [38786/06]

126. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources

if it is intended to provide one or two interconnectors; if this is expected to happen by way of public or private enterprise or a combination of both; and if he will make a statement on the matter. [38811/06]

148. **Ms Lynch** asked the Minister for Communications, Marine and Natural Resources if he will report on the development of an east west interconnector; if it will be developed on a regulated, hybrid regulated or merchant basis; the amount it is set to cost; the meetings his Department has conducted with their UK counterparts on this matter; and if he will make a statement on the matter. [38863/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 114, 126 and 148 together.

Security of energy supply is a key imperative for Ireland and the European Union. The relatively small size of the Irish electricity market underlines the need for greater interconnection as a means of enhancing security of supply, promoting competition and integrating the Irish electricity market into the wider European market.

The recently published Energy Policy Green Paper "Towards a Sustainable Energy Future for Ireland" underlines the Government's commitment to deliver enhanced interconnection on the island of Ireland as well as with Britain as a priority. This is also the way forward envisaged at European level.

The Government has made a decision approving plans for the construction of a single 500 megawatt electricity interconnector between Ireland and Wales. On foot of the Government decision, the Commission for Energy Regulation (CER) has been requested to proceed with a competition to select a developer to secure the design and construction of this interconnector by 2012 at the latest. As regards funding, the mechanism will be determined by the CER with fully regulated capital expenditure and revenues which will deliver the most cost effective and efficient solution.

The CER has also been requested to arrange for EirGrid and ESB to expedite the technical work of route selection and necessary grid reinforcement works. The Government decision provides that the interconnector when completed will as a key strategic asset remain in public ownership and will be owned by EirGrid.

EirGrid will carry out the work needed to select the route of the interconnector and the sites at each end for the converter stations. This will involve discussions with the UK authorities to determine what routes are feasible. The CER will actively participate as appropriate.

To underpin the development process, new arrangements are proposed in respect of the construction and operation of future interconnectors in the Energy (Miscellaneous Provisions) Bill

2006. The Bill provides that the CER may, with Ministerial consent, secure the construction of an interconnector by one or more means, including by competitive tender. Such consent will be contingent on final Government approval.

I am not in a position to put forward any estimates as to the ultimate cost of the east-west interconnector not least because the groundwork has not been completed on specific routes. Until the CER has established considerably more detail on the specifics of the route, seabed surveys and the cost and extent of the essential grid reinforcements, it would serve no useful purpose to speculate on final costs. Also, it would be inappropriate to pre-empt the outcome of the competitive process for developer selection.

Meetings by my Department with UK counterparts to discuss energy matters including interconnection occur on a regular basis. The Department of Trade and Industry has been briefed on developments related to the interconnector. Both Departments are in full agreement on the merits of enhanced interconnection and have undertaken to liaise closely as necessary as the project goes forward. I also briefed my Welsh colleague Minister Andrew Davies in September and we agreed that officials would work closely together on the technical and other dimensions of the project. My Department has also briefed the European Commission on the east-west interconnection proposal and I am pleased to note that the response of the Commission was very positive and supportive.

Energy Costs.

115. **Mr. Quinn** asked the Minister for Communications, Marine and Natural Resources if he has received a copy of Forfas' statement on the Costs of Doing Business in Ireland; if in view of Forfas' concerns regarding the significant impact of energy price rises on competitiveness he will direct CER to conduct an immediate review of its pricing policy and establish a statutory consumer panel within the institutional structure of CER; and if he will make a statement on the matter. [38830/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I can confirm that I and my Department have considered the Forfas Statement on the Costs of doing Business in Ireland. I note the findings of this report that, on average, labour costs dominate business costs (59%), followed by property costs (11%), utility costs (9%), transport (4%), with all other costs accounting for 17% of the total costs. I have also noted the finding that utility costs, including electricity costs, are less competitive when compared to the benchmarked locations.

This finding is consistent with the message of the Energy Policy Green Paper: Towards a Sustainable Energy Future for Ireland. The Green Paper notes that Ireland's small energy market,

peripheral position in Europe and exposure to sustained high global oil and gas prices pose particular challenges in terms of competitive energy costs.

This Green Paper also outlines options for the future direction of energy policy based on the three pillars of:

- security of supply;
- environmental sustainability and;
- economic competitiveness.

It acknowledges that Ireland's continued economic growth and competitiveness depends on a reliable and competitively priced energy supply and sets out two overarching policy objectives to ensure the competitiveness of Irish energy supply:

- effectively liberalising gas and electricity sectors by implementing energy market mechanisms, and
- enabling competition by reforming institutional arrangements and market structure.

The Green Paper lists a number of key policy targets aimed at delivering these objectives. A central target is the introduction of the Single Electricity Market (SEM) in 2007, which is designed to provide a larger market with more competitive energy prices. The proposed use of a Capacity Payment Mechanism is designed to encourage new market players to invest in power generation.

The continued liberalisation of the electricity and gas markets is also designed to further enhance competition. This includes the full opening of the natural gas market to augment the fully open and contestable electricity market. This is provided for in the Energy (Miscellaneous Provisions) Bill 2006.

In relation to reforming institutional arrangements and market structure, the Green Paper favours the retention of a strong commercially viable ESB and the retention of certain strategic electricity assets, including networks and certain generation assets, in State ownership for the long term.

Enhanced competition in generation will act as a catalyst for improvements in operation and maintenance costs, productivity, availability, flexibility and innovation. In order to mitigate ESB's dominance in mid-merit price-setting I am also giving consideration to the option of creating a 'landbank' of suitable sites, to offer a predictable pattern of access to suitable generation sites in Ireland for new entrants to this market. This would remove a significant barrier to new entry and has been used successfully elsewhere to encourage new entry.

The Green Paper also sets out the Government's intention to undertake a comprehensive review of the energy regulatory framework. This will be initiated following the introduction of

[Mr. N. Dempsey.]

SEM in 2007, with a view to positioning regulation to meet the energy challenges up to 2020.

Under the Electricity Regulation Act 1999, the regulation of energy tariffs falls within the remit of the Commission for Energy Regulation, (CER), the independent regulator for electricity and gas. I do not have any function in this matter. I am advised that the CER has indicated that it will hold a consultation on the introduction of a fuel cost variation mechanism in electricity tariffs by the end of this year.

Under EU Regulations in relation to the Internal Energy Markets the CER has a direct legal obligation to protect the interests of final customers of electricity and to take account of the needs of vulnerable customers.

In relation to the CER's pricing policy, all decisions are made following full consultation which is open to all consumers, which outlines the proposed decision and full details of the drivers behind the decision. The CER's pricing policy includes a full assessment of the impact of proposed tariffs on all categories of customer. Decisions are made based on delivering value for money for electricity and gas customers while maintaining a secure supply and demand balance and ensuring sufficient investment in the network infrastructure to support Ireland's expanding economy.

The CER also progressed work on developing specific consumer panels for the gas and electricity sectors. This proposal has now been superseded by the establishment of the National Consumer Agency (NCA) by the Minister for Enterprise, Trade and Employment. The Agency's remit is to represent and progress consumers' interests across all economic sectors. It is also envisaged that the Agency will provide a strong consumer voice in the regulated sectors including energy.

The CER is working closely with the NCA to ensure that the consumer has a strong voice and input on energy tariffs. I very much welcome the fact that both are collaborating to put in place appropriate arrangements including a memorandum of understanding on information sharing and consultation and cooperation.

Mackerel Quota.

116. **Mr. Wall** asked the Minister for Communications, Marine and Natural Resources if he will make a statement on the reductions to Ireland's 2006 mackerel quota arising from allegations of landings of undeclared mackerel [38850/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Earlier this year, after extensive investigation, the UK authorities reported undeclared landings of mackerel into Scotland by Irish vessels in 2005 to the EU Commission. As a result, the EU Commission deducted 6,578 tonnes from Ireland's

2006 mackerel quota under Commission Regulation No. 742 of 2006, as 'payback' for the 2005 undeclared landings.

Following extensive consultations with the EU Commission, the Attorney General's Office and industry representatives, my colleague Minister of State Browne decided that vessel owners reported for undeclared illegal landings of mackerel should be held individually responsible as far as possible. Accordingly, and following full consideration of representations made by the individuals concerned, deductions were applied to the allocations of mackerel of those vessel owners whom Minister of State Browne was satisfied had breached Community regulations and landed undeclared mackerel.

The Mackerel fishery opened on 28th October 2006. Any balance of the 6,578 tonnes deducted from Ireland's 2006 mackerel quota that is not cleared following the application of reductions in the allocations of these individual vessel owners was applied to the other vessels in the RSW Pelagic fleet on a pro-rata basis.

I believe that this management arrangement is fair and reduces as far as possible the impact on those not responsible for the reported undeclared illegal landings into Scotland.

The methodology, scale and timing of any deductions in Ireland's future mackerel quota in respect of the undeclared landings in the period 2001 to 2004 is under discussion with the EU Commission.

Energy Costs.

117. **Mr. Timmins** asked the Minister for Communications, Marine and Natural Resources if he is satisfied that the regulatory system as transposed into Irish law is capable of giving Irish consumers the benefit of lower oil and gas prices on international markets; if he will take action to address this issue; and if he will make a statement on the matter. [38802/06]

119. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources when he proposes to take action of a legislative nature or otherwise to intervene on behalf of the consumer with a view to delivering the benefits of lower international oil and gas prices to the domestic and business section here; and if he will make a statement on the matter. [38745/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 117 and 119 together.

The Commission for Energy Regulation is statutorily required to protect the interests of final customers as well as taking into account the needs of vulnerable customers. CER has put measures in place to ensure that consumer interests are represented in the CERs decision making process and that customer complaint mechanisms are enhanced. Plans by CER to develop consumer

panels for gas and electricity consumers have been superseded by the establishment of the National Consumer Agency. The Agency's remit is to represent and progress consumer interests and is specifically charged with providing consumer advocacy in the regulated sectors including energy.

I welcome the fact that the CER have undertaken to review electricity and gas tariffs in light of recently emerging price trends for oil and gas on global markets. CERs openness to review its recent tariff decisions in light of all factors indicates that the regulatory system is responsive and is taking the concerns of consumers and enterprise into account.

Broadcasting Services.

118. **Mr. Allen** asked the Minister for Communications, Marine and Natural Resources if it is intended in the context of the Broadcasting Bill to provide for subtitling with a view to meeting the requirements of persons with hearing deficiencies; and if he will make a statement on the matter. [38752/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Subsections 11 to 13 of Section 19 of the Broadcasting Act 2001 empower the Broadcasting Commission of Ireland (BCI) to make rules requiring each broadcaster to take specified steps to promote the understanding and enjoyment, by persons who are deaf or hard of hearing, of programmes transmitted by that broadcaster. The rules drawn up by the BCI following a comprehensive public consultation process came into effect in 2005.

Subheads 5, 13 and 14 of Head 41 of the draft general scheme of the Broadcasting Bill re-state the existing requirements of Section 19 of the Broadcasting Act 2001.

As the Deputy is already aware, the draft general scheme of the Broadcasting Bill has been submitted to the Joint Oireachtas Committee on Communications, Marine and Natural Resources for the purposes of public consultation under the eConsultation initiative.

Question No. 119 answered with Question No. 117.

Energy Costs.

120. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the fact that in other EU jurisdictions, deregulation and competition in the area of gas and electricity supply is to the advantage of the consumer in contrast to the situation here, whereby it appears that the EU law transposed into domestic law has resulted in price hikes which will have an impact on the domestic consumer and consequences for the

manufacturing and services industry; and if he will make a statement on the matter. [38744/06]

146. **Ms Enright** asked the Minister for Communications, Marine and Natural Resources his views on the noticeable divergence of energy prices here with those in neighbouring and competing countries; if he will take action to review the relevant EU legislation with the objective of delivering the benefits of competition to the Irish consumer; and if he will make a statement on the matter. [38813/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 120 and 146 together.

I am aware of varying energy costs within the European Union. I do not have any function in relation to the pricing of electricity and gas, as this falls within the remit of the Commission for Energy Regulation, (CER), the independent regulator for electricity and gas.

I am advised that an analysis of the most recent Eurostat data on gas and electricity prices (as of 1 January 2006) indicates that the Irish price for gas supplied to domestic customers was the 12th highest price in Europe (out of 24). It was less than half the price charged in Denmark, while Sweden, Netherlands, Italy and Germany also had higher prices. Significantly, the Irish price was less than the average EU25 domestic gas price (there was no comparison available for industrial gas prices). These comparisons are based on consumer price including all taxes. Even taking into account the recent increase in gas prices, Bord Gáis has indicated that gas prices in Ireland are still the 9th cheapest in Europe and they remain below the EU 15 average.

In relation to electricity, the Eurostat statistics indicate that domestic electricity prices in Ireland are the 7th highest in Europe while Ireland had the 6th highest industrial and commercial (medium sized business) electricity prices in 2006. The CER has advised that the electricity price in Ireland is cheaper than the average price in Britain at present, although this will even out if the sanctioned price increase takes effect on January 1st 2007.

It is worth making the point that even in the most liberalised energy markets in the EU, successive price rises have been experienced throughout 2006. Ireland's small energy market, peripheral position in Europe and exposure to sustained high global oil and gas prices pose particular challenges in terms of competitive energy costs. Controllable costs must be vigorously tackled, as I have made clear on successive occasions. As part of the Green Paper consultation process my Department is consulting directly with consumer interests as well as business and enterprise on their views on energy policy directions.

[Mr. N. Dempsey.]

The Electricity and Gas Market Directives (2003/54/EC and 2003/55/EC respectively) are designed to complete the internal market in these sectors and to speed up the liberalisation process with a view to achieving a fully operational internal market. The Directives establish common rules for the electricity and gas sectors, including rules for the organisation and functioning of these sectors, access to the markets and the criteria and procedures for the granting of licences or authorisations.

These Directives are being transposed into Irish law through a series of primary and secondary legislation. This legislation has already introduced a suite of liberalisation measures, including the full opening of the retail electricity market in Ireland and the establishment of EirGrid as the fully operational and independent electricity transmission system operator. The full opening of the gas market is provided for in the Energy (Miscellaneous Provisions) Bill 2006.

Question No. 121 answered with Question No. 82.

Mobile Telephony.

122. **Mr. Ferris** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the fact that texts of an explicit nature are being randomly sent to mobile phone customers encouraging them to ring premium rate numbers; and the advice he has for people who wish not to receive such texts or for parents who are trying to protect their young children who may have mobile phones and are receiving such texts. [38819/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have no function in the regulation of premium rate numbers. These are commercial products in a commercial market and responsibility for the regulation of the content and promotion of premium rate telecommunications services is a matter for Regtel, the independent regulator.

The Deputy should be aware however, that legislation is already in place to address the sending of indecent or offensive material by phone, and the harassment of people by phone and anyone who has information in relation to these matters should bring it immediately to the attention of the Garda Síochána for criminal investigation.

In relation to parents with young children, obviously parental supervision is key. In addition, the Irish Cellular Industry Association has done a lot of work in the area of safe and responsible use of mobile phones. They have published a Parent's Guide to Mobile Phones, which aims to inform parents of some key safety tips that will encourage responsible and secure use of mobile phones by their children. It seeks to educate

parents and guardians in the ways in which they can gain greater visibility of their child's mobile usage and the services they access. The guide also addresses the subject of bullying and malicious communications. A copy of the guide is available on the ICIA website at www.icia.ie.

Question No. 123 answered with Question No. 100.

Telecommunications Services.

124. **Dr. Twomey** asked the Minister for Communications, Marine and Natural Resources the further discussions he has had with State or semi-State bodies such as ESB, Bord na Móna, Iarnród Éireann and others in regard to the previously reported proposal to provide a State controlled telecommunications network to facilitate the advancement of broadband and state of the art telecommunications technology in general; if costings have been undertaken on the issue; and if he will make a statement on the matter. [38805/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): In April 2005 a team of advisors was engaged to examine the potential for enhancing and augmenting existing state owned infrastructure. This team submitted a Feasibility Report in December 2005. The report found that, while technically feasible, there would be considerable financial, legal, regulatory, operational and organisational challenges in harnessing and enhancing the existing state owned infrastructures. It is not my intention to publish the report given the extent of the commercially sensitive information contained in it.

My Department is considering options to enhance competitive backhaul connectivity.

Question No. 125 answered with Question No. 94.

Question No. 126 answered with Question No. 114.

Broadcasting Services.

127. **Mr. Rabbitte** asked the Minister for Communications, Marine and Natural Resources if he will report on the ongoing digital terrestrial television trial; if he will provide details on the recently completed selection process for multiplex programme content managers; when the DTT trial will be completed and national roll-out will begin; the reason he has not dealt with digital television services in a more comprehensive manner in the new Broadcasting Bill; if he will publish stand-alone legislation on digital broadcasting services; the way he will manage spectrum space as the digitisation process advances; if he has set a date for the switch off of the analogue signal; and if he will make a statement on the matter. [38855/06]

152. **Mr. Connaughton** asked the Minister for Communications, Marine and Natural Resources his preferred options of the development of digital television; and if he will make a statement on the matter. [38764/06]

163. **Mr. G. Mitchell** asked the Minister for Communications, Marine and Natural Resources his policy preferences in respect of the development of terrestrial television transmissions in the future; and if he will make a statement on the matter. [38763/06]

168. **Mr. Boyle** asked the Minister for Communications, Marine and Natural Resources the cost of the digital television pilot service over the next two years; the criteria to be applied to programming and advertising content of the seven successful applicants; if he expects to meet the European Union's desired deadline of 2012 for the phasing out of analogue television system; and the measures he will take to meet that target date. [38781/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 127, 152, 163 and 168 together.

A digital terrestrial television (DTT) pilot programme is currently being implemented by my Department. The purpose of the pilot is to bring further momentum to the transition to digital terrestrial broadcasting and to test and trial various aspects of the service.

The DTT pilot is now in the "soft trial" phase during which the network and user technologies will be tested. The initial transmission sites are at Clermont Carn in the north east and Three Rock covering parts of the Dublin region.

The trial is planned to continue over a two-year timeframe and will provide the opportunity for technical and user testing of both existing and new broadcast services, including both television and audio services. Over the period 2006-08, it is estimated that the DTT pilot will cost approximately €10 million.

My Department has begun preparing legislation for digital terrestrial television and is examining all the options with regard to putting in place a legislative framework for national DTT roll-out.

It is anticipated that the pilot will generate awareness and discussion among interested parties in a full national roll-out of digital terrestrial television. As the trial progresses and proposals are developed for a national roll-out of digital terrestrial television, the question of possible analogue switch-off dates will be considered.

Switch-off of analogue television services is being strongly advocated by the European Commission, with 2012 a target date suggested by the Commission. While the pilot is underway, I intend to hold discussions with all relevant stake-

holders around the issue of digital switch-over with a view to meeting this deadline.

When decisions have been taken about the nature and timing of analogue switch over, it will be necessary to ensure that Irish viewers are fully informed of all the issues arising.

My Department, in conjunction with the Broadcast Commission of Ireland (BCI), recently completed a process seeking applicants to operate as Multiplex Programme Content Managers on the second phase of the DTT trial. In assessing applications, the Department of Communications, Marine and Natural Resources and the BCI, had regard to the extent to which an applicant's proposals met some or all of the objectives of the DTT trial and the applicant's compliance with the provision of information in the required format.

Further information on this process is set out in the application guidelines, available on the Department of Communications, Marine and Natural Resources' website at

<http://www.dcmnr.gov.ie/Broadcasting/Digital+Television/Digital+Terrestrial+Television+Pilot/>.

During the summer, the International Telecommunications Union held an international conference to plan the use of the frequency spectrum for digital broadcasting. Ireland was represented at that conference by officials from my Department along with representatives from ComReg, BCI and RTE.

I am very pleased with the outcome of the conference. In addition to obtaining the necessary spectrum to allow for the initial roll-out of DTT nationwide, Ireland has also secured the right to re-use the existing analogue transmission frequencies for digital use.

This will facilitate not only the introduction of DTT nationwide but also permit the development of many new and innovative services, such as mobile television, high definition television and interactive television, particularly following the switch-off of the analogue services. My Department is currently examining how the spectrum should be used so that it can fully contribute to the development of broadcasting in a knowledge-based society.

Telecommunications Services.

128. **Mr. Hayes** asked the Minister for Communications, Marine and Natural Resources when he expects all telephone exchanges and cable networks to be broadband enabled; and if he will make a statement on the matter. [38790/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have no function in these matters.

129. **Mr. G. Mitchell** asked the Minister for Communications, Marine and Natural Resources if, arising from a Sunday newspaper article, his

[Mr. G. Mitchell.]

attention has been drawn to an alleged request from Eircom for the upgrading of a number of telephone lines which currently render it impossible to obtain broadband in some rural areas due to the use of shared or divided lines which were installed in the 1980s; if, as suggested, funding to the extent of €200 million has been sought from the State to facilitate such an upgrade; the full extent of such enquiries of discussions including the alternatives; and if he will make a statement on the matter. [38762/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I am aware that Eircom has highlighted the infrastructure enhancements required in order to provide broadband services throughout its network.

I also recognise that despite private and public investment in broadband infrastructure there are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. Options to address these gaps in broadband coverage are currently being considered by a Steering Group comprising officials from my Department and representatives from ComReg. I expect to finalise proposals shortly.

Fisheries Protection.

130. **Mr. Howlin** asked the Minister for Communications, Marine and Natural Resources if he will report on the Government's approach to the annual EU sea fisheries negotiations under the Common Fisheries Policy and on his targets for the key quotas and TACs, the industry here may face in 2007; and if he will make a statement on the matter. [38839/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Total Allowable Catches (TACs) and Quotas and associated conditions for fisheries for 2007 under the Common Fisheries Policy will be decided at the Council of Agriculture and Fisheries Ministers from 19-21 December 2006. The Council will be preceded by a series of working groups and other meetings at which each Member State will endeavour to negotiate the best possible outcome in the interests of its own fishing industry and having regard for scientific advice.

The European Commission will come forward shortly with proposals for 2007 taking account of the scientific advice recently published by the International Council for the Exploration of the Sea (ICES).

Ireland will consider the Commission's proposals for 2007 in the light of the scientific advice, current measures in place (including recovery plans and effort restrictions) and in consultation with our industry representatives in order to determine a national position.

The priority for Ireland at this Council will be to ensure that Irish fishermen will have the maximum possible quantity and range of fishing possibilities available in 2007, taking into account the need for effective conservation measures in our waters. Some 40 fish stocks are of interest to Irish fishermen and an overriding imperative for both the Government and the Irish fishing industry will be to achieve a balanced outcome, in order that the stocks are managed and exploited on a sustainable basis.

My colleague, Minister of State John Browne, together with the Department, will maintain close contact with industry representatives throughout these negotiations.

Proposed Legislation.

131. **Mr. Costello** asked the Minister for Communications, Marine and Natural Resources if he will provide details on the forthcoming Single Electricity Market Bill; when it will be fully published and made available to Dáil Éireann; the impact of the SEM Bill on CER; if there will now be a single all island energy regulator; and if he will make a statement on the matter. [38826/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Electricity Regulation (Amendment) (Single Electricity Market) Bill 2006, which was published on 20 November, provides for the establishment and operation of a single competitive wholesale electricity market on the island of Ireland.

The Bill will, inter alia, provide a framework for the performance of the functions of the Commission for Energy Regulation (CER) relating to the single electricity market (SEM). These functions will be undertaken by a newly established SEM Committee, which will be a sub-committee of both the CER and its Northern Ireland counterpart, the Northern Ireland Authority for Energy Regulation (NIAER).

The Bill will not establish an all-island regulator. This issue is identified in the All-island Energy Market Development Framework launched in November 2004, as one to be considered, in consultation with the Northern authorities, at a later stage once the primary objective of establishing a single electricity market has been achieved.

Telecommunications Services.

132. **Ms O. Mitchell** asked the Minister for Communications, Marine and Natural Resources if he is satisfied that deregulation in the Irish context is sufficiently focused to ensure the deliver of the full scale of modern telecommunication services including broadband and mobile telephony to all areas of the country; if an adequate degree of competition exists to ensure that the rights and entitlements of subscribers are fully

observed; and if he will make a statement on the matter. [38760/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The telecommunications market in Ireland is fully liberalised and open and the provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies.

Statutory responsibility for the regulation of this sector rests with the independent regulator, the Commission for Communications Regulation (ComReg), under the Communications Regulation Act 2002 and the Regulations transposing the EU Regulatory Framework for Electronic Communications Networks and Services.

One of ComReg's key objectives is the promotion of the interests of users in the sector.

Greenhouse Gas Emissions.

133. **Mr. Gogarty** asked the Minister for Communications, Marine and Natural Resources the long term target his Department has set for the reduction of green house gases from the energy sector; and the means being introduced to insure that Ireland meets such a target via annual incremental reductions. [38784/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My colleague, the Minister for the Environment, Heritage and Local Government, has lead responsibility for Government policy on meeting Ireland's target under the Kyoto Protocol.

The energy sector will make its contribution to meeting our obligations under the Kyoto protocol through participation in the EU Emissions Trading Scheme. The Government has already decided, in the context of the preparation of Ireland's second National Allocation Plan under the scheme, that the emissions trading sector will be responsible for making approximately 3 million tonnes annual reductions in greenhouse gases out of the approximately 7 million tonnes per annum reductions needed to enable Ireland to meet its Kyoto target over the period 2008 to 2012, after existing abatement measures have been taken into account.

Under the EU Emissions Trading Scheme, installations are granted a certain level of allowances and are required to either mitigate their emissions or purchase allowances for any emissions above the level of allowances. Accordingly it is a matter for the individual installations (which includes all commercial scale fossil fuelled electricity generation) to decide on the most cost effective mix of abatement measures for their business. In this context, annual incremental reductions are not a feature of the EU Emissions Trading Scheme.

Postal Services.

134. **Mr. O'Dowd** asked the Minister for Communications, Marine and Natural Resources if An Post has achieved sufficiently high following day delivery throughout the service; if he proposes to take policy decisions to ensure a delivery service in keeping with best practice worldwide; and if he will make a statement on the matter. [38774/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Matters relating to quality and levels of postal service are a matter in the first instance for the management and board of An Post.

The Commission for Communications Regulation, ComReg, in accordance with the provisions of S.I. 616 of 2002 European Communities (Postal Services) Regulations, is responsible for the monitoring, measurement and regulation of the postal sector including measuring the levels of service to be achieved by An Post and ensuring that the company abides by its statutory universal service obligations.

Alternative Energy Projects.

135. **Ms Lynch** asked the Minister for Communications, Marine and Natural Resources the action he has taken in response to complaints from householders and businesses in relation to the adoption of wood pellet boilers and biomass heating technology whereby installation and supply problems with this renewable energy source make its current adoption impossible; and if he will make a statement on the matter. [38852/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): There are no market problems as implied by the Deputy's question and the deployment of the technologies concerned is continuing as normal.

The Greener Homes Scheme, which I launched in March, provides grant aid for domestic renewable heat technologies. Approximately 44% of the applications received to date relate to wood pellet boilers or stoves.

The BioHeat Programme, which I launched in June, aims to increase the deployment of biomass heating systems fuelled by wood chips and wood pellets in large buildings and small industrial sites in Ireland. In doing this the programme also aims to achieve carbon emission savings and fossil fuel displacement, increase customer awareness and confidence in heating from biomass and develop the capability of the Irish wood fuel supply chain. A total of 37 systems have been approved under this programme with ten installed to date.

Sustainable Energy Ireland (SEI) has endeavoured to ensure that all prospective purchasers have sufficient objective information that will inform their choice. This includes general guidance on technology options as well as more specific information on fuel purchase and storage con-

[Mr. N. Dempsey.]

siderations. In the case of the Greener Homes Scheme, because of the newness of the technology to the Irish market, this takes the form of an easy to read step by step Buyer's Guide.

In response to a customer requirement to identify the closest supplier options for them SEI has developed a list of Known Wood Fuel Suppliers identifying location and supply options. This list contains 53 suppliers countrywide the majority of which supply pellets in bagged form.

Fisheries Protection.

136. **Mr. Howlin** asked the Minister for Communications, Marine and Natural Resources if he will raise the problems of overfishing and the use of illegal nets and tackle by other EU fishing fleets in Irish waters as discussed by the Houses of the Oireachtas during the Fisheries Act 1980 discussions earlier in 2006 at the forthcoming EU sea fisheries negotiations under the Common Fisheries Policy; and if he will make a statement on the matter. [38840/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Over-fishing and illegal practices by other EU fishing fleets in Irish waters are and have been a matter of ongoing concern to me, to my colleague Minister of State Browne, and to the Department. Illegal practices militate against the protection of our fisheries resources, and their exploitation in a sustainable way into the future.

I have previously raised Ireland's concerns on these issues with Commissioner Borg and along with Minister Browne, I will continue to do so. A Commission proposal to introduce electronic log books is under consideration at today's Fisheries Council, which Minister Browne is attending. Ireland has been at the forefront at pushing for the introduction of this new technology which will provide a significantly enhanced capability for monitoring catches at sea.

The Common Fisheries Policy imposes obligations on all member states in relation to the monitoring and control of the activities of their fishing fleets, and Ireland will continue to press for strengthened controls at European level. The recently established Community Fisheries Control Agency will help to improve co-operation and co-ordination between the control authorities of member states.

At national level, our Control Authorities and our Naval Service are enhancing their monitoring and inspection systems, with upgraded communications systems, greater co-ordination between agencies and the appointment of additional inspection staff at our ports.

A new Sea Fisheries Protection Authority will come into being on 1 January 2007. The new Authority will further strengthen Ireland's capacity to monitor and control illegal activities in Irish waters.

Electricity Generation.

137. **Mr. Deenihan** asked the Minister for Communications, Marine and Natural Resources if he is satisfied that sufficient generating capacity exists to ensure the continuity of supply and the integrity of Eirgrid for the foreseeable future; if sufficient surplus supply exists to cater for all eventualities; and if he will make a statement on the matter. [38793/06]

147. **Mr. Costello** asked the Minister for Communications, Marine and Natural Resources his views on the fact that worries are being expressed that Ireland's electricity generation capacity will be inadequate from 2008/2009 onwards; the steps he may be taking to ensure that sufficient generation will be brought on stream from 2007 to ensure energy security here; if there will be a tight supply demand balance in winter 2006; if there have been amber or red alerts in the electricity system in the past year; and if he will make a statement on the matter. [38825/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 137 and 147 together.

The economy and society overall require that energy supply meets the demands of Irish consumers, and industry, at all times. The Commission for Energy Regulation (CER), has broad statutory functions in relation to security of electricity supply in line with EU Directives. It is the duty of the CER to monitor the security of supply of electricity and to take such measures as it considers necessary to protect security of supply. In particular, the CER can host a competition to acquire the necessary generation or it can direct the Transmission System Operator, ESB or any licensed undertaking to put in place any arrangements that the CER considers necessary to protect security of supply.

EirGrid's statutory role, as the independent Transmission System Operator, is to deliver quality connection, transmission and market services to generators, suppliers and customers utilising the high voltage electricity system, and to put in place the grid infrastructure required to support the economy. In fulfilling this role, EirGrid is required to develop, maintain and operate a safe, secure, reliable, economical and efficient transmission system.

In co-operation with EirGrid, the CER carries out extensive ongoing monitoring to identify any factors affecting security of supply at an early stage so that any necessary measures can be taken.

In line with international norms, the generation system in Ireland is designed, planned and monitored such that it meets a standard which requires it to meet all reasonable demands for supply. This is designed to ensure that, in designing the system, the appropriate balance is met between

protecting security of supply and the cost of building and running the system.

At my request, CER and Eirgrid have been briefing myself and my Department on a regular basis on the prognosis for winter 06/07 and generation adequacy in the medium term. The CER advises me that it is satisfied the generation system is currently adequate to meet demand, and provides a sufficient margin to meet the security standard. The CER has also advised that there is sufficient capacity and arrangements in place to provide for demand to be met in the short term.

The CER is taking measures to facilitate the development of the system such that it remains adequate to maintain that security standard. Security of supply will be enhanced in the longer term with the development of additional electric interconnection and the development of the Single Electricity, and the resulting all-island approach to security of supply.

With regard to existing generation capacity, the most recent advice to me from CER and EirGrid is that generation adequacy in terms of the supply — demand balance will be manageable up to 2009 provided however that projections by generation companies regarding performance and availability are met and that planned new generation capacity comes on stream to schedule. Eirgrid will shortly publish its Generation Adequacy Review 2007-2013 which will set out its assessment of supply-demand over the period.

System alerts are indicators issued by the EirGrid, as the independent TSO, to power station operators so as to encourage conservative operational practices at times of lower than usual spare generating capacity. The CER advises that the occurrence of any alerts on the system is contingent on both the level of demand over the winter, which will be determined, in part, by the weather, and the availability of plant to meet that demand. Similar to recent winters, during times of peak demand, the Commission anticipates that there may be times when alerts will be initiated in order to signal the appropriate actions for generators.

I am advised by the CER and EirGrid that up to 16 November this year, there have been 19 amber alerts and no red alerts issued. For comparison, in 2005, there were 46 amber alerts and 1 red alert issued. While I have been assured by the CER and EirGrid that there has been no occasion this year when electricity supply to customers was affected by a capacity shortfall, I am advised that they are considering additional measures that can be put in place to minimise the occurrence of instances where alerts are called for.

The Government is also concerned to ensure that adequate provision is also made to encourage the development of an electricity portfolio, which can support and complement the ambitious targets which we have now set for renewable

growth. Decisions in this regard by the CER, EirGrid and the Government will be informed by the need to ensure capacity and competition in the generation sector while reflecting the overriding consideration of security of supply.

Question No. 138 answered with Question No. 100.

139. **Mr. Hogan** asked the Minister for Communications, Marine and Natural Resources his preferred options to generate competition in the electricity industry with particular reference to the need to deliver the benefits of competition to the consumer in the form of reduced energy costs; and if he will make a statement on the matter. [38750/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Government's Green Paper on Energy Policy outlines future directions for energy policy based on the three pillars of:

- security of supply;
- environmental sustainability and;
- economic competitiveness.

Ireland's continued economic growth and competitiveness depends on a reliable and competitively priced energy supply. The competitiveness of Irish energy supply requires action on a number of fronts including:

- effectively liberalising gas and electricity sectors by implementing energy market mechanisms, and
- enabling competition by reforming institutional arrangements and market structure.

The introduction of the Single Electricity Market (SEM) in 2007, is a key policy imperative which will enhance scale and encourage new entrants.

The continued liberalisation of the electricity and gas markets will also further enhance competition. This includes the full opening of the natural gas market to augment the fully open and contestable electricity market. This is provided for in the Energy (Miscellaneous Provisions) Bill 2006.

In relation to reforming institutional arrangements and market structure, the Government has stated its commitment to the retention of a strong commercially viable ESB and the retention of certain strategic electricity assets, including networks and certain generation assets, in State ownership.

I am on the record as stating that the Government does not in any circumstances favour the fragmentation of the ESB. I believe such a move would not reduce prices, but could in fact increase them and endanger security of supply and competitiveness. The need however for struc-

[Mr. N. Dempsey.]

tural change within the electricity sector and for ESB itself is clearly articulated in the Green Paper.

Enhanced competition in generation will act as a catalyst for improvements in operation and maintenance costs, productivity, availability, flexibility and innovation. As part of action to mitigate ESB's dominance in mid-merit price-setting I am also giving consideration to the option of creating a 'landbank' of suitable sites, to offer a predictable pattern of access to suitable generation sites in Ireland for new entrants to this market. This would remove a significant barrier to new entry and has been used successfully elsewhere to encourage new entry.

Bord na Móna.

140. **Mr. P. Breen** asked the Minister for Communications, Marine and Natural Resources his plans for the future of Bord Na Móna and the role he expects the company to fulfil in the future; and if he will make a statement on the matter.

[38804/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Government's objective with regard to Bord na Móna is to ensure the long-term viability of the Company having regard to the declining and finite nature of its existing businesses.

I approved, with the consent of the Minister for Finance, Bord na Móna's future strategy proposals in October 2005. Included in the strategy are projects in the renewable energy, waste management and environmental solutions areas.

I fully support the overall strategic direction charted by Bord na Móna which will position the company firmly to develop opportunities in the renewable energy sector in line with overall energy policy objectives.

The successful implementation of the approved strategic direction now being taken by Bord na Móna should ensure that the Company remains a major employer in the Midlands region, and that the company continues to make a significant, indeed expanded, contribution to Government priorities for the Irish energy sector.

Aquaculture Development.

141. **Ms Burton** asked the Minister for Communications, Marine and Natural Resources if he will report on the national sea fisheries and seafood strategy and on the way this will be facilitated by the next phase of the National Development Plan; and if he will make a statement on the matter. [38841/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Minister of State John Browne and myself established the Seafood Strategy Review Group in June 2006

with the objective of consulting with all stakeholders to devise a strategy for the 2007-13 period for the delivery of a sustainable and profitable seafood industry in Ireland.

I expect to receive the report of the Seafood Strategy Review Group within the next two to three weeks. This report will set out the development strategy for the sea fisheries, seafood and aquaculture sectors.

The achievement of the strategy will require the taking of a set of integrated, market led actions to improve competitiveness and profitability across all the sectors of the industry — sea fishing, aquaculture, processing and marketing — by targeting investment so as to achieve the highest level of value generation within the Irish seafood industry.

The strategy will feed into the Seafood Development element of the new National Development Plan being drawn up for the 2007-2013 period so that the seafood sector, including the Aquaculture sector, will have access to the necessary development funding for the coming years.

Broadcasting Services.

142. **Mr. Ring** asked the Minister for Communications, Marine and Natural Resources if all religious broadcasts from the various churches here which were discontinued on the FM service have been fully restored on an alternative frequency; and if he will make a statement on the matter. [38747/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Commission for Communications Regulation (ComReg) is the statutory body responsible for spectrum management.

Earlier this year ComReg established a licensing scheme to permit wireless public address systems (WPAS), and allow what is seen as a valuable community service to continue in a way that is regulated and will not cause problems for the broadcasting content regulator and other users of radio spectrum.

The Regulations providing for this licensing scheme required my consent as Minister for Communications, under the Wireless Telegraphy Act 1926 and were put in place last June.

I would refer the Deputy to ComReg for any further questions in relation to this scheme (www.comreg.ie).

Question No. 143 answered with Question No. 100.

Environmental Policy.

144. **Mr. Sherlock** asked the Minister for Communications, Marine and Natural Resources the contribution his Department makes to formulating the Government's climate change

policy; if, in view of the landmark Stern Report on climate change and the second meeting of the parties to the Kyoto Protocol in Kenya, he will review the current Irish climate change policy; if he will ensure that an accelerated biofuels policy plays a key role in the Irish effort to tackle climate change; if he has reviewed the recent Energy in Transport 2006 Report publication from Sustainable Energy Ireland; and if he will make a statement on the matter. [38857/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My colleague, the Minister for the Environment, Heritage and Local Government, has lead responsibility for Government policy on climate change, including the Review of the National Climate Change Strategy. The Review, entitled “Ireland’s Pathway to Kyoto Compliance” was published for consultation earlier this year and is currently being considered by the Minister.

My Department participates in the Inter-Departmental Team on Climate Change, which deals with a wide range of related policy issues including the overall allocation of allowances under the EU Emissions Trading Scheme and the Review of the National Climate Change Strategy.

A range of initiatives are in place to support the development of a biofuels sector in Ireland. The 2005 pilot mineral oil tax relief scheme for biofuels has resulted in eight projects being awarded excise relief for a two-year period under the scheme including four pure plant oil, three biodiesel or other biofuel and one bioethanol proposal.

Building on the success of this scheme I launched the Biofuels Mineral Oil Tax Relief Scheme II, valued at over €200m, in July 2006. The scheme will be rolled out this year and will

enable us to reach the initial target of 2% market penetration of biofuels by 2008. When fully operational the relief is expected to support the use and production of some 163 million litres of biofuels each year. The successful applicants under the scheme will be announced shortly.

I welcome the recently published “Energy in Transport, Trends and Influencing Factors”, published by Sustainable Energy Ireland which is a valuable source of statistics, information and analysis regarding energy trends in the transport sector.

Question No. 145 answered with Question No. 101.

Question No. 146 answered with Question No. 120.

Question No. 147 answered with Question No. 137.

Question No. 148 answered with Question No. 114.

Telecommunications Services.

149. **Mr. Sargent** asked the Minister for Communications, Marine and Natural Resources the new metropolitan networks due to be constructed in 2006 and in 2007; and the contracted cost for the construction of each such local network. [38788/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Details of the 90 Metropolitan Area Networks (MANs) to be constructed during 2006 and 2007 and contracted costs for the 26 MANs currently under construction are as follows.

Metropolitan Area Networks	County	Total Contracted Price
		€m
Bantry	Cork	n/a
Blarney	Cork	n/a
Carrigaline, Ringaskiddy, Passage West	Cork	n/a
Charleville	Cork	n/a
Cobh	Cork	n/a
Dunmanway	Cork	n/a
Fermoy	Cork	n/a
Kanturk	Cork	n/a
Kinsale	Cork	n/a
Midleton	Cork	n/a
Mitchelstown	Cork	n/a
Skibbereen	Cork	n/a
Youghal	Cork	n/a
Ballybofey/Stranorlar	Donegal	2.32
Ballyshannon	Donegal	1.57
Buncrana	Donegal	2.11
Bundoran	Donegal	1.22

[Mr. N. Dempsey.]

Metropolitan Area Networks	County	Total Contracted Price
		€m
Carndonagh	Donegal	1.57
Donegal Town	Donegal	2.87
Donabate	Fingal	n/a
Lusk	Fingal	n/a
Portrane	Fingal	n/a
Skerries	Fingal	n/a
Athenry	Galway	1.48
Ballinasloe	Galway	3.39
Clifden	Galway	1.82
Gort	Galway	1.18
Loughrea	Galway	1.97
Castleisland	Kerry	n/a
Dingle	Kerry	n/a
Kenmare	Kerry	n/a
Killarney	Kerry	n/a
Listowel	Kerry	n/a
Tralee	Kerry	n/a
Clane	Kildare	n/a
Kilcock	Kildare	n/a
Kildare	Kildare	n/a
Maynooth	Kildare	n/a
Monasterevin	Kildare	n/a
Newbridge	Kildare	n/a
Rathangan	Kildare	n/a
Sallins	Kildare	n/a
Longford	Longford	2.49
Ballinrobe	Mayo	n/a
Claremorris	Mayo	n/a
Knock Airport	Mayo	n/a
Athboy	Meath	0.37
Duleek	Meath	0.37
Dunboyne/Clonee	Meath	1.78
Dunshaughlin	Meath	1.15
Kells	Meath	1.56
Laytown — Bettystown	Meath	0.40
Navan	Meath	3.40
Ratoath	Meath	0.42
Trim	Meath	1.40
Clara	Offaly	n/a
Edenderry	Offaly	n/a
Moate	Westmeath	n/a
Mountmellick	Laois	n/a
Portarlington	Laois	n/a
Ardee	Louth	1.93
Bailieborough	Cavan	1.28
Castleblaney	Monaghan	2.45
Clones	Cavan	1.39
Cootehill	Cavan	1.61
Boyle	Roscommon	n/a
Castlerea	Roscommon	n/a
Cahir	Tipperary	n/a
Carrick-on-Suir	Tipperary	n/a

Metropolitan Area Networks	County	Total Contracted Price
		€m
Cashel	Tipperary	n/a
Dunmore East	Waterford	n/a
Muine Beag (Bagenalstown)	Carlow	n/a
Thomastown	Kilkenny	n/a
Tipperary	Tipperary	n/a
Tramore	Waterford	n/a
Tullow	Carlow	n/a
Abbeyfeale	Limerick	n/a
Banagher	Offaly	n/a
Birr	Offaly	n/a
Kilrush	Clare	n/a
Nenagh	Tipperary	n/a
Newcastle West	Limerick	n/a
Roscrea	Tipperary	n/a
Templemore	Tipperary	n/a
Blessington	Wicklow	n/a
Enniskerry	Wicklow	n/a
Kilcoole-Newtownmountkennedy	Wicklow	n/a

Question No. 150 answered with Question No. 112.

151. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources if he will report on the regular meetings that his Department is conducting with the broadband service providers; when he will bring proposals to Government on achieving 100% broadband enablement of the State; if he is considering including an upgrading of all telephone exchanges and fixing the problem of shared lines within these proposals; if the cost of this proposal may be up to €200 million; if such investment would ensure that the State receives a stake in the critical communications network; if he plans a tendering process along the lines of the contract that was awarded to BT in Northern Ireland; the role he envisages for e-net and the MANs in this proposal; and if he will make a statement on the matter. [38853/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I meet with industry and interested parties on a regular basis in pursuit of my objective to facilitate the widespread availability of competitively priced broadband in Ireland.

The provision of telecommunications services, including broadband, is a matter in the first instance for private sector companies operating in a fully liberalised market, regulated by the independent Commission for Communications Regulation, ComReg.

The role of Government is to implement regulatory and infrastructure policies to facilitate the provision of affordable, high quality telecom-

munications services, by competing private sector service providers.

However, it has been clear for some time that the private sector has failed to invest at the level necessary to keep pace with the demand for broadband. Direct funding has already been provided under the NDP 2000-2006 for the provision of backbone infrastructure and to upgrade local access infrastructure. My Department's regional broadband programme is addressing the infrastructure deficit by building high-speed open access broadband networks, in association with the local and regional authorities, in the major towns and cities. These Metropolitan Area Networks (MANs) allow the private sector to offer world-class broadband services at competitive costs. The networks also offer towns opportunities to attract inward investment in advanced technology and knowledge based enterprises.

The Department also offered funding assistance for smaller towns and rural communities through the Group Broadband Scheme. The scheme is technology-neutral, allowing the community to select the most suitable broadband delivery platform for the area.

Despite private and public investment in broadband infrastructure there are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. Options to address these gaps in broadband coverage are currently being considered by a Steering Group comprising officials from my Department and representatives from Comreg. I expect to finalise proposals shortly.

Question No. 152 answered with Question No. 127.

Fisheries Protection.

153. **Mr. Wall** asked the Minister for Communications, Marine and Natural Resources further to the recent research in the International Journal Science that concluded that by 2050 there will be virtually no global fish stocks left, that stocks have already collapsed in around one-third of sea fisheries and that the decline is rapidly increasing across the globe, the measures he will undertake to ensure the long-term sustainability of fish stocks here; the proposals the Government has suggested at EU level to combat declining fish-stocks; if he will introduce a sea fisheries sustainability impact assessment based on consultation with all major stakeholders and which would be brought before Dáil Éireann on an annual basis; and if he will make a statement on the matter. [38851/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The report to which the Deputy refers made a number of worrying points in relation to the consequences of the loss of biodiversity, the effects of over-fishing, loss of species, and their effects on the ability of the oceans to heal themselves. However, the report's main author goes on to say "I am confident we will not go there because we will do something about it".

Here in Ireland, we are well aware that ocean management and fisheries management are inter-linked. We know the issues in the waters around Ireland and we are working to address them at national, EU and international level.

Fish stocks in the waters around Ireland are exploited under the umbrella of the EU Common Fisheries Policy. A fundamental principal underpinning this Policy is to manage the exploitation of the stocks in a way that protects their long-term viability. The Marine Institute reports that over 75% of the key commercial stocks around Ireland are outside safe biological limits with either a low stock size or unsustainable levels of exploitation.

We are working hard to strengthen conservation and promote sustainability. For example, the EU designated a Biologically Sensitive Area off our south coast in 2003 in recognition of the importance of this area for juvenile fish and for spawning. A recovery plan for hake, near collapse in 2000, was also introduced and the stock has rebuilt.

We must improve our knowledge base and also work towards effective enforcement at national, EU and international level. Irish scientists, industry and managers are working together for example on a suite of new projects that will improve the assessment and advice for key stocks:

- Anglerfish off the West of Ireland (surveys on fishing vessels)
- Cod in the Celtic Sea (closed boxes introduced to help stock recover)

- Irish Sea Cod Recovery Box.

We must deliver strengthened control and a level playing field and I have pursued this agenda strongly at EU level since my appointment.

Our common goal is to have a sustainable fishing industry with sustainable fish stocks, operating in a sustainable ocean. This must be done in partnership with stakeholders at EU and international level. I see little benefit in introducing a sustainable impact assessment to be brought before Dail Eireann. As we are operating within a common EU policy, a focus on a national framework would have limited value.

At EU level there is a substantial framework for assessment in place involving scientific evaluation on the state of the stock by the International Council for the Exploration of the Seas (ICES), an assessment of the economic and social aspects of the scientific advice by the EU Scientific, Technical and Economic Committee for Fisheries (STECF) and stakeholders assessment by the Regional Advisory Councils (RACs). All of this operates within a very tight time frame to inform consideration of TACs and quotas, for the following year, at the December Fisheries Council.

Energy Resources.

154. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources if he is currently examining an extension of Ireland's strategic gas reserves; his views on the development of electricity storage projects in view of the dramatic increase in wind generation; and if he will make a statement on the matter. [38862/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I can advise the Deputy that one of the strategic objectives set down in the All-island energy development framework for natural gas is a common approach on natural gas storage and Liquid Natural Gas (LNG). With this in mind, the issue of a strategic gas reserve is one of the issues to be addressed by means of an all-island study to be commissioned jointly by my Department and the Department of Enterprise, Trade and Investment for Northern Ireland (DETINI). Both Departments are jointly engaged in a tender process in this regard, which closes at the end of this month.

The successful tenderer will be required to assess the medium to long-term position with regard to security of natural gas supply and to consider the scope for a common approach on storage and LNG with a view to optimising that position. The study will have regard to industry views and to any existing capacities, as well as to any planned or proposed developments for storage and LNG. I am advised that a contract for the study will be placed by the end of January

next at the latest with a view to the report being finalised by mid 2007.

Security of supply in relation to electricity is a matter for the Commission for Energy Regulation (C.E.R) in accordance with the provisions of Article 28 of the European Communities (Internal Market in Electricity) Regulations 2005 (S.I. No. 60 of 2005). Specifically, Article 28 provides that it shall be the duty of the CER to monitor the security of supply of electricity and that the Commission shall take such measures as it considers necessary to protect security of supply. In the performance of its functions, the CER is advised by EirGrid, the Independent Transmission System Operator.

In its Generation Adequacy Report 2006-2012, EirGrid identifies system operation issues as a result of increasing wind generation as one of the key issues to be addressed to ensure that electricity demand continues to be met. With this in mind, I am advised by the CER that it has requested EirGrid to update its study carried out in 2004 on the economic and operational impacts of wind penetration with a view to identifying any necessary actions which need to be taken.

With regard to electricity storage projects, the CER advises me that while it would welcome initiatives in relation to electricity storage and the potential benefits which could be accrued from these, it would not view them at present as having a significant role in relation to security of supply. In terms of security of supply, the CER advises that other mechanisms such as increased inter-connection, the development of the Single Electricity Market, continued improvements in thermal plant efficiency and availability as well as medium to long term needs for new plant should be given priority consideration in order to ensure generation adequacy into the future.

Energy Policy.

155. **Mr. Cuffe** asked the Minister for Communications, Marine and Natural Resources if he is in favour of the introduction of net metering for domestically produced electricity as exists in Northern Ireland and other jurisdictions; and the discussions his Department has had with the CER with regard to its recently produced consultation report on the matter. [38783/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Energy Policy Green Paper: Towards a Sustainable Energy Future for Ireland sets out the Government's commitment to realise the potential of small-scale renewable sources. Sustainable Energy Ireland (SEI) is undertaking comprehensive analysis in relation to metering and reward systems that adequately and equitably treat both generators and system operators. There is no doubt that we can learn from successful experiences elsewhere and I expect that the necessary comparative analysis will feature in SEI's work.

The CER has issued a consultation paper on arrangements for micro-generation which deals with metering issues, including net metering and smart metering. Smart metering has clear potential applications in encouraging energy efficiency, which is a key energy policy objective.

Offshore Exploration.

156. **Mr. Noonan** asked the Minister for Communications, Marine and Natural Resources if he proposes to examine again all aspects of the Corrib gas issues with particular reference to the need to utilise and make available this important natural resource at the earliest possible date; if he will make one final effort to resolve the outstanding matters which if allowed to continue will do considerable, if not, irreparable damage to the national image; and if he will make a statement on the matter. [38770/06]

159. **Mr. M. Higgins** asked the Minister for Communications, Marine and Natural Resources if he will review his position in relation to the commission of inquiry proposal from the Shell to Sea campaign; his views on face to face talks between representatives of the Erris and north Mayo community and the management teams of companies (details supplied); the way the present stand off will be resolved for the wellbeing of the people of Mayo and Ireland; and the role he is prepared to pursue to find an urgent agreed resolution. [38833/06]

175. **Ms Enright** asked the Minister for Communications, Marine and Natural Resources the number and nature of the issues which lead to the ongoing Corrib gas field dispute; the extent to which all such issues have been examined; the areas on which resolution or agreement has been achieved; the number of issues outstanding and the best way these might be resolved with a view to enabling the development to proceed and the availability of product for the market here; and if he will make a statement on the matter. [38769/06]

366. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources when he expects all the outstanding issues surrounding the development of the Corrib gas field, onshore and offshore, to be resolved; and if he will make a statement on the matter. [38884/06]

367. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the number and nature of the issues which lead to the ongoing Corrib gas field dispute; the extent to which all such issues have been examined; the areas on which resolution or agreement has been achieved; the number of issues outstanding and the way these will be resolved with a view to enabling the development to proceed and the availability of product for the market here; and if

[Mr. Durkan.]

he will make a statement on the matter.
[38885/06]

368. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if he proposes to examine again all aspects of the Corrib gas issues with particular reference to the need to utilise and make available this important natural resource at the earliest possible date; if he will make one final effort to resolve the outstanding matters which if allowed to continue will do considerable, if not, irreparable damage to the national image; and if he will make a statement on the matter. [38886/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 156, 159, 175 and 366 to 368, inclusive, together.

In view of the strategic importance of the Corrib Gas project, I have, over the past eighteen months, been proactively engaged in efforts to create the conditions that would allow the difficulties associated with the project to be resolved.

My statutory responsibilities in this matter relate to the regulatory aspects of petroleum exploration and development and I would like to emphasise that in this regard all of the required statutory approvals are in place. These approvals were only given after intense scrutiny of the various applications made to my Department. It was only after my predecessor was fully satisfied both in relation to the technical, safety and environmental aspects of the proposals that approval was given.

Authorisations were granted for the Corrib gas field under a number of provisions. Under the Continental Shelf Act 1968, authorisation was given for the construction of the sub-sea facilities. Consent was also given for the Plan of Development of the field under the Petroleum and Other Minerals Development Act 1960. Under the Gas Act 1976, as amended, consent was given for the construction of a gas pipeline from the gas field through the offshore up to the terminal building. A foreshore licence was also granted under the Foreshore Acts. In addition, An Bord Pleanála granted planning permission for the gas terminal.

Arising from local concerns about the safety of the onshore upstream gas pipeline, I had a further comprehensive safety review of the pipeline carried out by Advantica consultants last year. Advantica is a world leader in the development and application of advanced hazard and risk assessment technologies for gas pipelines.

It was a priority for me that people who had views relating to the safety of the pipeline should have the opportunity to have those views considered by Advantica. During the period of the review, views were invited from local residents, communities and any interested party. A two-day public hearing was also held in the locality. The

draft safety review was presented to the community and further comments were invited before the report was published.

The Advantica report found that proper consideration was given to safety issues in the selection process for the design option and route. Moreover, the review found that so long as a number of measures were implemented, the project would carry a substantial safety margin and that both the pipeline and route should be accepted as meeting or exceeding international best practice.

A separate Technical Advisory Group, which supervised the safety review, made a series of further recommendations, covering, among other things, issues of design code, the drawing up of a Pipeline Integrity Management Plan and a range of measures on which the developer would have to gain approval to ensure that the actual construction and installation of the pipeline would be to highest international standards.

I published the full details of all of these recommendations in May of this year. The developer, Shell, has accepted the recommendations made by both Advantica and the Technical Advisory Group and has committed itself to meeting all of these requirements fully. Shell has notified my Department that they are well advanced with the additional work necessary to comply with these requirements.

I also appointed Mr. Peter Cassells as mediator in the dispute. Mr. Cassells was appointed following consultation with the protestors and Shell. Both sides agreed to this appointment. Mr. Cassells reported in July 2006. Shell has accepted the recommendations made by the mediator. Shell has indicated publicly that, in line with Mr Cassells' recommendations, it is considering alternative pipeline routes and will consult widely when it has come to a conclusion in relation to options.

Protestors have recently been focusing their concerns on the siting of the terminal at Bellanaboy. Although I do not have a function in relation to planning matters, I would point out that the terminal has undergone a rigorous planning process over a three and a half year period following which An Bord Pleanála granted permission for the terminal. The terminal has been the subject of two applications for planning permission to Mayo County Council, one of which was following an initial refusal by An Bord Pleanála.

I do not believe that there is a basis for a commission of enquiry as the various aspects of this project have been subject to rigorous scrutiny through a number of formal consent processes. The project has already been delayed to a very significant extent and a formal commission of enquiry would inevitably prolong the delay in getting a strategically important resource into production, without serving any useful purpose.

In conclusion, although the current situation at the terminal site is of course regrettable, I think

any reasonable person will agree that the Advantica, the Technical Advisory Group and the Cassells reports moved a huge distance towards allaying the local concerns relating to this project. It has always been my priority to encourage dialogue and to enlist the help of independent bodies and individuals, as I have outlined.

Postal Services.

157. **Mr. Neville** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to deficiencies in the postal delivery services which appear to affect specific areas; if he has issued instructions or had discussions with the Regulator of An Post, with a view to identification of the underlying cause or causes of such deficiencies in the service; and if he will make a statement on the matter. [38773/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Matters relating to quality and levels of postal service are a matter in the first instance for the management and board of An Post.

The Commission for Communications Regulation, ComReg, in accordance with the provisions of S.I. 616 of 2002 European Communities (Postal Services) Regulations, is responsible for the monitoring, measurement and regulation of the postal sector including measuring the levels of service to be achieved by An Post and ensuring that the company abides by its statutory universal service obligations.

Question No. 158 answered with Question No. 102.

Question No. 159 answered with Question No. 156.

Legislative Programme.

160. **Mr. McEntee** asked the Minister for Communications, Marine and Natural Resources the reason the Postal Services Miscellaneous Provisions Bill was withdrawn; if it is intended to replace it with alternative legislation; and if he will make a statement on the matter. [38807/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Postal (Miscellaneous Provisions) Bill that was published in 2001 provided for the issue, sale and disposal of shares in An Post in the context of an Employee Share Ownership Plan (ESOP) and possible strategic alliance. The Bill also contained ancillary provisions arising out of a possible change of ownership.

The financial and industrial relations environment in An Post has changed substantially since 2001. The company experienced significant losses that led to the adoption of a recovery strategy by the Board. Implementation of the recovery strategy which included negotiation of

a new industrial relations agreement in order to return the company to sustained profitability became the key focus in relation to An Post. As a result, the Postal Miscellaneous Provisions Bill, the objective of which was to give statutory effect to the ESOP, was withdrawn from the Dail Order paper on the basis of the uncertain IR and financial situation prevailing in An Post.

Nevertheless, the Government and I remain fully committed to an ESOP in An Post if it can be demonstrated that real business transformation can occur in the context of the recovery strategy. If and when this is achieved, the legislative agenda can be revisited.

Question No. 161 answered with Question No. 82.

Salmon Fishing Sector.

162. **Mr. S. Ryan** asked the Minister for Communications, Marine and Natural Resources if he will review and improve the compensation package proposed for drift net fishermen particularly in areas like the south east where historic and modest fisheries are being terminated following the Government decision on the report of the Independent Salmon Group; and if he will make a statement on the matter. [38836/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): As the Deputy is aware I appointed the Independent Group to examine the implications of alignment with the scientific advice for the commercial salmon fishing sector in 2007 and beyond. As part of their remit the group made recommendations to address any financial hardship that may be experienced by the sector. The approach they adopted to determining the hardship payments is robust and convincing.

In their report the group commented that the level of hardship likely to be experienced would vary both in extent and scale. Taking all factors into account and based on available information, noting particularly that there is no legal obligation on the State to provide compensation in a situation where it is imposing management measures that are fundamentally in the public good, they proposed to provide a measure of relief to each individual in line with the level of hardship likely to be experienced. They recommended that this should be based on the recent catch history of the individual licence holder (2001 to 2005). The Government accepted the recommendation of the Independent group and has determined that the level of payment should be based on the average net income per salmon in the commercial fishery for the past five years (2001 to 2005). This income calculation was based, by the group, on the average price obtained per fish each year less the costs incurred by fishermen. Each individual licence holder who applies to the fund is set to receive six times their

[Mr. N. Dempsey.]

average catch multiplied by the average net income per salmon. An additional payment equal to 6 times the current licence fee will be made in all cases. I believe this is a fair and reasonable allocation and does not need to be modified.

The Deputy will appreciate that cessation of the mixed stock interceptory fishery should, in particular, benefit the returning stocks to areas like the south east.

Question No. 163 answered with Question No. 127.

Question No. 164 answered with Question No. 94.

Communications Masts.

165. **Mr. Callely** asked the Minister for Communications, Marine and Natural Resources the advice and submissions he has received with regard to safety issues associated with mobile phones and mobile phone masts; the safety monitoring measures that are in place to assess non-ionising radiation; and if he will make a statement on the matter. [38715/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The limits for non-ionising radiation are global limits established internationally by the International Commission for Non Ionising Radiation Protection (ICNIRP). There is currently no scientific or medical evidence that emissions below the level of internationally recognised guidelines from mobile telephony are injurious to health. The Commission for Communications Regulation (ComReg), the regulator, conducts audit measurements to verify compliance with these limits.

The health concerns of some members of the public were highlighted in the Joint Committee on Communications, Marine and Natural Resources' "Non-ionising radiation from mobile phone handsets and masts" report, published in June 2005. This report made a number of recommendations about the continuing safety of mobile phones.

In September of last year Government set up an interdepartmental committee, chaired by my Department, to report on appropriate actions on these recommendations and examine Government policy with regard to any potential health effects, if any, of electromagnetic fields. In order that the interdepartmental Committee will have the most up to date scientific and medical evidence available to them, the Committee has set up an Expert Group to prepare a report on the potential health effects of electromagnetic fields.

As part of their review, the Expert Group sought submissions from individuals, local authorities, Industry and concerned citizens groups. These submissions provided the Group with the

key relevant questions raised by the respondents. They met with representatives of some of these last February, where further information was sought by the Expert Group regarding the issues faced from an Irish perspective.

The Expert Group are now finalising their report. This report will cover all aspects of potential health effects of electromagnetic fields, including; radio frequency fields used in mobile telephony; extremely low frequency fields used for electricity power distribution; static fields used for medical imaging; potential risks to children and the question of whether some individuals may be sensitive to these fields.

It is not possible to present the recommendations of the Interdepartmental Committee at this time, as the work of the Committee is ongoing and is not due to be completed until the end of the year.

Offshore Exploration.

166. **Mr. Bruton** asked the Minister for Communications, Marine and Natural Resources if he has examined the Price Waterhouse Report and analysis of petroleum exploration terms in Ireland, UK, Norway, Denmark and the Netherlands; if he will incorporate parts of the report in future exploration and licensing policy; and if he will make a statement on the matter. [38748/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I am aware of a report "An Economic Analysis of Petroleum Exploitation Terms in Ireland, the U.K., Norway, Denmark, and the Netherlands" that was published by Price Waterhouse in 1988. One of the authors of that report is leading the team that has been engaged by my Department to assist with the review of the licensing terms for petroleum exploration and production. The work already undertaken by my Department and its advisers in reviewing the existing licensing regime, together with the work currently being undertaken by Indecon, has included peer analysis that included the oil provinces mentioned by the Deputy.

Broadcasting Legislation.

167. **Dr. Upton** asked the Minister for Communications, Marine and Natural Resources when he will publish the Deloitte and Touche and William Fry Solicitors report on the future of TG4 in the context of the current consultation process on the Broadcasting Bill and his decision to make TG4 an independent statutory body; the amount this report has cost his Department; the way he plans for TG4 to be funded in the long-term; and if he will make a statement on the matter. [38859/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I intend to publish the Deloitte and Touche report, on the

preparation of an implementation plan for the establishment of TG4 as an independent statutory body, in whole or in part, in due course. However, the report will first need to be considered by the Project Management Group set up to oversee the establishment of TG4 as an independent body. The report contains some commercially sensitive information that may not be published. The cost to the Department of this report was €88,935, inclusive of VAT. TG4 will continue to receive grant aid from the Exchequer to fund their operations in 2007, along with the income they receive from advertising.

Question No. 168 answered with Question No. 127.

Offshore Exploration.

169. **Mr. S. Ryan** asked the Minister for Communications, Marine and Natural Resources if his Department has held discussions with the energy and exploration departments of experienced oil and gas provinces like Norway, Denmark, Newfoundland or the UK in relation to the development of exploration expertise in the public service and the licensing and management of national fossil fuel exploration and recovery; and if he will make a statement on the matter. [38835/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My Department has formal contacts with the Oil and Gas Ministries of a number of other north-western European countries through annual meetings. The other countries involved include Norway, Denmark, the UK, France, Germany and the Netherlands. These contacts between senior officials are aimed at sharing information on the effectiveness of promotional strategies, licensing terms and the overall status of exploration and development activities. My Department's officials also communicate with the provincial Governments of Canada's Atlantic provinces and are particularly active in developing collaborative transatlantic petroleum research programmes.

Although countries clearly compete for investment in the exploration sector, our experience is that exchanges at an official level are surprisingly constructive and mutually beneficial. International support for research is also proving vital for exploiting oil and gas resources, and Ireland is working to strengthen co-operation in this area.

As the Deputy is aware, my Department is currently undertaking a review of the licensing regime under which petroleum exploration companies operate in this country. The work being undertaken includes peer analysis that included the oil provinces mentioned by the Deputy.

Broadcasting Services.

170. **Mr. Kehoe** asked the Minister for

Communications, Marine and Natural Resources when he expects to extend the broadcasting and transmission of RTÉ radio and television to neighbouring jurisdictions; and if he will make a statement on the matter. [38799/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): As the Deputy may already be aware, RTÉ's statutory mandate, as defined in Section 28(1) of the Broadcasting Act, 2001, provides that RTÉ's radio and television services shall be made available, in so far as is reasonably practicable, to the whole community on the Island of Ireland. As such RTÉ's statutory mandate does not extend to the provision of radio or television services to Irish communities living in Britain or elsewhere. As a consequence RTÉ may not use the proceeds of the television licence fee to provide such services. However, it should be noted that many people living outside of the Island of Ireland already enjoy access to a considerable quantity of RTÉ's television programming by way of the Internet, and to RTÉ's radio services by way of satellite, LW and MW and the Internet.

In the light of the recommendations of the Task Force on Emigration, it is proposed to amend the public service remits of RTÉ and TG4 to allow for the provision and public funding of broadcasting services to Irish communities in Britain. Proposals to amend the Broadcasting Act, 2001 are contained in the draft general scheme of the Broadcasting Bill, which has been submitted to the Joint Oireachtas Committee on Communications, Marine and Natural Resources for the purposes of public consultation under the eConsultation initiative. I am now considering extracting this provision from the Broadcasting Bill in using it in a stand-alone bill.

Energy Policy.

171. **Mr. Quinn** asked the Minister for Communications, Marine and Natural Resources if he has reviewed the new World Energy Outlook 2006 from the International Energy Agency which warns that many countries are on an unsustainable energy path characterised by under investment, a strong risk of supply disruptions and increasing greenhouse gas emissions and face a dirty, insecure and expensive energy future; if he will review his Green Paper targets for renewable electricity and overall renewable energy in view of this further warning and the alternative policy scenario as set out in the IEA's publication; and if he will make a statement on the matter. [38829/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I welcome the timely publication of the International Energy Agency's World Energy Outlook 2006 which maps a new global energy future contrasting existing directions with how to change

[Mr. N. Dempsey.]

course. The outlook responds to the request from G8 leaders and others to advise on alternative energy scenarios and strategies aimed at a clean clever and competitive energy future. The Alternative Policy Scenario set out by the IEA states that increases in demand and emissions can be significantly reduced if a range of policies and measures are implemented globally. The various elements of the IEA's Alternative Policy Scenario are being assessed and will, where appropriate to the Irish situation, be reflected in overall policy directions and targets in the Energy Policy White Paper.

Offshore Exploration.

172. **Mr. M. Higgins** asked the Minister for Communications, Marine and Natural Resources the way his Department assesses the latest claims by offshore exploration companies which seem to indicate a very bright future for the industry in extracting Ireland's offshore oil and gas reserves; when he expects to receive the Indecon report on the review of Irish mineral and offshore licensing; and his plans to change the oil and gas licensing regime here. [38834/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I am unclear as to what claims made by offshore exploration companies the Deputy is referring to. My Department, however, presented a paper at its conference in Dublin earlier this month on "Exploring Atlantic Ireland" which referred to the fact that the Irish offshore is under-explored although an assessment of resource potential would indicate that this could be in the region of 10 billion barrels of oil equivalent (BBOE).

Though these figures look promising, I have to be realistic and am aware of the high cost involved in exploring for hydrocarbons in the deep waters of the Atlantic. Ireland may describe its prospectivity in the Atlantic Margin in terms of potential whereas in other provinces such as the UK and Norway their prospectivity is described as 'proven'. The paper mentioned above gave an honest assessment of what may be found offshore Ireland, but we need the industry to undertake the high-cost and high-risk activity of exploration to find these potential hydrocarbons.

In relation to the licensing terms under which offshore exploration companies operate in this country, my Department is currently undertaking a review of the licensing regime. Indecon International Economic Consultants has been engaged to assist my Department in this regard and is due to report to my Department by the end of this month.

Broadcasting Services.

173. **Mr. P. McGrath** asked the Minister for

Communications, Marine and Natural Resources his plans to alleviate interference with television or radio reception caused by mass turbines or other structures; and if he will make a statement on the matter. [38797/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The functions under the Wireless Telegraphy Act 1926-1988 for the investigation of interference were transferred from the Minister to the Communications Regulator (now ComReg) on its establishment in 1997. Accordingly, I have no function regarding this matter.

Communications Infrastructure.

174. **Mr. Coveney** asked the Minister for Communications, Marine and Natural Resources the extent to which he proposes to implement the recommendations of the Dingle Report with particular reference to the optimisation of communications infrastructure available throughout the country with a view to ensuring competition and delivery of a high quality service to consumers; and if he will make a statement on the matter. [38757/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): In April 2005 a team of advisors was engaged to examine the potential for enhancing and augmenting existing state owned infrastructure. This team submitted a Feasibility Report in December 2005. The report found that, while technically feasible, there would be considerable financial, legal, regulatory, operational and organisational challenges in harnessing and enhancing the existing state owned infrastructures. It is not my intention to publish the report given the extent of the commercially sensitive information contained in it. My Department is considering options to enhance competitive backhaul connectivity.

Question No. 175 answered with Question No. 156.

Salmon Fishing Sector.

176. **Mr. Pattison** asked the Minister for Communications, Marine and Natural Resources the way the salmon surplus will be distributed following the ending of drift netting and the introduction of single stock management; if he and the Government have concerns that the salmon and other fisheries will become the preserve of vested private interests; and if he will make a statement on the matter. [38838/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): It is the Government's strongly held view that our wild salmon stock is a national asset, which must be conserved and protected, as well as being exploited as a resource by us all on a sustainable

basis. In future the wild salmon fishery will be managed on the basis of individual river stocks. Harvesting of salmon will be restricted to those rivers that have been identified as meeting their conservation limit in compliance with Council Directive 92/43/EEC on the conservation of natural habitats and wild flora and fauna, the Habitats Directive.

It is proposed that the Chief Executive Officers of the Regional Fisheries Boards, having consulted the Fishery District Committees, will decide on the allocation of the salmon quota on a river or river catchment basis in 2007 in accordance with the draft Wild Salmon and Sea Trout Tagging Scheme Regulations for the 2007 season, which were published for consultation on 18 November 2006. The statutory consultation period continues until 17 December 2006.

Alternative Energy Projects.

177. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources if he will report on Gate Two of the renewable generation offers and commitments; if he will provide an evaluation of Ireland's renewable energy targets and achievements when Gate Two joins the generation mix; and if he will make a statement on the matter. [38827/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Ireland has a target to treble the contribution from renewable energy sources in electricity production from 5% approximately to 15% by 2010. The target approximates to 1650 megawatts of generating plant. We have also proposed a target of 30% by 2020 in the Green Paper on Energy Policy.

There is currently 940MW of renewable powered electricity capacity connected. This consists of approximately 670MWs of wind powered plant, 236MW of hydro powered plant with the balance (c. 34MWs) made up of different biomass technologies. The additional new capacity required to achieve the target will be delivered by projects already selected under the AER VI competition and the new Renewable Energy Feed In Tariff (REFIT) programme.

Future targets across all renewable technologies, beyond the current programme, will be set in the context of the White Paper on Energy Policy. The processing of Gate 2 applications for grid connections is a matter for the appropriate grid operator and the Commission for Energy Regulation (CER). I have no statutory function in that process.

Question No. 178 answered with Question No. 96.

Digital Hub.

179. **Mr. Ring** asked the Minister for

Communications, Marine and Natural Resources the degree to which the digital hub is achieving its targets; and if he will make a statement on the matter. [38746/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Digital Hub Development Agency has entered into a 3 year Performance Contract with my own Department that commits it to specific targets. The targets to be achieved during the 3 year period commencing 1st April 2006 are outlined in four specific areas namely: property; enterprise development; community and learning programmes; and organisational performance. These targets will be reviewed annually beginning in April 2007.

Telecommunications Services.

180. **Mr. Naughten** asked the Minister for Communications, Marine and Natural Resources the steps he will take to provide a State controlled broadband and telephone network; and if he will make a statement on the matter. [38579/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated where appropriate by the independent Commission for Communications Regulation, ComReg. The role of Government is to implement regulatory and infrastructure policies to facilitate the provision of affordable, high quality telecommunications services, by competing private sector service providers. The Government has recognised, however, that a lack of investment by the private sector in the necessary telecommunications infrastructure has acted as an impediment to the speedy rollout of competitive, affordable broadband services in Ireland, principally in the regions. In partnership with local and regional authorities, the Government is funding the construction of high-speed, open-access telecommunications networks, known as Metropolitan Area Networks (MANs), in around 120 towns and cities nationwide. These publicly owned networks are offered on a wholesale, non-discriminatory basis to multiple private sector telecommunications operators to enable them to offer a range of telecommunications services directly to consumers.

Postal Services.

181. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources his preferred options for the retention of the maximum scale of services to An Post with particular reference to ensure the viability of the com-

[Mr. Kenny.]

pany and deregulation; and if he will make a statement on the matter. [38777/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The retention of the maximum scale of services to An Post is a policy and operational matter for the Board and management of An Post and one in which I have no function.

Mobile Telephony.

182. **Dr. Upton** asked the Minister for Communications, Marine and Natural Resources if he will introduce measures for the regulation of the content of mobile phone products and services; if he will end the self-regulation of this sector and incorporate RegTel into ComReg; and if he will make a statement on the matter. [38860/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have no plans for the regulation of the content of mobile phone products and services. The Office of the Regulator of Premium Rate Telecoms Services, RegTel, already authorises and supervises the content and promotion of premium rate telecommunications services within the Irish market and is independent. RegTel does not report to me as Minister for Communications, Marine and Natural Resources and I have no plans to amend its status. The area of consumer protection within which RegTel operates falls mainly under the remit of my colleague the Minister for Enterprise, Trade and Employment and the Office of the Director of Consumer Affairs. In addition, the Commission for Communications Regulation, ComReg, has no role in relation to content.

Employment Statistics.

183. **Mr. Morgan** asked the Taoiseach the number and the percentage of the overall workforce who earn twice the average industrial earnings; the number and percentage of the overall workforce who earn three times the average industrial earnings; the number and percentage of the overall workforce who earn four times the average industrial earnings; and the number and percentage of the overall workforce who earn five or more times the average industrial earnings. [38484/06]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The latest results in relation to the distribution of earnings are from the 2003 National Employment Survey. The results refer to a total of 1,440,400 employees out of 1,793,400 persons at work in March. The survey does not measure self-employed earnings and it does not include the agriculture, forestry and fishing sectors. Average earnings for employees in the Manufacturing, Mining and Quarrying sector

were €15.50 per hour in March 2003. An estimated 8.6% of all employees earned more €31 per hour or twice the average earnings per hour for the Manufacturing, Mining and Quarrying sector; 2.5% of all employees earned more than €46.50 per hour; 0.9% of all employees earned more than €62 per hour and 0.4% of all employees earned more than €75.50 per hour. The National Employment Survey (NES) is being undertaken on an annual basis from 2006 onwards and the Central Statistics Office (CSO) is planning to publish the results of the March 2006 survey in the middle of next year, 2007.

184. **Mr. Morgan** asked the Taoiseach the reason employment statistics are not provided by county; his views on whether this is unacceptable and impedes the pinpointing of employment and unemployment trends in specific counties such as Donegal which experience particular problems. [38566/06]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The Quarterly National Household Survey (QNHS) which began in September 1997, has as its main purpose the production of quarterly labour force estimates that include the official measure of employment and unemployment in the state (ILO basis). The legal basis for the survey is EU Council Regulation 577/98 which stipulates that Member States must conduct a continuous labour force survey yielding quarterly results of acceptable accuracy at State and regional levels. In Ireland's case the regional requirement refers to the eight Regional Authorities. The QNHS has been designed to meet these requirements in an efficient manner and this involves interviewing over 30,000 households (approximately 2% of all households) throughout the country each quarter. This is a huge sample in absolute and, in particular, relative terms but it is still not sufficient to provide labour force estimates of sufficient quality at a county level. The accuracy of the estimates is directly linked to the size of sample and the provision of county data to the standards set for regional figures would necessitate a quadrupling of the current sample. For cost, response burden and other practical reasons such an increase is not considered to be a viable option. Details at a county level on employment and unemployment are available from the Census of Population on a five yearly basis while indications on unemployment based on the Live Register are available for local offices within each county each month. These data, taken in conjunction with the quarterly data on regions from the QNHS, provide a cost-effective means of monitoring trends in the labour force at sub-national level.

185. **Mr. Morgan** asked the Taoiseach the median earnings at present and in each of the past five years. [38567/06]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The latest results in relation to the distribution of earnings are from the 2003 National Employment Survey. The results refer to a total of 1,440,400 employees out of 1,793,400 persons at work in March 2003. The survey does not measure self-employed earnings and it does not include the agriculture, forestry and fishing sectors. The results for March 2003 showed that the median earnings of all employees was €13.08 per hour, i.e. half of all employees earned less than this amount and half earned more. The National Employment Survey (NES) is being undertaken on an annual basis from 2006 onwards and the Central Statistics Office (CSO) is planning to publish the results of the March 2006 survey in the middle of next year, 2007.

Departmental Appointments.

186. **Mr. Boyle** asked the Taoiseach the statutory processes involved in the appointment of chairs and board members of executive bodies, advisory bodies, task forces, accountability agencies and working groups under the remit of his Department and their legislative origin. [38471/06]

The Taoiseach: The processes for the appointment of the President and Commissioners of the Law Reform Commission is set out in the Law Reform Commission Act, 1975. The process for

the appointment of the chair and members of the National Statistics Board is as set out in Section 18 of the Statistics Act, 1993. Following the passing of the National Economic and Social Development Office Act, 2006, and subject to the making of a Commencement Order, the processes for the appointment of the chairs and members of the National Economic and Social Development Office and its associate bodies (National Economic and Social Council, National Economic and Social Forum and National Centre for Partnership and Performance) will be as set out in that Act.

Consumer Price Index.

187. **Mr. Bruton** asked the Taoiseach the trend in prices in the Eurozone countries and in Ireland under each of the ten product categories covered in the harmonised consumer price index in each year since 2001. [38472/06]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The table that follows this reply presents the annual rates of change for the twelve eurozone member states as well as the eurozone average from 2001 to 2005 for each of the twelve main COICOP commodity groups covered by the Harmonised Index of Consumer Prices. The latest available annual rates of change, which refer to October 2006, are also presented.

Annual Rates of Change (%) by COICOP Commodity Group: 2001 to October 2006

	2001	2002	2003	2004	2005	Oct. 2006
<i>COICOP 01 Food and Non-Alcoholic Beverages</i>						
eurozone12 Euro area	+4.9	+2.8	+2.1	+1.0	+0.7	+3.0p
be Belgium	+4.5	+2.3	+1.9	+1.1	+1.7	+4.5
de Germany	+4.5	+0.8	-0.1	-0.4	+0.4	+2.9
gr Greece	+5.3	+5.8	+4.9	+0.9	+0.8	+4.5
es Spain	+5.4	+4.7	+4.1	+3.9	+3.2	+4.4
fr France	+5.5	+2.7	+2.3	+0.5	+0.1	+2.1
ie Ireland	+6.5	+3.4	+1.4	-0.2	-0.7	+1.6
it Italy	+4.0	+3.6	+3.2	+2.1	-0.1	+2.7p
lu Luxembourg	+4.7	+3.9	+2.0	+1.8	+1.7	+2.7
nl Netherlands	+7.1	+3.5	+1.2	-3.5	-1.2	+1.8p
at Austria	+3.3	+1.2	+1.5	+1.7	+1.1	+2.0p
pt Portugal	+6.5	+1.5	+2.3	+1.1	-0.6	+3.5
fi Finland	+4.4	+3.1	+0.6	+0.8	+0.3	+2.9
<i>COICOP 02 Alcoholic Beverages and Tobacco</i>						
eurozone12 Euro area	+2.9	+4.2	+5.9	+7.5	+4.9	+2.9p
be Belgium	+1.9	+1.6	+4.4	+4.8	+2.8	+0.9
de Germany	+1.7	+4.0	+5.3	+6.8	+8.5	+3.6
gr Greece	+7.4	+7.0	+4.2	+4.5	+2.2	+10.6
es Spain	+3.2	+5.7	+3.4	+4.3	+5.1	+0.9
fr France	+3.2	+4.9	+8.8	+14.3	+0.1	+0.5
ie Ireland	+2.5	+5.6	+9.9	+3.5	+0.6	+0.5
it Italy	+2.6	+2.1	+7.0	+7.9	+6.8	+4.9p

[The Taoiseach.]

	2001	2002	2003	2004	2005	Oct. 2006
lu Luxembourg	+3.9	+5.2	+5.7	+6.5	+6.7	+3.5
nl Netherlands	+6.7	+4.6	+3.6	+7.3	+2.8	+1.4p
at Austria	+3.9	+4.0	+3.0	+1.8	+6.3	+0.9p
pt Portugal	+3.3	+4.9	+4.6	+2.9	+4.5	+9.0
fi Finland	+1.9	+1.7	+1.1	-10.7	-1.8	+1.2
<i>COICOP 03 Clothing and Footwear</i>						
eurozone12 Euro area	+0.6	+2.1	+0.9	+0.7	+0.1	+1.0p
be Belgium	+0.7	+1.1	+1.0	+0.6	-0.1	+0.5
de Germany	+0.8	+0.7	-0.8	-0.7	-1.9	+0.1
gr Greece	+3.2	+3.5	+2.0	+4.1	+4.7	+3.2
es Spain	-0.6	+5.1	+3.8	+1.8	+1.4	+1.3
fr France	+0.5	+0.9	-0.3	+0.3	+0.2	+0.6
ie Ireland	-2.8	-4.2	-4.1	-3.5	-2.8	-1.8
it Italy	+0.6	+2.9	+2.2	+1.9	+1.2	+1.3p
lu Luxembourg	+2.1	+1.7	+1.5	+0.5	+0.5	+0.2
nl Netherlands	+1.8	+3.2	-3.1	-1.9	-2.6	+1.6p
at Austria	-0.3	+0.3	-0.1	-0.6	-1.2	-0.4p
pt Portugal	+1.5	+2.5	+1.2	-1.1	-1.2	+6.5
fi Finland	+1.0	-1.1	-0.2	+0.3	-0.6	-0.9
<i>COICOP 04 Housing, Water, Electricity, Gas and Other Fuels</i>						
eurozone12 Euro area	+3.0	+1.3	+2.5	+2.5	+4.7	+3.6p
be Belgium	+3.7	+0.2	+1.4	+3.0	+5.6	+3.8
de Germany	+3.2	+0.7	+1.8	+1.9	+4.0	+2.6
gr Greece	+2.7	+3.8	+4.5	+4.9	+9.2	+4.9
es Spain	+2.9	+2.3	+2.9	+3.5	+5.3	+4.9
fr France	+1.1	+1.7	+2.7	+2.9	+4.7	+3.7
ie Ireland	+5.8	+4.1	+4.2	+3.8	+9.6	+5.5
it Italy	+3.0	+0.4	+3.4	+2.0	+5.0	+4.6p
lu Luxembourg	+1.7	+0.2	+2.8	+3.1	+6.8	+2.0
nl Netherlands	+6.5	+4.0	+4.3	+3.2	+5.9	+5.0p
at Austria	+3.0	+0.6	+1.6	+4.2	+6.2	+4.6p
pt Portugal	+4.1	+3.0	+4.2	+3.0	+4.4	+3.2
fi Finland	+2.8	+2.7	+4.0	+2.1	+3.2	+2.0
<i>COICOP 05 Furnishings, household equipment and routine household maintenance</i>						
eurozone12 Euro area	+1.8	+1.7	+1.3	+0.9	+0.8	+1.0p
be Belgium	+2.6	+1.9	+1.2	+0.9	+0.9	+1.2
de Germany	+0.9	+1.1	+0.3	-0.2	-0.1	+0.1
gr Greece	+2.5	+1.6	+1.8	+1.5	+2.1	+2.2
es Spain	+2.0	+2.0	+2.0	+1.6	+2.1	+2.6
fr France	+1.9	+1.4	+1.3	+1.2	+0.9	+0.6
ie Ireland	+3.2	+1.4	-0.7	-1.8	-1.5	-1.4
it Italy	+2.0	+1.9	+2.0	+2.1	+1.6	+1.7p
lu Luxembourg	+2.1	+1.6	+1.5	+1.7	+1.5	+1.6
nl Netherlands	+5.2	+3.9	+1.7	-0.9	-0.3	+0.1p
at Austria	+1.3	+1.6	+1.2	-0.1	-0.3	+0.8p
pt Portugal	+3.2	+3.0	+2.4	+1.6	+1.3	+1.0
fi Finland	+2.2	+1.5	+0.4	+0.6	+0.6	+1.0

	2001	2002	2003	2004	2005	Oct. 2006
<i>COICOP 06 Health</i>						
eurozone12 Euro area	+1.2	+2.5	+2.2	+7.9	+2.1	+1.7p
be Belgium	+1.1	+1.5	+2.4	+1.4	+2.2	+2.3
de Germany	+1.2	+0.6	+0.4	+19.2	+1.9	+1.1
gr Greece	+2.7	+5.1	+4.6	+5.3	+4.4	+2.5
es Spain	+1.8	+2.7	+2.1	+0.4	+0.9	+1.5
fr France	-0.1	+1.4	+3.2	+2.9	+2.2	+4.1
ie Ireland	+6.7	+10.1	+7.7	+6.0	+6.2	+4.3
it Italy	-1.2	+4.2	+3.2	+3.3	+2.3	-0.4p
lu Luxembourg	+1.7	-5.1	-2.4	+2.2	+0.2	+2.5
nl Netherlands	+6.8	+6.5	+2.7	+9.6	+1.2	+3.9p
at Austria	+6.1	+3.0	+1.3	+1.1	+4.9	+0.6p
pt Portugal	+3.6	+4.8	+2.3	+1.7	+0.9	+2.7
fi Finland	+2.6	+5.0	+3.1	+2.1	+1.9	+0.0
<i>COICOP 07 Transport</i>						
eurozone12 Euro area	+1.2	+1.8	+2.3	+3.1	+4.3	-0.7p
be Belgium	+1.2	+0.8	+1.6	+3.6	+5.8	-2.1
de Germany	+1.5	+2.0	+2.2	+2.3	+3.4	-1.2
gr Greece	+1.6	+0.5	+3.1	+3.5	+4.7	-0.9
es Spain	+0.8	+2.1	+2.1	+4.5	+6.4	-1.1
fr France	+0.2	+1.1	+2.4	+3.4	+4.4	-0.6
ie Ireland	-1.9	+3.1	+2.8	+4.1	+3.7	-0.8
it Italy	+1.5	+2.0	+2.6	+3.2	+4.5	+0.5p
lu Luxembourg	+0.5	-0.5	+1.6	+6.0	+6.6	-4.4
nl Netherlands	+2.7	+1.7	+2.8	+3.6	+4.2	-1.1p
at Austria	+1.7	+0.8	+1.1	+3.5	+3.7	-0.3p
pt Portugal	+4.8	+5.0	+4.3	+3.6	+5.8	+0.8
fi Finland	+1.0	+0.6	-0.1	+0.7	+2.6	-1.1
<i>COICOP 08 Communications</i>						
eurozone12 Euro area	-4.0	-0.3	-0.6	-2.0	-2.3	-2.6p
be Belgium	-6.7	-0.1	+0.6	+1.3	-0.5	-2.1
de Germany	-5.9	+1.7	+0.7	-0.9	-1.3	-2.4
gr Greece	-1.8	-4.5	-4.6	-4.3	-0.4	+0.2
es Spain	-0.8	-2.9	-2.6	-1.1	-1.6	-1.3
fr France	-4.5	-0.4	-0.5	+0.2	-0.3	-3.9
ie Ireland	-8.3	+2.2	+1.4	+2.7	-0.2	-0.1
it Italy	-2.2	-1.4	-1.7	-6.4	-4.5	-2.7p
lu Luxembourg	-11.7	-4.3	-2.5	-2.4	-4.7	-2.4
nl Netherlands	-2.3	+0.1	+3.1	-0.7	-3.8	-3.8p
at Austria	-0.1	-0.8	-1.7	-1.2	-7.9	-1.7p
pt Portugal	-2.2	+0.8	-1.1	-1.0	-0.2	-1.0
fi Finland	+2.8	+0.7	-3.4	-8.3	-11.4	+0.7
<i>COICOP 09 Recreation and culture</i>						
eurozone12 Euro area	+1.4	+1.3	+0.2	-0.1	-0.1	+0.0p
be Belgium	+2.6	+0.8	-0.8	-0.2	-0.3	+0.9
de Germany	+0.1	+0.4	-0.6	-1.1	+0.1	+0.2
gr Greece	+3.5	+2.8	+2.4	+2.9	+1.5	+3.8
es Spain	+2.7	+2.5	+0.6	+0.1	-0.2	-0.3
fr France	+0.3	+0.5	-0.5	-0.6	-1.0	-1.6
ie Ireland	+4.9	+6.3	+4.1	+1.2	+0.0	+2.7

[The Taoiseach.]

	2001	2002	2003	2004	2005	Oct. 2006
it Italy	+1.7	+2.6	+1.7	+2.0	+1.1	+1.3p
lu Luxembourg	+2.4	+2.9	+2.3	+0.5	+0.9	+1.6
nl Netherlands	+4.6	+3.7	+0.9	-1.0	-0.7	+0.4p
at Austria	+1.5	+1.6	+0.1	+0.5	-0.8	-2.1p
pt Portugal	+2.6	+2.9	+1.2	+2.1	+1.7	-0.1
fi Finland	+3.7	+1.8	+1.0	+1.3	-0.7	-0.3
<i>COCIO P 10 Education</i>						
eurozone12 Euro area	+3.0	+4.0	+3.5	+3.4	+3.1	+3.4p
be Belgium	+2.1	+3.0	+1.3	+0.9	+2.1	+2.4
de Germany	+1.3	+2.6	+2.1	+3.3	+2.2	+3.4
gr Greece	+3.7	+4.0	+4.5	+4.4	+4.1	+3.8
es Spain	+4.1	+3.8	+4.9	+4.0	+4.2	+4.0
fr France	+2.4	+2.6	+2.8	+2.8	+2.6	+3.6
ie Ireland	+7.2	+10.3	+9.1	+5.9	+6.0	+5.9
it Italy	+3.2	+3.0	+2.7	+2.2	+3.3	+2.3p
lu Luxembourg	+2.0	+8.5	+7.5	+1.0	+1.8	+2.4
nl Netherlands	+2.9	+4.4	+4.1	+2.8	-3.7	+1.2p
at Austria	+10.0	+21.9	+3.3	+1.9	+1.9	+7.9p
pt Portugal	+5.2	+5.8	+6.6	+9.4	+7.0	+4.0
fi Finland	+3.5	+3.2	+6.0	+5.5	+4.0	+1.6
<i>COICOP 11 Restaurants and hotels</i>						
eurozone12 Euro area	+3.5	+4.6	+3.2	+2.8	+2.5	+2.6p
be Belgium	+2.4	+4.4	+3.2	+2.6	+2.8	+1.8
de Germany	+1.9	+3.7	+0.8	+0.7	+1.0	+1.3
gr Greece	+5.2	+6.7	+4.8	+4.3	+3.1	+2.5
es Spain	+4.4	+5.5	+4.3	+4.1	+4.2	+4.5
fr France	+2.5	+3.9	+2.6	+2.8	+2.5	+2.2
ie Ireland	+5.9	+7.1	+6.3	+4.0	+3.3	+4.1
it Italy	+4.0	+4.5	+4.0	+3.0	+2.5	+2.7p
lu Luxembourg	+3.1	+4.2	+3.3	+3.2	+3.5	+2.8
nl Netherlands	+6.1	+6.9	+1.9	+2.0	+1.8	+2.1p
at Austria	+2.6	+2.8	+2.7	+2.5	+2.4	+1.9p
pt Portugal	+4.4	+5.6	+5.1	+5.0	+1.4	+2.3
fi Finland	+2.5	+3.3	+2.9	+1.0	+1.8	+2.3
<i>COICOP 12 Miscellaneous goods and services</i>						
eurozone12 Euro area	+3.1	+2.9	+2.6	+2.2	+1.8	+2.3p
be Belgium	+2.5	+2.7	+2.5	+2.4	+2.1	+2.6
de Germany	+3.1	+2.0	+1.7	+1.4	+1.0	+1.0
gr Greece	+3.4	+2.9	+2.3	+2.0	+3.1	+3.2
es Spain	+2.8	+3.6	+3.1	+2.7	+2.8	+4.2
fr France	+2.5	+2.7	+2.5	+2.2	+1.5	+2.9
ie Ireland	+6.5	+7.6	+5.2	+2.2	+1.9	+3.0
it Italy	+3.7	+3.8	+3.5	+2.8	+2.6	+2.9p
lu Luxembourg (Grand-Duché)	+3.9	+2.5	+2.2	+2.0	+1.8	+2.7
nl Netherlands	+4.5	+4.5	+3.7	+2.6	+2.2	+0.5p
at Austria	+2.6	+3.1	+1.9	+2.6	+2.5	+2.6p
pt Portugal	+5.4	+5.4	+4.0	+2.6	+2.1	+4.0
fi Finland	+3.4	+2.2	+2.1	+2.5	+1.3	+2.7

p Provisional.

Official Engagements.

188. **Mr. Sargent** asked the Taoiseach if he will be meeting European Parliament President Mr. Josep Borrell MEP when he visits Ireland later in November 2006. [38508/06]

The Taoiseach: I will have a meeting with Mr. Josep Borrell Fontelles, President of the European Parliament, on the morning of 30 November, 2006, in advance of his address to the National Forum on Europe.

Minimum Wage.

189. **Mr. Morgan** asked the Taoiseach the number of the two million people employed here who are receiving a wage of less than €10 per hour; and the number of these who are receiving a wage of €7.65 per hour. [38543/06]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The latest results in relation to the distribution of earnings are from the 2003 National Employment Survey. The results refer to a total of 1,440,400 employees out of 1,793,400 persons at work in March 2003. The survey does not measure self-employed earnings and it does not include the agriculture, forestry and fishing

sectors. The average earnings per hour was €16.41 for all employees. The results for March 2003 show that 28.4% of all employees earned less than €10 per hour and 12.1% of all employees earned less than €7.65 per hour. The minimum wage for experienced adult workers in March 2003 was €6.35 per hour and the survey indicated that 3.8% of all employees earned less than this amount. The National Employment Survey (NES) is being undertaken on an annual basis from 2006 onwards and the Central Statistics Office (CSO) is planning to publish the results of the March 2006 survey in the middle of next year, 2007.

All-Party Committee on the Constitution.

190. **Mr. Morgan** asked the Taoiseach the total costs, including administrative costs, costs of publishing reports and travel costs, associated with the All Party Committee on the Constitution since June 2002. [38617/06]

The Taoiseach: The total costs, including administrative costs, costs of publishing reports and travel costs, associated with the All Party Committee on the Constitution since June 2002 are as follows:

	€
<i>June-December 2002</i>	
Total expenditure for the period	109,686.91
Travel	0
Total administration costs	109,687
<i>Breakdown of administration costs</i>	
Pay	65,152.00
accommodation, office supplies, IT, etc	44,534.91
<i>Committee published its Seventh Progress Report: Parliament earlier in the year — costs came to €37,550.65</i>	
<i>2003</i>	
Grant in Aid — €331,000	
Actual expenditure for 2003 — €301,680	
<i>Breakdown</i>	
Travel	39,304.77
Reports (<i>Eighth Progress Report: Government and reprinting Report of the Constitution Review Group</i>)	40,508.93
Expenses paid to committee members	19,140.34
Administration costs	202,725.96
<i>Breakdown of administration costs</i>	
Pay	100,788.51
Accommodation, light/heat, IT, office supplies etc.	101,937.45
<i>2004</i>	
Grant in Aid — €380,000	
Actual expenditure for 2004 — €325,880.54	
<i>Breakdown</i>	
Travel	10,543.09
Reports: <i>Ninth Progress Report: Private Property</i>	81,475.96

[Mr. Kitt.]

	€
Expenses paid to committee members	6,599.27
Administration costs	227,262.22
<i>Breakdown of administration costs</i>	
Pay	150,269.48
<i>Note: €19,032.40 of pay costs attributable to 2003</i>	
Accommodation, light/heat, IT, office supplies etc.	76,992.74
<i>2005</i>	
Grant in Aid — €399,000	
Actual expenditure for 2005 — €338,639.38	
<i>Breakdown</i>	
Travel	0
Reports <i>Tenth Progress Report: The Family</i>	71,251.97
Expenses paid to committee members	0
Administration costs	267,387.41
<i>Breakdown of administration costs</i>	
Pay	125,720.78
Accommodation, light/heat, IT, office supplies etc.	141,666.63
<i>2006</i>	
Grant in Aid — €407,000	
Actual expenditure to 17 November 2006 — €237,831.71	
<i>Breakdown</i>	
Travel	26,262.26
Reports: Tenth and Eleventh Progress Reports	24,172.12
<i>Note: €23,873.62 relates to the Tenth Progress Report: The Family</i>	
<i>€298.50 relates to the present study (Eleventh Progress Report: Freedom of Expression, Association and Assembly)</i>	
Administration costs	187,397.33
<i>Breakdown of administration costs</i>	
Pay	116,780.61
Accommodation, light/heat, IT, office supplies etc.	70,616.93
Petty Cash	

Garda Operations.

191. **Mr. Gilmore** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to the fact that some Garda speed checkpoints appear to be concentrated at soft target areas which are located at the interface of two different speed limit levels; if he will address this problem; and if he will make a statement on the matter. [38512/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that Garda enforcement under road traffic legislation is not concentrated at perceived soft target areas but in a fair and balanced manner. The Garda IT system underpinning the Fixed Charge Processing System (FCPS) rolled out nationally for speeding offences on 2 February 2006. The following tables set out the number of fixed charge notices issued for speeding offences in the 50, 60, 80 and

100km/h speed zones for the period 2 February 2006 to 30 September 2006 by speed range:

50km/h Speed Zone

Speed Range	Number of Notices
51km/h-60km/h	98
61km/h-70km/h	9,700
In excess 70km/h	29,741
Total	39,539

60km/h Speed Zone

Speed Range	Number of Notices
61km/h-70km/h	86
71km/h-80km/h	9,024
In excess 80km/h	29,630
Total	38,740

80km/h Speed Zone

Speed Range	Number of Notices
81km/h-90km/h	101
91km/h-100km/h	8,856
In excess 100km/h	14,274
Total	23,231

100km/h Speed Zone

Speed Range	Number of Notices
100km/h-110km/h	325
111km/h-120km/h	3,906
in excess 120km/h	22,840
Total	27,071

Statistics are provisional/operational and liable to change.

Decentralisation Programme.

192. **Mr. Naughten** asked the Tánaiste and Minister for Justice, Equality and Law Reform when the land registry offices in Roscommon Town will be available for occupation; when staff based in Dublin will be decentralised to the town; and if he will make a statement on the matter. [38725/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that a site for the permanent decentralised offices for the Property Registration Authority's Roscommon office has been identified. The matter is now being progressed by the Office of Public Works and it is anticipated that the accommodation will be ready for occupation in 2009. The Property Registration Authority has carried out an advance move to Roscommon and currently has thirty-three staff working in the town. I understand that, subject to operational requirements, it is intended to transfer around ten additional Dublin based staff to Roscommon in early 2007.

Terrorist Threats.

193. **Mr. P. Breen** asked the Tánaiste and Minister for Justice, Equality and Law Reform the measures being taken to allay people's fears that terrorist attacks at Irish international airports are a real threat following the revelations on the BBC that a Muslim cleric has been exhorting attacks on an airport here; and if he will make a statement on the matter. [38995/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Aviation security

arrangements at Irish airports are kept under continuous review by both the Department of Transport and the National Civil Aviation Security Committee (NCASC). The NCASC is chaired by the Department of Transport, and both my Department and the Garda Síochána are represented on it, together with a range of other key stakeholders. I understand that the Department of Transport conducts regular security inspections and tests of aviation facilities and all operators at Irish airports. These facilities and operators are also subject to audit by the European Union, European Civil Aviation Conference and International Civil Aviation Organisation, in partnership with the Department of Transport. In addition to these site-specific measures, the Garda Síochána maintains an up-to-date assessment of the threat to this State from international terrorist groups through analysis of intelligence gathered from domestic and international sources. Moreover, the Garda Síochána has developed excellent lines of communication and co-operation with security and intelligence services in the European Union and further afield. This ongoing sharing of intelligence enables a rapid operational response to be put in place where circumstances so warrant. It is not the practice and it would be contrary to the public interest to comment on specific alleged threats or measures taken in response to ongoing security issues.

Closed Circuit Television Systems.

194. **Mr. P. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if the budget of €5.1million for the Garda closed circuit television programme has been allocated for 2006; if so, the breakdown of this expenditure in relation to the projects that were allocated funding; the amount allocated to each project; and if he will make a statement on the matter. [38499/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the E4 subhead of the Garda Síochána Vote covers expenditure on new Garda CCTV installations, the maintenance of existing Garda CCTV systems and the allocation of grant aid funding for the Community Based CCTV Scheme, which is being administered on behalf of my Department by Pobal. The Community Based CCTV Scheme, which I launched in June 2005, offered two levels of support to meet the requirements of local communities. Stage 1 offered pre-development supports and funding of up to €5,000 for organisations/groups who were not yet ready to develop their proposals fully. Some 24 successful groups received Stage 1 grants totalling €115,665 earlier this year. Stage 2 offered a direct Application Process to organisations who could demonstrate an ability to develop and deliver a CCTV Programme

[Mr. McDowell.]

immediately. Some 13 successful groups have been approved to receive Stage 2 grants totalling €1 million to be matched, in RAPID areas, by the Department of Community, Rural and Gaeltacht Affairs.

On 13 October 2006, the Garda authorities published a request for tender, with a closing date of 22 November, for the installation of three Garda CCTV Systems in Ballyfermot, Clondalkin and Tullamore, at an estimated cost of €1.3 million. These systems will use wireless CCTV technology which will allow CCTV cameras to be redeployed as necessary to meet changing policing requirements. Contractors will be required to complete the deployment of these CCTV systems before the end of March 2007. Further such projects are under consideration as part of the process of outsourcing Garda CCTV systems. Maintenance costs of €308,000 associated with existing systems have also been incurred to date. Given, in particular, the complex and lengthy work required for the peer review process with the Department of Finance on the outsourcing of Garda CCTV systems and the implementation of Joint Policing Committees which are necessary to approve community CCTV schemes, there will be an underspend in this subhead in 2006. The recently published Estimates for 2007 contain an increased provision for CCTV to meet a range of developments which will incur costs in 2007.

Visa Applications.

195. **Mr. Crowe** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position regarding the status of the visa applications for persons (details supplied). [38500/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am pleased to inform the Deputy that the visa applications in question were approved on 9th November, 2006.

Missing Persons.

196. **Mr. Howlin** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his Department received a request for funding on behalf of the Irish Missing Persons' Helpline; if such funding was provided and the amount of same; and if he will make a statement on the matter. [38546/06]

221. **Mr. Deenihan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if a request for funding was made to his Department by the Irish Missing Persons Helpline; if it was successful; the amount of grant aid provided; and if he will make a statement on the matter. [38693/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 196 and 221 together.

Funding of €110,000 in respect of a National Missing Persons Helpline, made available by my Department in 2002 and 2003, was channelled through the Victim Support organisation and was in addition to the ongoing funding that the organisation received for the provision of services to victims of crime. This funding of €110,000 was provided subject to the conditions that no funding beyond the year 2003 should be implied, and audited accounts should be provided to my Department on a calendar year basis. To date no audited accounts have been received in my Department. At the end of 2003, and as a matter of good practice in the handling of public money, my Department commissioned a review of the Helpline from the Department of Social Sciences, Dublin Institute of Technology, which recorded the number of phone calls to the Helpline up to that time as being in the region of 100. In March 2005, I decided that continued funding of the Victim Support organisation could no longer be justified due to serious concerns in relation to governance, accountability for public funds and poor service levels, after a lengthy period of instability within the organisation. I understand that Victim Support closed down its headquarters operation during 2005 and that a number of staff were made redundant, including the person employed to operate the Missing Persons Helpline. My Department had no role in the decision of Victim Support to make a number of its staff redundant, other than to insist that statutory requirements (notice, holiday pay, etc.) be met and that the interests of the staff be protected.

In March 2005, I established a new Commission for the Support of Victims of Crime to devise an appropriate support framework for victims of crime into the future and to disburse funding for victim support measures. The Commission is entirely independent in its decision making and examines each application on its merits. The Commission received an application from the Missing in Ireland Support Service for €71,600 to establish, staff and operate a Helpline for missing persons. After careful consideration of the application the Commission decided to offer funding of €25,000. However, this offer was rejected by the Missing in Ireland Support Service. It should be borne in mind in this context that the Commission is charged with funding support services for victims of crime, and that, while some persons who are missing are crime victims, most are not.

The Garda Síochána continuously monitors international developments in relation to missing persons in order to ensure that best practice is followed. If its professional judgement is that some change in the existing legislation, protocols or structures would be of assistance in improving investigations, this would be considered by me. I am of the view that a Helpline for this purpose is

best set up on an independent basis and by a non-official, voluntary organisation. A proposal for funding has been received in my Department from the Missing In Ireland Support Service to establish a national missing persons helpline. The proposal is currently being examined with the assistance of An Garda Síochána.

Family Reunification.

197. **Mr. English** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a pending family reunification application for a person (details supplied) will be decided on; and if he will make a statement on the matter. [38547/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am pleased to inform the Deputy that the application in question was approved on 17th November, 2006.

Garda Investigations.

198. **Mr. Bruton** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he is satisfied with the way in which the case of a person (details supplied) in Dublin 11 was handled; and if it raises questions requiring reform to the legal codes or operational procedures of the Gardaí. [38558/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the incident referred to was investigated by the Garda Síochána in the area concerned in accordance with Garda operational procedures. I am further informed that a person who went voluntarily to the Garda Síochána was interviewed in relation to the incident and made a statement admitting the incident. An investigation file was submitted to the Director of the National Juvenile Office. The person was subsequently dealt with under the Juvenile Diversion Programme. Part 4 of the Children Act 2001, which came into effect in May 2002, places the Garda Juvenile Diversion Programme on a statutory basis. The programme provides that, in certain circumstances, a juvenile under 18 years of age who freely accepts responsibility for a criminal incident may be cautioned as an alternative to prosecution.

Residency Permits.

199. **Mr. Carey** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a decision on an application by a person (details supplied) in Dublin 11 for residency will be made; and if he will make a statement on the matter. [38561/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand that the Immigration Division of my Department has

recently written to the legal representative of the person concerned informing them that residence has been approved in respect of their client.

Judicial Appointments.

200. **Dr. Cowley** asked the Tánaiste and Minister for Justice, Equality and Law Reform if a person can apply to become a peace commissioner; the criteria required for same; the process involved; and if he will make a statement on the matter. [38573/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Peace Commissioners are appointed under section 88 of the Courts of Justice Act, 1924. The Office of Peace Commissioner is an honorary appointment and Peace Commissioners receive no remuneration or compensation by way of fees or expenses for their services. An application for appointment may be submitted by a person who is interested in obtaining an appointment or a third party may submit a nomination in respect of a person considered suitable for appointment. Nominations are generally received from public representatives. A local Garda Superintendent sometimes requests an appointment in a particular area in the public interest.

There is no qualifying examination involved but appointees are required to be of good character and they are usually well established in the local community. Persons who are members of professions or employed in occupations which engage in legal work or related activities and members of the clergy are, as a matter of practice, not appointed because of their occupation and civil servants are usually only appointed where the performance of their official duties requires an appointment (i.e. ex-officio). Persons convicted of serious offences are considered unsuitable for appointment.

The fact that an applicant or nominee may be suitable for appointment does not in itself provide any entitlement to appointment because appointments are made at the discretion of the Minister for Justice, Equality and Law Reform and having regard to the needs of particular areas.

Visa Applications.

201. **Mr. Howlin** asked the Tánaiste and Minister for Justice, Equality and Law Reform if the holiday visa granted to a person (details supplied) can be altered to enable them to travel to Ireland on 1 January 2007 rather than on 24 November 2006; and if he will make a statement on the matter. [38574/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question is advised to submit a fresh visa application setting out the new travel dates. If neces-

[Mr. McDowell.]

sary the current visa will be 'cancelled without prejudice' and a new visa issued. In exceptional circumstances the administration fee may be waived.

Decentralisation Programme.

202. **Mr. Connolly** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of staff in his Department who have indicated willingness to decentralise; and if he will make a statement on the matter. [38597/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Six hundred and ninety officers in my Department have applied to the Central Applications Facility to decentralise under the Government Programme.

Firearms Restrictions.

203. **Mr. Perry** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to the issues raised in correspondence (details supplied); and if he will make a statement on the matter. [38601/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Under Section 29 of the Criminal Justice Act, 2006 I may, by statutory instrument and in the interests of public safety and security, declare specific firearms and ammunition as "restricted", by reference to their category, calibre, working mechanism, muzzle energy and description. It should be noted that where a firearm is deemed "restricted" it does not mean that the possession or sale of such firearms is prohibited. Where a person wishes to possess such a firearm they will be required to make an application to the Garda Commissioner for the grant of a firearms certificate and satisfy the Commissioner that they comply with the conditions set out in Section 4 of the Firearms Act, 1925, as amended by the 2006 Act. In addition firearms dealers will be required to seek an authorisation from me for the importation for sale of such firearms.

My Department is currently in consultation with the Garda Síochána, organisations representing different shooting interest groups and firearms dealers representatives regarding the drafting of the statutory instrument and due consideration will be given to any observations which interested persons or groups may wish to make.

Residency Permits.

204. **Mr. Ring** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a decision will be made on an application by a person (details supplied) in County Mayo. [38602/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for long term residency from the person referred to by the Deputy was received on the 16th June 2006.

The position in relation to granting long term residency is as follows: Persons who have been legally resident in the State for over five years on the basis of work permit/work authorisation/work visa conditions may apply to the Immigration Division of my Department for a five year residency extension. In that context they may also apply to be exempt from employment permit requirements. The dependants of the aforementioned, who have been legally resident in the State for over five years may also apply for long term residency. This particular long term permission does not exempt the person from employment permit requirements. Time spent in the State on student conditions cannot be counted towards long term residency.

While applications for long term residency are under consideration, the person concerned should ensure that their permission to remain in the State is kept up to date. I understand that applications received in May 2006 are currently being dealt with. As soon as a decision is made on the case, the person concerned will be notified.

Road Traffic Accidents.

205. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the date on which An Garda Síochána submitted a file to the office of the State Solicitor in County Mayo in respect of a traffic accident which occurred on 14 October 2004 (details supplied). [38631/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the road traffic collision referred to involved a motorcycle with a driver and pillion passenger and a car. The driver of the motorcycle was seriously injured and was brought to Mayo General Hospital. He was later transferred to Beaumont Hospital where he died on 26 October 2004. The pillion passenger received less serious injuries, and the driver of the car was uninjured.

I am also informed that an investigation file was prepared for the Law Officers and a prosecution was directed against the driver of the car who was convicted before Westport District Court on 19 May 2005 of driving while unaccompanied and was fined €150. I am further informed that a Chief Superintendent has been appointed under the Garda Síochána (Discipline) Regulations 1989 to investigate all aspects pertaining to the investigation of this fatal collision.

As this inquiry is on-going the Deputy will appreciate that it would not be appropriate for

me to comment any further on the matter at this time.

Visa Applications.

206. **Mr. Kehoe** asked the Tánaiste and Minister for Justice, Equality and Law Reform if an application for a visa by a person (details supplied) in County Carlow has been received by his Department; and when he expects a decision on same. [38639/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The application referred to by the Deputy was received in the Dublin Visa Office on 8th November, 2006. A decision in respect of the application will be made in the coming weeks.

Lottery Licensing Laws.

207. **Mr. Gregory** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to the fact that the failure of the Gardaí and his Department to enforce the law and close down the 12 gambling casinos in the Dublin area will shortly result in the introduction of illegal roulette slot machines being introduced into betting premises here starting in December 2006; the steps he will take to prevent the installation of illegal roulette slot machines into betting shops; if he will take steps to ensure that the law will be enforced against such attempts to operate illegal roulette slot machines; and if he will make a statement on the matter. [38643/06]

208. **Mr. Gregory** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason the 12 gambling casinos operating in contravention of the law in the Dublin area are not closed immediately pending the deliberations of the special working group; and if he will make a statement on the matter. [38644/06]

209. **Mr. Gregory** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he has taken steps to prevent 12 gambling casinos in the Dublin area from continuing to break the law here. [38645/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 207 to 209, inclusive, together.

I have been informed by the Gardaí that they are aware of a number of gambling casinos in the Dublin area as indicated by the Deputy. These private clubs are visited by the Gardaí Síochána on a regular basis and no irregularities have been detected to date that would justify a prosecution under the Gaming & Lotteries Acts 1956-86, which is the relevant legislation for such matters. I am assured that the premises will continue to

receive Garda attention and if breaches of the legislation are detected the directions of the DPP will be sought.

As the Deputy is aware, I have established an inter-departmental committee chaired by Mr Michael McGrath BL to report on the possibilities for a legislative basis for the strict regulation of casino-style operations in the State, the composition of any proposed Casino Regulation Commission and related matters. I expect to receive the Casino Committee's report in the near future. The Deputy will understand that, having established a committee to consider these complex issues, I do not propose to comment on future policy in advance of receiving and considering the report of the Casino Committee.

I am aware of some proposals to introduce casino type activities such as fixed odds betting terminals (FOBTs) in betting shops. On a personal level I am opposed to the introduction of such activities into the betting shop environment, however, as outlined above I am awaiting the report of the Casino Committee before commenting on future policy.

Garda Strength.

210. **Mr. Bruton** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of Gardaí working in community policing in the Tallaght Garda station in each year over the past five years; and if he will make a statement on the matter. [38653/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength (all ranks) of An Garda Síochána increased to a record 13,000 on Thursday, 16 November, 2006, following the attestation of 299 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,298 (or 21.5%) in the personnel strength of the Force during that period. The induction of 280 new Garda recruits to the Garda College on 6 November, 2006 resulted in a combined strength, of both attested Gardaí and recruits in training, of 14,137. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

I have been further informed that the personnel strength (all ranks) of Tallaght Garda Station as at 31 December, 1997 and 30 October, 2006 was 133 and 173, respectively, representing an increase of 40 (or 30%) in the number of Garda personnel allocated to Tallaght Garda Station during that period. I have also been informed that the personnel strength (all ranks) of the Community Policing Unit at Tallaght Garda Station as

[Mr. McDowell.]

at 31 December, 2001-2005, inclusively, and as at 17 November, 2006 was as set out in the table hereunder:

Date	Strength
31/12/2001	20
31/12/2002	22
31/12/2003	24
31/12/2004	24
31/12/2005	20
17/11/2006	23

I should add that it is the responsibility of Garda management to allocate personnel to and within Divisions on a priority basis in accordance with the requirements of different areas. These personnel allocations are determined by a number of factors including demographics, crime trends, administrative functions and other operational policing needs. Garda management state that such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made of Garda resources, and that the best possible service is provided to the public.

211. **Mr. Bruton** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of Gardaí during 2005 and 2006 who have transferred out of a station (details supplied) in order to join a specialist unit within the metropolitan area or within the Gardaí generally; if, in each case, the Garda lost to the station in question was subsequently replaced by a new member of An Garda Síochána; and if he will make a statement on the matter. [38654/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength (all ranks) of An Garda Síochána increased to a record 13,000 on Thursday, 16 November, 2006, following the attestation of 299 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,298 (or 21.5%) in the personnel strength of the Force during that period. The induction of 280 new Garda recruits to the Garda College on 6 November, 2006 resulted in a combined strength, of both attested Gardaí and recruits in training, of 14,137. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

I have been further informed that the personnel strength (all ranks) of the Garda Station in question as at 31 December, 1997 and 30 October, 2006 was 133 and 173, respectively, rep-

resenting an increase of 40 (or 30%) in the number of Garda personnel allocated to the Garda Station during that period. I have also been informed that the number of Gardaí (Garda rank) who were transferred from the Garda Station in question in 2005 and to date in 2006 was 21 and 10, respectively.

Garda management advise that of the 21 Gardaí transferred from the Garda Station in 2005: 8 Gardaí were successful in competitions to join Specialist Units and were subsequently transferred to Specialist Units in November, 2005; 1 Garda was transferred to the Garda College, Templemore, and the remaining 12 Gardaí were transferred from the Station following requests from the members concerned. Garda management further advise that of the 10 Gardaí transferred from the Garda Station to-date in 2006: 3 Gardaí transferred to Specialist Units; 4 Gardaí transferred Inter-Divisional at their own request, and the remaining 3 Gardaí transferred to Garda stations within the Dublin Metropolitan Region South Division.

Garda management state that, in 2005, 19 Probationer Gardaí were allocated directly from the Garda College to the Garda Station in question and 1 Garda transferred into the Station. To-date in 2006, 26 Probationer Gardaí have been allocated directly from the Garda College to Tallaght Garda Station and 1 Garda has transferred into the Station.

I should add that it is the responsibility of Garda management to allocate personnel to and within Divisions on a priority basis in accordance with the requirements of different areas. These personnel allocations are determined by a number of factors including demographics, crime trends, administrative functions and other operational policing needs. Garda management state that such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made of Garda resources, and that the best possible service is provided to the public.

212. **Mr. Bruton** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of probationary Gardaí who were allocated from the Garda college to a station (details supplied) in each year since 2000; and if he will make a statement on the matter. [38655/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength (all ranks) of An Garda Síochána increased to a record 13,000 on Thursday, 16 November, 2006, following the attestation of 299 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997

and represents an increase of 2,298 (or 21.5%) in the personnel strength of the Force during that period. The induction of 280 new Garda recruits to the Garda College on 6 November, 2006 resulted in a combined strength, of both attested Gardaí and recruits in training, of 14,137. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

I have been further informed that nineteen (19) Probationer Gardaí were allocated directly from the Garda College to the Garda Station in question on first allocation in 2005 and a total of twenty six (26) Probationer Gardaí have been allocated directly from the Garda College to the Garda Station to date this year. Garda management state that the information requested in relation to the number of Probationer Gardaí who were allocated from the Garda College to the Garda Station in question from 2000 to 2004 is not readily available and can only be obtained by a disproportionate expenditure of Garda time and resources.

I should add that it is the responsibility of Garda management to allocate personnel to and within Divisions on a priority basis in accordance with the requirements of different areas. These personnel allocations are determined by a number of factors including demographics, crime trends, administrative functions and other operational policing needs. Garda management state that such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made of Garda resources, and that the best possible service is provided to the public.

Family Law Issues.

213. **Mr. J. Higgins** asked the Tánaiste and Minister for Justice, Equality and Law Reform the steps he is taking to reform family law to ensure equality for all parties in the family law process. [38667/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Constitution requires that people who appear before our Courts in essentially the same circumstances should be dealt with in essentially the same manner. It follows that in the exercise of its judicial functions under various enactments, including those on family law, it is already the duty of the Courts to see that this principle of equality is observed. The Judicial Council Bill that I am proposing is designed to establish a Judicial Council which will have among its functions the preparation of a judicial code of ethics. No doubt the proposed Council will take the opportunity when exercising that function to re-enforce the application of the principle of equality.

Legal Aid Service.

214. **Mr. J. Higgins** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will substantially increase the resources available to the Legal Aid Board in view of the fact that individuals are currently waiting for periods of between three to six months for legal aid services. [38668/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am pleased to be able to advise the Deputy that Legal Aid Board is currently providing legal services to all eligible persons within a maximum period of four months nationwide. In fact, at most of the Board's Law Centres the waiting time for an appointment for a solicitor was two months or less at the end of October 2006. The Deputy may also wish to note that the Board provides a priority service to persons seeking legal services for cases involving domestic violence, child care, child abduction and for certain other matters where there are statutory time limits. These cases are dealt with immediately and without going on a waiting list.

Garda Training.

215. **Mr. J. Higgins** asked the Tánaiste and Minister for Justice, Equality and Law Reform if training will be made available to the Gardaí to specifically address the problem of domestic violence against men. [38669/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that a appropriate training is delivered to Garda trainees on Phases I and III under the auspices of the Legal and Policing Section. I am further informed that this training covers matters relevant to Barring/Protection/ Safety Orders, arrest powers, procedures to follow, advice to be given, and bail issues. The training involves study of relevant legislation, including the Domestic Violence Act, 1996, the Children Act, 1908 and related matters, and the Child care Act, 1991 including the duties of the Health Boards and Courts in matters of child care.

Garda management state that no differentiation is made in the training courses between male and female victims of domestic violence. I am also informed that Domestic Violence training is also provided by the Social Studies Section on Phases I and III, following which Student Gardaí are fully briefed on all aspects of the law in relation to Domestic Violence. During experiential learning phases, Student Gardaí would also be exposed to dealing with real cases of domestic violence under the supervision of tutors.

Furthermore, while on Phase III, the organisation Women's Aid attend the Garda College, Templemore and spend 4 hours with each class of

[Mr. McDowell.]

24 students educating them on issues of domestic violence. Women's Aid deals with both violence against women and against men. This is put into practice by way of role play situations which assess the students ability to deal with domestic violence situations both lawfully and professionally.

Garda management further state that the issue of training for the general membership of An Garda Síochána is being researched for inclusion on the Continuous Professional Development Core Programme for 2007.

Legal Services Ombudsman.

216. **Mr. J. Higgins** asked the Tánaiste and Minister for Justice, Equality and Law Reform if, in the interests of accountability, he will introduce an ombudsman to regulate the law industry. [38670/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Civil Law (Miscellaneous Provisions) Bill 2006 that is before the House provides for the establishment of a Legal Services Ombudsman who will oversee the handling by the Law Society and Bar Council of three types of complaint against solicitors and barristers, namely inadequate services, excessive fees and misconduct. The key function will be to provide a form of appeal for clients of solicitors and barristers who are dissatisfied with the outcome of a complaint made to the Law Society or Bar Council.

The Ombudsman will also have a more general oversight role for those complaints procedures by examining a selection of complaints files each year taken on a random basis. Access to the legal profession will also be monitored by the Ombudsman who will report to the Minister and the Oireachtas on the adequacy of numbers admitted annually to each profession. I am satisfied that the introduction of the Legal Services Ombudsman, as a layer of oversight additional to the present self-regulating mechanisms operated by the Law Society and the Bar Council, will provide the necessary independent scrutiny to assure the public of the effectiveness and trustworthiness of the complaints process as a whole.

Departmental Correspondence.

217. **Mr. J. Higgins** asked the Tánaiste and Minister for Justice, Equality and Law Reform if an invitation was extended to a person (details supplied) at a meeting in January 2006 to meet with him; and when such a meeting will take place. [38671/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): No invitation to meet with me was extended to the person in question.

International Agreements.

218. **Mr. Carey** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his Department has received documentation from the authorities in Ecuador regarding its wish to operate the Strasbourg Agreement as a mechanism to facilitate the repatriation of prisoners. [38677/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): My Department has received no documentation to date from authorities in Ecuador on this matter.

Asylum Applications.

219. **Ms O'Sullivan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will take into account humanitarian consideration and letters from a psychiatrist in relation to an application for a person (details supplied) in County Meath in their application for asylum; and if he will make a statement on the matter. [38680/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted.

As I have been advised that judicial review proceedings have been taken in this case, it would be inappropriate to comment at this time.

220. **Dr. Upton** asked the Tánaiste and Minister for Justice, Equality and Law Reform the status of an application for refugee status by a person (details supplied) in Dublin 8 if neither his Department nor the Refugee Appeals' Council are able to locate their file; if he will endeavour to locate this file or at least establish its whereabouts; and if he will make a statement on the matter. [38692/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned, a Ukrainian national, applied for asylum on 27 May, 2003. His application was refused by the Office of the Refugee Applications Commissioner on 23 August, 2004. He did not appeal this decision.

In accordance with section 3 of the Immigration Act 1999, the person concerned was informed on 14 October, 2004 that the Minister was proposing to make a deportation order in respect of him. He was, in accordance with the Act, given the option of making representations within 15 working days setting out the reasons why he should not be deported i.e. be allowed to remain temporarily in the State; leaving the State

before the deportation order was made; or consenting to the making of the deportation order. Representations have been received from the person concerned requesting leave to remain in the State on the basis of his marriage to a Kazakhstan national who has leave to remain based on her parentage of a child born in the State before 1 January, 2005.

The case file of this person is currently with the Repatriation Unit of my Department for examination for deportation. I expect the file to be submitted to me for decision in due course. This decision will be taken having regard to considerations specified in section 3(6) of the Immigration Act 1999, as amended. These considerations include matters relating to the common good, the person's family and domestic circumstances, as well as humanitarian considerations. Consideration will also be given to the prohibition of refoulement which is contained in section 5 of the Refugee Act 1996 as amended.

Question No. 221 answered with Question No. 196.

Visa Applications.

222. **Mr. Gogarty** asked the Tánaiste and Minister for Justice, Equality and Law Reform if the status of a person (details supplied) in County Dublin who is a non-EU national and was granted a visa on the basis that they are a temporary registered doctor and the parent of an Irish born child but did not receive the stamp of IBC status is automatically superseded by the fact that they are the parent of an Irish born child; and if same has a bearing on their spouse's visa application. [38699/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The application referred to by the Deputy was received in the Dublin Visa Office on 23rd August, 2006. The decision of the Visa Officer to refuse the application was taken on 9th October, 2006.

An appeal against the initial refusal decision was received on 17th November, 2006. Following a re-examination of the application, the decision to refuse was overturned. Accordingly, I am pleased to inform the Deputy that the visa application was approved on 17th November, 2006.

Tribunals of Inquiry.

223. **Mr. J. Higgins** asked the Tánaiste and Minister for Justice, Equality and Law Reform the persons who fund the operation of The Solicitors Disciplinary Tribunal. [38705/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Law Society funds the operation of the Solicitors Disciplinary Tribunal.

Garda Transport.

224. **Mr. J. O'Keeffe** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of An Garda Síochána who are driving official cars and only have the chief superintendent's permission to do so. [38706/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that members of the Garda Síochána are allowed to drive official vehicles in two circumstances: (a) where they hold at least a class B driving licence and have been authorised to drive by the Chief Superintendent; or (b) where they have completed an official driving course.

I have been further informed by the Garda authorities that the number of Gardaí who are driving Garda cars where they hold at least a class B Driving licence and have been authorised to drive by the Chief Superintendent, in each region, as at the 17 November 2006 was as set out in the table hereunder:

Region	Number
D.M.R	921
South Eastern	218
Eastern	317
Northern	275
Western	143
Southern	407
Total	2,281

Garda management states that the staffing levels of the Garda Driving and Training school are currently being examined with a view to reducing the number of personnel driving on Chief's Permission.

Garda Stations.

225. **Mr. Naughten** asked the Tánaiste and Minister for Justice, Equality and Law Reform further to Parliamentary Question Nos. 204 and 207 of 14 November 2006, the location of each station in question; and if, in each case, the living quarters are habitable; and if he will make a statement on the matter. [38724/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The detailed information sought by the Deputy is being compiled by the Garda authorities and I will communicate with him shortly.

Prison Building Programme.

226. **Mr. English** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of meetings officials from his Department have had with officials of Fingal County Council with regard to the relocation of a prison

[Mr. English.]

complex at Thornton Hall, County Dublin; and if he will make a statement on the matter. [38734/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): A total of 5 meetings have been held to date between officials of the Prison Service and officials of Fingal County Council. In addition to the above, however, consultants appointed by the Prison Service have held in excess of 15 meetings with officials of Fingal County Council in relation to the servicing of the Thornton Hall Site.

Ministerial Fleet.

227. **Mr. Cuffe** asked the Tánaiste and Minister

Name	Make or Car	Date allocated	Kilometres
Ahern B.	Merc S320	01/03/2006	29,280
Harney M.	Volvo S80	05/11/2002	218,240
O'Donoghue J.	Lexus 450H	01/06/2006	16,640
Roche D.	Lexus 450H	01/06/2006	26,880
Martin M.	Volvo S80	12/11/2005	182,400
Dempsey N.	Merc E240	31/12/2003	210,960
O'Dea W.	Lexus GS300	01/12/2005	62,720
Hanafin M.	Merc E240	21/04/2005	118,560
Ó Cuív E.	Volvo 2.5T	02/09/2005	292,800
Ahern D.	Lexus GS300	01/12/2005	106,400
Cullen M.	Merc E240	March 2004	154,400
Cowen B.	Merc E240	07/04/2005	143,200
McDowell M.	Merc E240	Sept. 2004	91,520
Brennan S.	Merc E240	March 2004	163,712
Coughlan M.	Merc E240	30/03/2005	193,600

Factors such as fuel efficiency and safety are taken into account in making purchases for the Ministerial Fleet. I have been further informed that all cars in the Ministerial Fleet are petrol driven models (with the Lexus GS 450H vehicles powered by petrol and electricity).

Garda Stations.

228. **Mr. Allen** asked the Tánaiste and Minister for Justice, Equality and Law Reform his plans for the future of the Garda station at Watercourse Road, Blackpool, County Cork. [38941/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have requested a report from the Garda authorities on the issue referred to by the Deputy and I will communicate with him shortly.

Deportation Orders.

229. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will not deport a person (details supplied) in

for Justice, Equality and Law Reform the number of kilometres covered by each Government Minister's car; the amount and type of fuel used and the make of car, for the last year for which figures are available; and if he will make a statement on the matter. [38908/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that Ministerial State cars are placed at the disposal of Government Ministers pursuant to a long standing arrangement and that up to 30th September 2006 the make of car and the Kilometres covered by each Government Minister is as set out in the table hereunder:

County Galway; and if he will work with the Department of Enterprise, Trade and Employment on this case. [38952/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): By way of background to the case I would refer the Deputy to the Replies I gave to Questions Nos. 582 and 599 on Tuesday 4 July 2006 and No. 613 of Thursday 6 July 2006. The current position with regard to the person in question and her three children is that the consent deportation orders issued in respect of them and which were signed by me on 9 June 2006 have expired and are no longer enforceable. In view of this, a fresh notice of intention to deport letter in respect of the persons concerned is currently under consideration by the Immigration Division of my Department.

Crime Prevention.

230. **Mr. S. Ryan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason neighbourhood watch brochures are no longer available for distribution within participating estates in north County Dublin; if he will con-

firm that one of the sponsors has withdrawn his financial support; if he will confirm that to date his Department has failed to come up with necessary funding for the brochures; and if he will arrange to have this matter resolved. [38983/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Neighbourhood Watch was established in 1985 as a crime prevention measure for urban areas. There are approximately 2,600 Neighbourhood Watch schemes in operation throughout the country. Since its establishment, the Garda authorities have sought to encourage the active participation of the public in Neighbourhood Watch by encouraging and supporting communities to establish and maintain such initiatives. An Garda Síochána has been a strategic partner in driving and supporting Neighbourhood Watch through its Community Relations Section and local Garda management and has deployed Crime Prevention Officers and Liaison Gardaí to assist schemes.

The Garda authorities are finalising a high level review of Neighbourhood Watch which involved consultation with all the relevant stakeholders. The new strategy will provide a blueprint for the future development of Neighbourhood Watch.

I am informed by the Garda authorities that Garda Community Relations Section arranged and funded the printing of the Neighbourhood Watch brochure which is now out of print. The Garda authorities will produce a new Neighbourhood Watch booklet for distribution when the review has been finalised and in that context the question of funding will be addressed.

Pension Provisions.

231. **Mr. J. O’Keeffe** asked the Tánaiste and Minister for Justice, Equality and Law Reform if there is a discriminatory distinction regarding exemptions from PRSI contributions in respect of contributions made for pension provisions between workers who are on PAYE and those who are self employed; the basis for this discrimination; and his plans for dealing with same. [38984/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The matters raised by the Deputy are appropriate to the Minister for Finance and the Minister for Social & Family Affairs.

Prison Services.

232. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will provide a list of those matters not related to imprisonment for which prisoners will be required to pay for escort services outside the prison under Section 37 of the Prisons Bill 2006; the number of escorts that fell into this cate-

gory each year in 2004, 2005, and 2006 to date; and the related costs of these escorts for each of those years. [38997/06]

233. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will provide a list of the those electronic devices for which prisoners will be required to pay for access to under Section 37 of the Prisons Bill 2006; and the related costs of providing access to these devices to prisoners each year in 2004, 2005, and 2006 to date. [38998/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 232 and 233 together.

Section 37 of the Prisons Bill 2006 allows the Minister to provide for charges to be made to prisoners for goods or services that are not generally available to prisoners or are not available on an unlimited basis. This would include telephone calls, access to electronic devices, private medical treatment or escorts provided outside the prison for matters not related to their imprisonment. This section will provide a statutory basis for provisions in the Draft Prison Rules (a copy of which is available on my Department’s website at www.justice.ie) which allow a Prison Governor to charge for the provision of certain services over and above the standard provision to all prisoners, such as use of the videolink, telephone calls and access to materials relating to current affairs (e.g. newspapers, magazines etc.).

Access to many of these services are currently provided without charge and it is not intended to begin charging for all of these services. For example no charge is currently made for the making of a certain amount of phone calls. Prisoners are currently entitled to a daily phone call including calls to their legal advisor, and this will continue to be the position.

Prisoners are provided with access to Healthcare services on an equivalent basis to citizens in the general community who are covered by the GMS (Medical Card) service. Section 37 of the Prisons Bill 2006 allows for the Prison Rules to provide, where it is deemed necessary (on the basis of non-convicted status) to facilitate a prisoner with access to elective health care outside the public system, that the prisoner will be responsible for the costs associated with facilitating such provision. Provision of necessary healthcare to all prisoners on an equivalent basis to that provided under the public health system will continue to be funded by the State.

In addition to the escorts costs that would arise in the facilitation of access to elective healthcare outside the public system, inmates are charged for escorts outside of their place of detention in relation to civil proceedings against third parties. It is not proposed to charge for escorts where the Minister for Justice, Equality and Law Reform or an individual governor is listed as a defendant or

[Mr. McDowell.]

co-defendant in such proceedings. It is also not proposed to charge prisoners for appointments relating to any matters before the Residential Institutions Redress Board.

In 2004 there were 29 escorts relating to civil proceedings amounting to €19,247.78. In 2005, there were 21 such escorts amounting to €8,730.11 and in 2006 to date there were 16 escorts amounting to €5,228.53.

The overall purpose of this Section is to future-proof the legislative underpinning of such charges which may become necessary to allow the provision of further services to prisoners, or to provide for currently unforeseen services to prisoners in the future. It would be unfortunate if the lack of a legislative provision would serve to hamper the use of emerging technologies to improve the lot of prisoners. For that reason it is not possible to give a definitively comprehensive list of services or items which may be covered by it.

Road Traffic Offences.

234. **Mr. Morgan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of motorists that have been penalised for travelling at speeds between 80kph and 100kph on the stretch of the R132 from south of Kilsaran to Moremount in County Louth during each of the months from January 2006 to November 2006, with a breakdown for each month of the number of the penalties which have been reversed; and if he will make a statement on the matter. [39022/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have requested from the Garda Síochána the information requested, and I will contact the Deputy again when a response is received.

Employment Rights.

235. **Mr. Morgan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to the report published by the ESRI entitled Migrant's Experience of Racism and Discrimination and its findings that insults or other forms of harassment at work are the second most common form of discrimination against immigrants with 32% of work permit holders across all groups having reported it; and his plans to address this problem. [39023/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Employment Equality Act 1998 as amended by the Equality Act 2004 places an obligation on all employers in Ireland to prevent harassment in the workplace. The administration of this legislation is a matter for my Department and, more particularly, the Equality Authority. Persons who consider them-

selves to be the victims of harassment may bring a claim to the Equality Tribunal.

Compliance with employment rights legislation is a matter for the Department of Enterprise, Trade and Employment. I am, nevertheless, aware of the ESRI Report on Migrants' Experience of Racism and Discrimination in Ireland. The Report describes the subjective experiences of racism, discrimination and exploitation in respect of a random sample of employment permit holders and asylum seekers. I have already stated, in response to the publication of the ESRI Report, that my Department is developing integration strategies through the National Action Plan Against Racism and the existing equality framework with a view to combating racism and creating an intercultural society through interaction, equality of opportunity, tolerance and respect.

Citizenship Applications.

236. **Mr. Kenny** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason for the delay in finalising the application for naturalisation in respect of a person (details supplied) in County Mayo; and if he will make a statement on the matter. [39062/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation, based on marriage to an Irish citizen, was received in the Citizenship Section of my Department on 21 June 2004 and was assigned file reference number 68/2104/04.

The applicant subsequently lodged a fresh application on 23 February 2006 (68/1232/06) as it appears he may have been under the misapprehension that the initial application was deemed not to have fulfilled the relevant statutory conditions.

I am informed by staff of the Citizenship Section of my Department that the original application is valid and that as applications received in the second half of 2004 are currently being processed, the file in question will be forwarded to me shortly for a decision.

I will of course advise both the Deputy and the person concerned when I have reached a decision on the application.

Garda Deployment.

237. **Mr. McEllistrim** asked the Tánaiste and Minister for Justice, Equality and Law Reform his plans to tackle anti-social behaviour in Tralee; the resources he has allocated to Gardaí in recent months to deal with the problem; and the impact of the community policing initiative in Tralee. [39063/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by

the Garda authorities that current policing plans for the Tralee area are predicated on the prevention of anti-social and public order offences, the prevention of crime, including crimes of violence against persons and property, and the maintenance of an environment conducive to the improvement of quality of life of the residents. This strategy is, and will continue to be, central to the delivery of a policing service to the area. I am advised that to date in 2006 there have been almost 1,000 arrests made for public order/anti-social behaviour offences in Tralee.

I am further informed that in order to maintain public order in the town and reduce the numbers of people leaving licensed premises at peak times, and as a result of submissions made by local Garda management, the latest permitted finishing time for special exemptions, granted by the District Court for the Tralee area, has been changed from 2.30 am to 2.00 am. In addition, the CCTV system currently in place is being reviewed to ensure optimum coverage of the town. I am also informed that nine additional Gardaí have been allocated to Tralee Garda District, which now has a personnel strength of 96 (all ranks). This has been beneficial to policing in terms of enforcement and visibility. The Community Policing Unit pays particular attention to outlying estates by way of foot and mountain bike patrols. Extra patrols by uniform and plain-clothes Gardaí have been put in place by local management, and, utilising resources under Operation Anvil, public disorder hotspots are being actively targeted, particularly at weekends.

Garda Youth Diversion Projects are a tangible measure of crime prevention and reflect the commitment of my Department and the Garda Síochána to multi-agency partnership approaches to tackling crime and anti-social behaviour at community level. The role of the youth diversion projects is to bring about conditions whereby the behavioural patterns of young people towards law and order can develop and mature through positive interventions and interaction with the project. There is currently one project in Tralee, Connect 7.

It is my intention that 100 projects will be established nationwide before the end of 2007. Recently I announced the establishment of ten new projects in the first phase of the expansion of the scheme, bringing the total number of projects to 74. Two of the ten projects are located in Tralee.

238. **Mr. McEllistrim** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will assign more Gardaí to Castleisland for immigration duties at Kerry Airport in Farranfore; the position regarding plans to build a new Garda station in Castleisland; the increase in the number of Gardaí assigned to Garda stations in north Kerry since 2002; and his plans to assign

more Gardaí to north Kerry in the months ahead. [39065/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength (all ranks) of An Garda Síochána increased to a record 13,000 on Thursday, 16 November, 2006, following the attestation of 299 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,298 (or 21.5%) in the personnel strength of the Force during that period. The induction of 280 new Garda recruits to the Garda College on 6 November, 2006 resulted in a combined strength, of both attested Gardaí and recruits in training, of 14,137. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

Garda boundaries do not always correlate with County and Electoral boundaries. I have been further informed that the personnel strength (all ranks) of the Kerry Division as at 31 December, 1997 and 2002, and as at 20 November, 2006 was as set out in the table hereunder:

Date	Strength
31/12/97	230
31/12/02	266
20/11/06	294

This represents an increase of 64 (or 27.8%) in the number of Garda personnel allocated to the Kerry Division during the period above. In addition, I would point out to the Deputy that the Division's resources are further augmented by a number of Garda National Units such as the Garda National Drugs Unit, the Garda National Immigration Bureau (GNIB), the Criminal Assets Bureau (CAB) and other specialised units.

Local Garda management report that with the continued expansion at Kerry (Farranfore) Airport, a review of policing and Immigration requirements at Kerry Airport has commenced. I understand that the Office of Public Works expect to have a Sketch Scheme ready, for the new Garda Area Headquarters Station at Castleisland by the end of the year, for submission to my Department and the Garda authorities.

I further understand that on approval of the Sketch Scheme the OPW expect to initiate the requisite planning process early next year. The Deputy can be assured that my officials will continue to liaise closely with the OPW with a view to addressing the accommodation needs of the Gardaí at Castleisland.

I should add that it is the responsibility of Garda management to allocate personnel to and within Divisions on a priority basis in accordance

[Mr. McDowell.]

with the requirements of different areas. These personnel allocations are determined by a number of factors including demographics, crime trends, administrative functions and other operational policing needs. Garda management state that such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made of Garda resources, and that the best possible service is provided to the public.

239. **Mr. Ring** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will provide more details on the placement of personnel (details supplied) in County Mayo. [39122/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength (all ranks) of An Garda Síochána increased to a record 13,000 on Thursday, 16 November, 2006, following the attestation of 299 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,298 (or 21.5%) in the personnel strength of the Force during that period. The induction of 280 new Garda recruits to the Garda College on 6 November, 2006 resulted in a combined strength, of both attested Gardaí and recruits in training, of 14,137. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

I have been further informed that on 17 November, 2006, 3 Probationer Gardaí were allocated from the Garda College, Templemore to Garda Stations within the Mayo Garda Division as set out in the following table:

Station	Gardaí
Ballina	1
Belmullet	1
Swinford	1

I have also been informed that on 22 November, 2006, 3 Gardaí will transfer to Garda Stations within the Mayo Garda Division as set out in the following table:

Station	Gardaí
Castlebar	1
Belmullet	1
Claremorris	1

I should add that it is the responsibility of Garda management to allocate personnel to and within

Divisions on a priority basis in accordance with the requirements of different areas. These personnel allocations are determined by a number of factors including demographics, crime trends, administrative functions and other operational policing needs. Garda management state that such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made of Garda resources, and that the best possible service is provided to the public.

Suicide Incidence.

240. **Ms C. Murphy** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of the persons who committed suicide in each year since 1999, who had been reported missing prior to being found dead; and if he will make a statement on the matter. [39213/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have requested a Garda report in relation to this matter and I will contact the Deputy again when the report is to hand.

Garda Stations.

241. **Mr. Neville** asked the Minister for Finance when the Garda barracks will be constructed at Kilfinane, County Limerick. [39009/06]

Minister of State at the Department of Finance (Mr. Parlon): A Sketch Scheme for the new Garda station at Kilfinane will be sent to the Department of Justice, Equality & Law Reform and the Garda Authorities for approval in early 2007. A Part 9 planning process will then be initiated on receipt of approval. It is anticipated that work on the new Garda station will have commenced by the end of 2007.

Asbestos Removal.

242. **Mr. Connolly** asked the Minister for Finance the progress to date on surveying all primary and post-primary school buildings in order to identify the presence of asbestos; the timescale for total eradication of asbestos from school buildings; and if he will make a statement on the matter. [39207/06]

Minister of State at the Department of Finance (Mr. Parlon): In the seven years since the commencement of the Asbestos Management Programme in schools, approximately 3,700 schools have been surveyed and works identified as necessary have either been completed, are in hand or are programmed over the coming months.

The remaining 460 or so schools will be surveyed by Spring 2007 and arrangements for removal where necessary and in other cases the

management of any materials identified will be put in hand. Remediation works are carried out on a priority basis, as soon as possible following the surveys.

The timescale for total eradication of asbestos from schools will depend on the type, location and condition of materials identified. Regard must always be given to the special nature of the school environment in deciding whether to remove asbestos containing materials or manage them safely in situ.

Removal of asbestos containing material is not always an appropriate solution. In these circumstances it is difficult to forecast a precise completion time for the programme.

Departmental Expenditure.

243. **Dr. Cowley** asked the Minister for Finance when the underspend in the Border Midland Western region will be made up by the Government; his views on whether funding is urgently needed in the region; and if he will make a statement on the matter. [38480/06]

Minister for Finance (Mr. Cowen): Investments under the National Development Plan/Community Support Framework (NDP/CSF) 2000-2006 are delivered through seven Operational Programmes (OPs) which are directly managed and implemented by Government Departments, the Regional Assemblies and other Agencies. My main concern is to ensure that the available funds are allocated in a manner that meets the Government's objectives and secures full draw-down of Ireland's entitlement of Structural Funds. I am anxious to ensure that both regions secure the EU and Exchequer funding available to them under the National Plan. In this regard, I have written to my ministerial colleagues asking them to ensure that the investment objectives for the Border, Midlands and Western (BMW) region are appropriately prioritised to ensure that outcome.

The House will be aware of the general state of play in relation to expenditure in the BMW region from previous debates and questions on this issue. The figures reported at the recent Monitoring Committee meetings indicate that some €11.1 billion or 82% of forecast Exchequer and EU expenditure had been incurred by the end of June 2006. This is a healthy implementation rate in view of the slow start up in some areas at the very beginning, the relatively disappointing response in certain demand led schemes and the fact that Exchequer spending in relation to Structural Fund Measures for the 2000-2006 period will in fact continue up to 2008 in accordance with EU Regulations. Based on the most recent information available to me from Monitoring Committee reports including their assessments of continuing spend under the current NDP, I expect that by the end of the programme period, the original forecasts for Exchequer and

EU spending in the BMW region will have been realised in full.

The Government's commitment to the BMW region does not cease when the current funding round draws to a close. Investment to achieve more balanced regional development is a key Government priority. This has been underscored by the publication the National Spatial Strategy (NSS). The implementation of the NSS will be a central element of the next NDP (2007-2013). The new NDP 2007-2013, currently being finalised, will build on the achievements already taking place under the current Plan and will continue progress towards ensuring a more balanced distribution of development in the country. In addition, the BMW region will also receive Structural Funds allocation of €458 million under the next round of funding for 2007-2013. In that context, my Department is also preparing the National Strategic Reference Framework which will set out the strategic orientation of the Structural Funds and link the European Community's priorities with the national and regional priorities, and which in turn will assist in the preparation of the relevant Operational Programmes.

Tax Code.

244. **Caoimhghín Ó Caoláin** asked the Minister for Finance the cost of reducing the higher tax band from 42% to 40%. [38486/06]

Minister for Finance (Mr. Cowen): By reference to the 2007 pre-Budget income tax ready reckoner prepared by the Revenue Commissioners the full year cost to the Exchequer of reducing the top rate of tax from 42% to 40% is estimated to be €457 million. This figure is provisional and subject to revision. The ready reckoner is available on my Department's website, at www.finance.gov.ie.

245. **Caoimhghín Ó Caoláin** asked the Minister for Finance the cost of changes to stamp duty for first-time buyers of second hand houses and apartments whereby houses up to €419,809 would be exempt from stamp duty, houses from €419,810 to €635,000 would be charged at 6% and where the rate of 9% would be retained for houses over €635,000. [38487/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the estimated cost of extending the current stamp duty exemption of €317,500 to €419,809 with a 6% stamp duty applying to houses costing from €419,810 to €635,000 for first time buyers of all second hand residential property is estimated at €35 million in a full year, based on the stamp duty yield in the first 9 months of 2006 grossed up to a 12-months basis.

Tax Yield.

246. **Mr. Bruton** asked the Minister for Finance the tax projections by source underpinning the forecast tax reserve of €47.4 billion in 2007 and the implied absolute and percentage growth on the 2006 outturn. [38555/06]

Minister for Finance (Mr. Cowen): As indicated in the Pre Budget Outlook, the tax projections take account of performance to the end of September and revisions to the economic projections since Budget 2006. The tax projection for 2007 shows an increase of €3,550 million or 8.1 per cent over the projected outturn for 2006. The principal sources of revenue, as a proportion of total tax revenue, are Income tax (28 per cent), consumption taxes (45 per cent), corporation tax (13 per cent) and capital taxes, including stamp duty (14 per cent). These projections will of course be affected by any decisions taken in the context of the forthcoming Budget.

These projections are technical in nature and will inevitably differ from those that will be published on Budget day, not least because of performance during the remainder of 2006. For example, about 20 per cent of total taxes profiled for collection in 2006 are expected in November alone. The latest Exchequer Statement provides details of how the different tax heads are performing against profile.

It is likely however that capital taxes will make up a significant part of the final excess for 2006, owing much to the continued buoyancy of the property market. In addition, there is no reason to believe, at this point, that the other taxes which have performed well to date will not continue to perform well and these will likely contribute to the overall projected excess.

Tax projections for 2006 and 2007 will be published in detail on a pre-Budget basis in the White Paper on Receipts and Expenditure. The post-Budget details will be published on Budget day.

Departmental Expenditure.

247. **Mr. Lowry** asked the Minister for Finance when he expects to have completed drafting of the National Development Plan 2007 to 2013; if an independent ex-ante evaluation will be commissioned on the draft plan; when he expects to publish the final plan; and if he will make a statement on the matter. [38569/06]

Minister for Finance (Mr. Cowen): It is intended that the NDP 2007-2013 will be published in January next. The Economic and Social Research Institute (ESRI) was commissioned by my Department to undertake an independent ex-ante evaluation of the investment priorities for the NDP 2007-2013. The ESRI's report was published on the 24th of October 2006.

Decentralisation Programme.

248. **Ms Burton** asked the Minister for Finance the position on the arrangements for an application system modelled on the central applications facility for civil servants and public servants who intend to remain in the Dublin area in the context of the Government's proposed decentralisation proposal; the number of applications that have been received; the Departments they were received from; if the Dublin central applications facility for civil servants who wish to remain in Dublin is still operational; and if he will make a statement on the matter. [38587/06]

Minister for Finance (Mr. Cowen): The primary mechanism for placing civil servants who are in posts which are due to decentralise but wish to remain in Dublin is by way of bilateral transfer. As staff in organisations who are remaining in Dublin, who have applied to decentralise, continue to be transferred into decentralising organisations, the posts they vacate become available to those wishing to remain in Dublin.

In addition, the Public Appointments Service has commenced the operation of a system which will match Dublin based posts with people wishing to remain in Dublin. Any decentralising organisation which anticipates that it will have staff wishing to remain in Dublin who cannot be placed within the organisation will engage with the Public Appointments Service in the placement of these individuals. The precise operation of these arrangements is currently being discussed with the civil service unions to improve their overall effectiveness. The aim is to achieve a close alignment between the assignment of staff to Dublin posts and the readiness of Departments to release staff at particular grade levels. When these discussions are concluded, Departments and Offices will be asked to update their returns to the Public Appointments Service. The information sought by the Deputy will be furnished as soon as that exercise is completed.

249. **Mr. Connolly** asked the Minister for Finance the number of staff in his Department who have indicated willingness to decentralise; and if he will make a statement on the matter. [38595/06]

Minister for Finance (Mr. Cowen): The number of staff in my Department who currently have live applications on the Central Applications Facility for decentralisation to other Departments/Offices is sixty nine (69), a further thirty seven (37) staff have already transferred to other departments giving a total of 106 people.

This 106 figure does not include staff in my Department who have already decentralised to Tullamore or those who wish to decentralise to Kildare (12).

250. **Cecilia Keaveney** asked the Minister for Finance if an organisation (details supplied) in County Donegal has requested to be part of an overall programme of the decentralisation of a Government Department; and if he will make a statement on the matter. [38621/06]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works have informed me that they have purchased a site in Buncrana, County Donegal to accommodate the Department of Social and Family Affairs (decentralised and local office) and the Garda Síochána. The site will be fully utilised in meeting these requirements.

Tax Code.

251. **Mr. Kehoe** asked the Minister for Finance his views on the representations from a person (details supplied) with regards to the reintroduction of a limited form of rollover to assist in exchange of lands where Teagasc certify that same is in accordance with good farm management, as provided for in the stamp duty regulations; and if he will make a statement on the matter. [38627/06]

Minister for Finance (Mr. Cowen): Capital Gains Tax (CGT) is a tax on a capital gain arising on the disposal of assets. A 20% rate of CGT applies on the gains arising on the disposal of assets. In Budget 2003, it was announced that no rollover relief would be allowed for any purpose on gains arising from disposals on or after 4 December 2002. Rollover relief applied when CGT rates were much higher. In effect, it was a deferral of the tax to be paid, where the proceeds of the disposal were re-invested into replacement assets. The taxation of these gains would take place following the eventual disposal of the new assets without their replacement. The abolition of this relief is in accordance with the overall taxation policy of widening the tax base in order to keep direct tax rates low.

Such reliefs made sense when CGT rates were 40% and above. As the Deputy may be aware, the rate was halved from 40% to 20% in Budget 1998. Taxing capital gains when they are realised is logical, and this change brings CGT into line with other areas.

However, in the last two Budgets various measures were introduced to assist the farming community. I announced in the 2005 Budget a new stamp duty relief which applies solely to farmland being exchanged between two farmers for the purposes of consolidating each farmer's holding. Guidelines in relation to this relief are available from the Department of Agriculture and Food. Budget 2006 extended the Young Trained Farmer Stamp Duty Relief for a further three years. I also provided for tax relief on the EU Single Farm Payment Entitlement under CGT Retirement Relief and CAT Agricultural

Relief. In addition, I exempted all transfers of the Single Payment from stamp duty. I have no plans for the re-introduction of rollover relief.

Tax Yield.

252. **Caoimhghín Ó Caoláin** asked the Minister for Finance the revenue generated in 2005 by stamp duty on ATM cards; the revenue generated in 2005 by stamp duty on debit laser cards; and the revenue generated in 2005 by stamp duty on combined ATM debit cards. [38672/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the net receipts from stamp duty on ATM/Debit cards, in 2005 were as follows:

	€m
ATM card without a 'Debit' function	22.4
'Debit' card without an ATM function	3.3
Combined ATM and 'Debit' card	12.2
Total	37.9

253. **Caoimhghín Ó Caoláin** asked the Minister for Finance the amount of revenue which would be raised from a €1 increase on a packet of 20 cigarettes based on 2005 figures. [38673/06]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that the yield of Excise and VAT to the Exchequer which would be raised from a €1 increase on a packet of 20 cigarettes is estimated at €219 million based on 2005 figures.

Financial Services Regulation.

254. **Mr. Hogan** asked the Minister for Finance the respective roles of his Department and the Financial Regulator in the formation of policy in key areas, specifically in the reform of credit union legislation; if his recent decision to ask the Financial Regulator to examine proposals on the savings protection scheme and to champion the reform of the regulatory framework for the credit union movement, involves an abdication of responsibility for policy information by his Department by bestowing such powers on the regulator; his views on whether this is appropriate in terms of the respective roles of both the regulator and his Department; and if he will make a statement on the matter. [38703/06]

Minister for Finance (Mr. Cowen): The Credit Union Act, 1997 provides the legal framework for the regulation of credit unions. The Act provides the credit union movement with a regulatory structure that reflects and promotes the particular ethos and philosophy of the credit union movement, its strong tradition of volunteer service and the core objective of providing opportunities for

[Mr. Cowen.]

saving and lending for members of credit unions. The role of my Department is to advise on ensuring that the legal framework for credit unions continues to be appropriate for the effective operation and supervision of credit unions. The Registrar of Credit Unions in the Financial Regulator is responsible for the administration of the regulatory and supervisory regime for credit unions under the Credit Union Act. The Registrar's powers in relation to the control and supervision of credit unions are set out in Part VI of the Credit Union Act. The purpose of supervision is twofold namely the protection of the funds of credit union members and the maintenance of the financial stability and well-being of credit unions generally. The Credit Union Advisory Committee (CUAC) — the statutory expert advisory body under the Credit Union Act — also provide advice and information to me on key regulatory issues for credit unions.

Approval for savings protection arrangements in credit unions is the responsibility of the Regulatory Authority under Section 46 of the Credit Union Act. In May 2006 the Financial Regulator agreed to examine proposals for the reform of the existing Savings Protection Scheme for credit unions and this commitment is included in the Financial Regulator's recently published three-year Strategic Plan.

The case for modernising the regulatory framework for credit unions has been raised by both the Registrar of Credit Unions and the representative bodies for credit unions. In this context, it is important that there is a clear shared understanding on how a new regulatory framework would operate, before moving to develop specific proposals for further consideration by my Department, drawing on the advice of CUAC. Consequently, I wrote to the Chair of the Financial Regulator earlier this year recommending that the Financial Regulator engages with the credit union movement, in the first instance, to identify common ground in relation to a set of principles that could guide the development of an updated regulatory framework for credit unions. The Chair of the Financial Regulator has indicated the Authority's willingness to move forward on this basis and I look forward to considering the proposals that emerge from these considerations.

I consider that the consultative approach adopted in this instance which is fully consistent with the principles of Better Regulation is essential to ensuring that any proposals with implications for the reform of the regulatory and legislative framework for credit unions are fully informed by the views of both the credit union stakeholders and the Regulatory Authority.

Driving Tests.

255. **Mr. English** asked the Minister for Finance if the Office of Public Works intends to locate a

driving test centre at the old AIB building in Main Street, Blanchardstown; and if he will make a statement on the matter. [38736/06]

Minister of State at the Department of Finance (Mr. Parlon): The building referred to has been allocated to the Department of Transport for use as a Driving Test Centre. Preparations are under way on the submission of a planning application to the local authority.

National Parks.

256. **Mr. English** asked the Minister for Finance the outcome of the Office of Public Work's study into opening the Phoenix Park to buses. [38737/06]

Minister of State at the Department of Finance (Mr. Parlon): The independent Traffic Study for the Phoenix Park, completed recently, examined a range of measures to alleviate pressures on the Park and make it more accessible and safer for all Park users. Prior to formulation of the Study, a public consultation process was undertaken by the consultants.

One of the measures recommended in the Study is the provision of a public commuter bus service via Chesterfield Avenue to the city centre. Another measure recommended in the Study is the provision of a Park shuttle service to provide access for the public from Heuston station to all the main features in the Park.

The Commissioners expect that the public consultation process on the completed Study, will be concluded by mid December.

The Commissioners have written to Dublin Bus inviting proposals for a service through the Phoenix Park.

Garda Stations.

257. **Mr. Allen** asked the Minister for Finance his Department has been requested to seek an alternative site for the Garda station at Watercourse Road, Blackpool, County Cork; and if there are plans for the disposal of the building. [38935/06]

Minister of State at the Department of Finance (Mr. Parlon): The future of Watercourse Road Garda station is under consideration by the Garda Authorities in consultation with the Commissioners of Public Works. Disposal of this Garda station premises is not currently under consideration.

Tax Code.

258. **Caoimhghín Ó Caoláin** asked the Minister for Finance the annual cost of increasing the maximum mortgage interest relief available for first-time buyers on or below the average industrial wage from €800 to €1,000 per annum for sin-

gle people and from €1,600 to €2,000 per annum for widowed and married people. [38936/06]

259. **Caoimhghín Ó Caoláin** asked the Minister for Finance the annual cost of increasing the maximum mortgage interest relief available for first-time buyers on or below the average industrial wage from €800 to €1,200 per annum for single people and from €1,600 to €2,400 per annum for widowed and married people. [38937/06]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 258 and 259 together.

I assume that what the Deputy has in mind is the cost of increasing the maximum mortgage interest relief available for first time buyers in the first seven years of a mortgage in certain cases.

I am informed by the Revenue Commissioners that the full year costs to the Exchequer, based on projected 2007 incomes, of the changes referred to by the Deputy are estimated to be in the region of €5 million and €8 million respectively.

However, I would point out that a scheme on the lines suggested would be likely to raise practical, operational and administrative difficulties, in particular for the financial institutions who

operate the mortgage interest relief at source system.

These figures are provisional and subject to revision.

Question No. 259 answered with Question No. 258.

260. **Mr. Stanton** asked the Minister for Finance the estimated annual cost in terms of revenue foregone on tax and PRSI concessions relating to contributions to approved pension schemes, including occupational schemes, AVCs, PRSAs, and self-employed and director arrangements in each of the most recent three years for which data is available, showing separately figures for PAYE, PRSI and other tax headings, for example, self-employed persons; and if he will make a statement on the matter. [38938/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the relevant available information relates to the estimated cost of tax relief on pension contributions by employers, employees and self-employed and the exemption from tax of income in the pension funds. This information is provided for the three income tax years 2001 to 2003, the latest year for which it is available.

Cost of income tax relief relating to pension contributions

	2001	2002	2003
Type of Pension Contributions	€ million	€ million	€ million
Employees' Contributions to approved Superannuation Schemes	389	563	622
Employers' Contributions to approved Superannuation Schemes	498	623	564
Exemption of Net Income of approved Superannuation Funds (Contributions plus Investment Income less Outgoings)	938	1,272	1,434
Retirement Annuity Contracts (RACs)	185	251	264
Personal Retirement Savings Accounts (PRSAs) *	N/A	N/A	6
Total	2,010	2,709	2,809

*Figures for PRSAs reflect the relative early stage of the scheme which was introduced in 2002.

It should be noted in relation to the tax year 2001, that as PAYE taxpayers were charged to tax on their earnings in the period from 6 April to 31 December 2001 and self-employed taxpayers were assessed to tax for that short year on 74% of the profits earned in a 12 month accounting period, the cost figures will not be directly comparable with those of later years.

It should also be noted that these costs are very tentative and that efforts are being made to improve information on the cost of tax relief for pensions. The cost figures in respect of pension contributions by proprietary directors are included in the overall figures provided and a breakdown is not available. With regard to occupational pensions, that is, schemes set up by the employer, the figures in respect of employee and employer contributions are available only in aggregate form on a tentative basis. RACs are

used by the self-employed and by employees who are not in pensionable employment.

Estimates of PRSI costs in relation to pension contributions have not been compiled and are not available.

Motor Vehicle Registration.

261. **Mr. Stanton** asked the Minister for Finance if, in cases where VRT has been paid on commercial vehicles and where subsequently the owner wants to use the vehicle for ordinary passenger use, the original VRT paid is taken into account and deducted from the extra VRT that has to be paid in order to upgrade the vehicle to passenger use; and if he will make a statement on the matter. [38980/06]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that the

[Mr. Cowen.]

original vehicle registration tax, VRT, paid is taken into account where a commercial vehicle which has been previously registered for VRT purposes in the State is converted in such a manner that the VRT classification changes from category B or C (commercial) to category A (passenger).

Section 132(5) of the Finance Act 1992 provides for the methodology to be used in the calculation of VRT liability in such instances. When the converted vehicle is presented to Revenue for assessment of the additional VRT due, the methodology allows for the residual VRT on the pre-converted vehicle to be calculated, based on the open market selling price on that day, of a similar second-hand commercial vehicle. This is then offset against the VRT due.

Civil Service Staff.

262. **Mr. Naughten** asked the Minister for Finance the procedures for removing a person who is employed by or under the State; if an outside body can terminate said employment or instruct it to be terminated; and if he will make a statement on the matter. [38992/06]

Minister for Finance (Mr. Cowen): I understand that the Deputy's question relates specifically to the situation regarding civil servants. There are a number of grounds on which a civil servant may be removed from office. First, under the Civil Service Regulation (Amendment) Act 2005, which was commenced on 4 July 2006, disciplinary action may be taken on grounds of misconduct, irregularity, neglect, unsatisfactory behaviour or underperformance. The relevant Minister has powers of discipline and dismissal for the grades of principal upwards and Secretaries General and heads of office have responsibility for grades below principal. The Government is responsible for the dismissal of civil servants appointed by it.

Second, the Civil Service Regulation (Amendment) Act 2005 provides for transitional arrangements in situations where proceedings, procedures or measures in relation to discipline and dismissal have begun before the Act is commenced, these proceedings are not affected by the changes to the Regulation Act. Such proceedings are to continue until completed or concluded as if the arrangements prior to the amendment of the Civil Service Regulation Act 1956 were still in place.

Third, the Civil Regulation Act 1956 also allows for compulsory retirement on grounds of ill-health at the initiative of the employing Department or office. Finally, under the 1909 and 1963 Superannuation and Pensions Acts, an officer may be retired early on grounds of organisational efficiency or effectiveness and receive a pension before the normal pension age.

Medical Cards.

263. **Mr. Gregory** asked the Minister for Health and Children the maximum amount a person (details supplied) in Dublin 7 can earn and still retain their medical card; if this amount referred to has changed over the past eight years; and if she will make a statement on the matter. [38642/06]

Minister for Health and Children (Ms Harney): Medical cards are made available to persons and their dependants who would otherwise experience undue hardship in meeting the cost of general practitioner, GP, services. In 2005 the GP visit card was introduced as a graduated benefit so that people on lower incomes, particularly parents of young children, who do not qualify for a medical card would not be deterred on cost grounds from visiting their GP.

Since the beginning of 2005, substantial changes have been made to the way in which people's eligibility for a medical card is assessed and these apply equally to the assessment process for a GP visit card. The income guidelines have been increased by a cumulative 29%. Income assessed is now after income tax and PRSI. In addition, allowance is made for reasonable expenses incurred in respect of mortgage or rent, child care and travel to work costs. In June 2006, I agreed with the Health Service Executive, HSE, a further adjustment to the assessment guidelines for GP visit cards and these are now 50% higher than those in respect of medical cards.

The financial guidelines used by the executive to assist it in determining if a person qualifies for a medical card have been changed over the past eight years. The following table gives details of medical card and GP visit card guidelines as at 20 November 2006. As the HSE has the operational and funding responsibility for these benefits, it is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the parliamentary affairs division of the executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

The following table shows allowed weekly income, after tax and PRSI, before mortgage or rent, child care and travel to work expenses are allowed for.

	Medical Card (with effect from October 2005)	GP Visit Card (with effect from June 2006)
<i>Single Person Living Alone</i>		
Aged up to 65 years	184.00	276.00
Aged between 66-69 years	201.50	302.00
<i>Single Person Living with Family</i>		
Aged up to 65 years	164.00	246.00
Aged between 66-69 years	173.50	260.00

	Medical Card (with effect from October 2005)	GP Visit Card (with effect from June 2006)
<i>Married couple/Single Parent Families with dependent children</i>		
Aged up to 65 years	266.50	400.00
With 1 Child	304.50	457.00
With 2 Children	342.50	514.00
With 3 Children	383.50	575.00
With 4 Children	424.50	637.00

Mental Health Services.

264. **Mr. English** asked the Minister for Health and Children if it is her view that the proposed Central Mental Hospital can be located at Thornton, County Dublin without planning permission; and if she will make a statement on the matter. [38735/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Health Services.

265. **Ms O'Sullivan** asked the Minister for Health and Children if her attention has been drawn to the fact that the majority of physiotherapy graduates from UCD in 2006 have been unable to find work in the health services here; if she will engage with the Health Service Executive to ensure that the needs of the public and the availability of qualified professionals are matched through the creation of posts in physiotherapy in the health services; and if she will make a statement on the matter. [38933/06]

311. **Ms O'Sullivan** asked the Minister for Health and Children if her attention is drawn to the fact that the majority of graduates in physiotherapy from UCD in 2006 have been unable to find posts in the health services here; if her Department has plans to provide funding to the Health Service Executive to sanction additional posts; and if she will make a statement on the matter. [38940/06]

Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 265 and 311 together.

I was recently made aware that an issue has arisen around the availability of employment opportunities for recently qualified physiotherapists and I have asked the HSE to give the matter its urgent attention. It is a matter for the Health Service Executive, as part of the management of its employment ceiling, to determine the appropriate staffing mix required to deliver its service plan priorities.

It is important to note that there is not an over supply of physiotherapists in Ireland. The Bacon Report, Current and Future Supply and Demand Conditions in the Labour Market for Certain Professional Therapists, March 2001 recommended an increase in physiotherapy training places, following which additional training places were provided. There continues to be a growing demand for physiotherapy services and this is likely to continue as was highlighted in the Healthcare Skills Monitoring Report (FÁS, August 2005) and as evidenced by the number of development posts planned for the physiotherapy profession in the coming years.

At present, there is a significant demand for Senior Physiotherapists but, at the present time, less opportunities for newly qualified graduates. I am advised that the HSE has recently advertised 81 Primary Care physiotherapy posts and there will be a further 62 development posts in physiotherapy, in areas such as services for persons with disability and older person's services. The majority of these posts, which should be filled in the coming months, are at senior level, but their filling should provide employment opportunities for recent graduates through backfill. As the development posts are taken up by seniors, or more qualified basic grades currently in the system, a gap will be left for the recent physiotherapy graduates.

My Department and the HSE have identified this issue as a priority and are taking steps, in consultation with relevant stakeholders to find a satisfactory and sustainable outcome in the interest of the patient, the public, physiotherapists seeking employment and the HSE itself.

Eating Disorders.

266. **Ms C. Murphy** asked the Minister for Health and Children if she will provide funding for a dedicated eating disorder service; and if she will make a statement on the matter. [39159/06]

335. **Mr. Connolly** asked the Minister for Health and Children if funding will be provided for dedicated eating disorder services for young people; and if she will make a statement on the matter. [39106/06]

337. **Ms C. Murphy** asked the Minister for Health and Children the initiatives that have been undertaken by her Department to highlight the problem of eating disorders here; the services currently in place for both the prevention and

[Ms C. Murphy.]

treatment of such conditions; and if she will make a statement on the matter. [39158/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 266, 335 and 337 together.

Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services, including the treatment of eating disorders, has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Voluntary Sector Funding.

267. **Ms McManus** asked the Minister for Health and Children her views on concerns that the Irish Osteoporosis Society may have to close due to lack of funding; the steps she will take to support people with osteoporosis; the number of people with osteoporosis here; and if she will make a statement on the matter. [39352/06]

293. **Ms McManus** asked the Minister for Health and Children if she will comment on concerns that the Irish Osteoporosis Society may have to close due to lack of funding; the steps she will take to support people with osteoporosis; the numbers of people with osteoporosis here; and if she will make a statement on the matter. [38612/06]

Minister of State at the Department of Health and Children (Mr. S. Power): I propose to take Questions Nos. 267 and 293 together.

The Irish Osteoporosis Society (IOS) received funding from the Health Service Executive of €130,000 in 2005. The IOS sought further funding of €128,000 during 2006. Following a series of meetings and checking of documentation, the HSE provided this amount to the IOS on the 22nd of September 2006.

The Health Service Executive has informed my Department that the IOS have not formally applied for further funding but have indicated they wish to. Representatives from the Population Health Directorate are scheduled to meet with the IOS on the 28th November to discuss funding.

Osteoporosis can affect men, women and children of all ages. As many cases of osteoporosis remain undetected until a fracture is sustained it is difficult to give exact incidence and prevalence rates for the disease in Ireland. However, osteoporosis is currently estimated to affect 1 in 3 women and 1 in 5 men over 50 years of age. Furthermore, loss of bone density, symptomatic of

the potential to develop osteoporosis occurs with advancing age and rates of fracture increase markedly with age, giving rise to significant morbidity and mortality.

The Department has supported the National Council on Ageing and Older People and the Health Service Executive in the establishment of a steering committee to oversee the development of a strategy to prevent falls and fractures in the ageing population. This committee is chaired by the HSE, and it is understood that a subgroup has been established to examine the area of osteoporosis.

Services for People with Disabilities.

268. **Mr. Costello** asked the Minister for Health and Children the proposals she has to provide independent living for people who have a disability and in particular in relation to a person (details supplied) in Dublin 7; and if she will make a statement on the matter. [38489/06]

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.

Pharmacy Regulations.

269. **Mr. Howlin** asked the Minister for Health and Children when it is proposed to introduce a new Pharmacy Act; if the heads of such legislation have been approved by Government; and if she will make a statement on the matter. [38490/06]

Minister for Health and Children (Ms Harney): As I have previously stated, I consider the first Pharmacy Bill a priority piece of legislation. The first Bill will deal with the governance of the Pharmaceutical Society, registration and fitness to practice issues. It will also remove the EU derogation for supervisory pharmacists (where only Irish-trained pharmacists can supervise pharmacies less than three years old). The general scheme and draft heads of the first Bill were approved by Government on 25th May 2006. Work on the drafting of the Bill is ongoing between my officials and the Parliamentary Counsel's Office. Subject to the Cabinet's approval, I hope to publish the Bill and present it to the Oireachtas before the end of the current session of the Oireachtas.

Medical Cards.

270. **Mr. F. McGrath** asked the Minister for Health and Children if she will assist a person

(details supplied) in Dublin 5 in getting a medical card; and the reason for the hold-up regarding this issue. [38491/06]

Minister for Health and Children (Ms Harney):

Medical cards are made available to persons and their dependants who would otherwise experience undue hardship in meeting the cost of General Practitioner (GP) services. In 2005 the GP visit card was introduced as a graduated benefit so that people on lower incomes, particularly parents of young children, who do not qualify for a medical card would not be deterred on cost grounds from visiting their GP.

Since the beginning of 2005 substantial changes have been made to the way in which people's eligibility for a medical card is assessed and these apply equally to the assessment process for a GP visit card. The income guidelines have been increased by a cumulative 29% and in addition allowance is now made for reasonable expenses incurred in respect of mortgage/rent, childcare and travel to work costs. In June 2006 I agreed with the Health Service Executive a further adjustment to the assessment guidelines for GP visit cards and these are now 50% higher than those in respect of medical cards.

As the Health Service Executive has the operational and funding responsibility for these benefits, it is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Drug Trials.

271. **Mr. Neville** asked the Minister for Health and Children the number of drug trials involving psychiatric patients in 2004, 2005 and to date in 2006. [38492/06]

Minister for Health and Children (Ms Harney):

The information sought by the Deputy is set out in the table below.

Year	Number of Trials
2004	6
2005	1
2006 to date	2

Sevices for People with Disabilities.

272. **Mr. Neville** asked the Minister for Health and Children the number of persons with an intellectual disability in psychiatric hospitals. [38493/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery

of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

273. **Mr. Neville** asked the Minister for Health and Children the measures she is taking in relation to the urgent requirements for the development of an acute in-patient unit at Beaumont Hospital as outlined in the 2004 Annual Report of the Mental Health Commission. [38494/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley):

The question relates to the 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.

274. **Mr. O'Dowd** asked the Minister for Health and Children if a hospital appointment will be arranged as a matter of urgency for a person (details supplied) in County Louth in view of the persons ongoing medical condition; and if she will make a statement on the matter. [38495/06]

Minister for Health and Children (Ms Harney):

Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Medical Cards.

275. **Mr. McGuinness** asked the Minister for Health and Children if a full medical card will be issued in the case of a person (details supplied) in County Kilkenny; and if she will expedite the matter. [38497/06]

Minister for Health and Children (Ms Harney):

Medical cards are made available to persons and their dependants who would otherwise experience undue hardship in meeting the cost of General Practitioner (GP) services. In 2005 the GP visit card was introduced as a graduated benefit so that people on lower incomes, partic-

[Ms Harney.]

ularly parents of young children, who do not qualify for a medical card would not be deterred on cost grounds from visiting their GP.

Since the beginning of 2005 substantial changes have been made to the way in which people's eligibility for a medical card is assessed and these apply equally to the assessment process for a GP visit card. The income guidelines have been increased by a cumulative 29% and in addition allowance is now made for reasonable expenses incurred in respect of mortgage/rent, childcare and travel to work costs. In June 2006 I agreed with the Health Service Executive a further adjustment to the assessment guidelines for GP visit cards and these are now 50% higher than those in respect of medical cards.

As the Health Service Executive has the operational and funding responsibility for these benefits, it is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Health Services.

276. **Dr. Cowley** asked the Minister for Health and Children if her Department intends investing to a greater extent in cardiovascular health services following recent research which found that Ireland spends the second lowest proportion of its health care budget in heart and circulatory diseases in the enlarged EU; and if she will make a statement on the matter. [38524/06]

Minister for Health and Children (Ms Harney): The study to which the question refers is the 'Economic burden of cardiovascular diseases in the enlarged EU' by Leal J, Luengo-Fernández R, Gray A, Petersen S and Rayner M. *European Heart Journal*, doi:10.1093/eurheartj/ehi733.

I understand that the authors set out to provide an estimate of the economic costs of cardiovascular disease for EU countries. Data were obtained from published studies of healthcare costs and health service utilisation. It appears that all costs for health care in Ireland were extrapolated from costs in other countries.

It is unclear how some of costs were estimated, for example, annual loss of earnings or the cost for a day's inpatient care. The data on costs and resource implications were used to estimate the costs of cardiovascular disease.

Given that the authors may have underestimated the true costs in Ireland, there are question marks about the accuracy of the overall findings as they relate to this country. It is also possible that the authors did not include the costs of services provided in the private sector.

There has been rapid expansion in cardiology services in Ireland in recent years. The Cardiovascular Health Strategy — Building Healthier

Hearts — was launched in 1999. The report makes recommendations about the prevention, treatment and surveillance of coronary heart disease across a number of sectors and the full range of health service activities, in health promotion, primary care, pre-hospital care, acute hospital services and cardiac rehabilitation.

Since 2000 the Government has committed over €60 million towards the implementation of the Strategy. This funding has supported a wide range of new regional services and initiatives, which have had a measurable impact on the diagnosis, and treatment of patients with heart disease. More than 800 new posts have been created, including 19 additional consultant cardiology posts.

We have made progress in addressing the key challenges in the implementation of the Cardiovascular Health Strategy in relation to (i) Improving Population Health: by supporting inter-sectoral work for health promotion, to reduce risk of cardiovascular disease and improve quality of life; (ii) Ensuring equitable access to services: by continued provision of resources and support to fully implement outstanding Cardiovascular Health Strategy recommendations to meet the needs of the growing numbers of older people and to provide new treatments for which there is evidence of effectiveness; (iii) Improving the quality of services: by developing and implementing practice guidelines, the implementation of cardiovascular health information systems, support for clinical audit and for research to enhance the quality of services.

It appears that the study may not reflect the current level of expenditure and service provision. The study is useful however in drawing to our attention the high costs of cardiovascular disease both in Ireland and at European level, not just the costs of health care but also the costs to the economy and to families and carers.

Grant Payments.

277. **Mr. N. O'Keeffe** asked the Minister for Health and Children if she will investigate the non-payment of a specific type of grant approved by the Health Service Executive in respect of a person (details supplied) in County Cork. [38525/06]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Hospital Staff.

278. **Mr. J. Breen** asked the Minister for Health and Children when the health care assistants working at St. Joseph's Hospital, Ennis, County Clare who have passed their full examinations will be appointed to full time positions; and if she will make a statement on the matter. [38526/06]

Minister for Health and Children (Ms Harney): Over 120,000 people work full-time or part-time in our public health services. In recent years, the Government's ongoing high level of investment in health has achieved and maintained significant increases in the number of doctors, nurses and other healthcare professionals employed in the public health services. The Government has also invested heavily in the education and training of such personnel in order to secure a good supply of graduates to provide for the healthcare needs of the population into the future.

Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. The Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Health Services.

279. **Mr. Healy-Rae** asked the Minister for Health and Children the average waiting time nationally for consultation and treatment for public orthodontic patients; and if she will make a statement on the matter. [38532/06]

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 Staff.

280. **Mr. Healy-Rae** asked the Minister for Health and Children if she will appoint a specialist orthodontist for the Kerry area to cope with the present public waiting list which has been closed due to the volume of patients; and if she will make a statement on the matter. [38533/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the manage-

ment and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

281. **Mr. Healy-Rae** asked the Minister for Health and Children if she will replace the two dentists that left the public orthodontist unit for Cork and Kerry as the waiting list has over 1,000 patients on it and had to be closed by the senior public orthodontist due to reduced staff numbers and an increase of patients waiting for four or five years for this treatment; and if she will make a statement on the matter. [38534/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

282. **Dr. Cowley** asked the Minister for Health and Children when a full time palliative care unit will be established at Mayo General Hospital; and if she will make a statement on the matter. [38545/06]

Minister of State at the Department of Health and Children (Mr. S. Power): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

283. **Dr. Cowley** asked the Minister for Health and Children the date the third dialysis session at Mayo General Hospital will be up and running; if same will happen before the end of 2006 as previously stated by her Department as the dialysis department of Mayo General Hospital are not aware of the increased capacity; and if she will make a statement on the matter. [38551/06]

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

[Ms Harney.]

2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medical Aids and Appliances.

284. **Mr. Wall** asked the Minister for Health and Children further to Parliamentary Question No. 559 of 27 September 2006, the mechanism a voluntary group (details supplied) in County Kildare can follow to assist in the purchase of a defibrillator, in view of the work defibrillators play in the protection of human life and their value to the local community. [38556/06]

285. **Mr. Wall** asked the Minister for Health and Children further to Parliamentary Question No. 700 of 27 September 2006 and in view of the work that defibrillators can play in the protection of human life, if she has plans to provide grant aid to sports clubs and voluntary organisations to help with the considerable purchase price of defibrillators. [38557/06]

Minister of State at the Department of Health and Children (Mr. S. Power): I propose to take Questions Nos. 284 and 285 together.

In September 2004 a national Task Force on Sudden Cardiac Death was established in order to address the problem of sudden cardiac death in Ireland. The Report of the Task Force, published in March 2006, makes recommendations on the prevention of sudden cardiac death and on the detection of those at high risk.

The Task Force supports the establishment of first responder programmes and recommends that priority should be given to programmes, geographical locations and facilities identified as having the greatest need. All programmes should be coordinated by the HSE ambulance services, with best practice guidance from the Pre Hospital Emergency Care Council.

The Task Force also recommends that Automated External Defibrillators (AEDs) should be placed in facilities where the incidence of cardiac arrest is high, including: inpatient health facilities; G.P. surgeries and primary care facilities; airports, shopping centres, major sports venues and golf courses, bus/rail terminals, ferries/ferry terminals, concert and conference venues; universities and colleges; gyms and fitness clubs; and other venues for major public events.

My Department has no plans to provide grant aid to assist in the purchase of AEDs for these or other facilities. Where funding for AEDs or first responder schemes is required, the Health Service Executive, which has overall responsibility for the implementation of the report's recommendations, may consider such applications, subject to financial constraints and guided by the priorities identified in the report.

Nursing Home Charges.

286. **Mr. Lowry** asked the Minister for Health and Children the average length of time involved in processing a payment under the nursing home repayment scheme from receipt of application to final repayment; the number of applications received from each county; the average payment; if a dedicated helpline continues to exist for applicants; if a dedicated point of contact exists for Members of the Oireachtas; and if she will make a statement on the matter. [38570/06]

Minister for Health and Children (Ms Harney): The Health Service Executive has responsibility for administering the Repayment Scheme and the information sought by the Deputy relates to matters within the area of responsibility of the Executive.

My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued to the Deputy.

287. **Mr. Lowry** asked the Minister for Health and Children when payment will issue to a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [38571/06]

Minister for Health and Children (Ms Harney): The Health Service Executive has responsibility for administering the Repayment Scheme and the information sought by the Deputy relates to matters within the area of responsibility of the Executive.

My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued to the Deputy.

Services for People with Disabilities.

288. **Mr. Lowry** asked the Minister for Health and Children the reason a special needs assistant has been removed from a person (details supplied) in County Tipperary; if the decision will be reconsidered; and if she will make a statement on the matter. [38572/06]

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 Charges.

289. **Mr. Deasy** asked the Minister for Health and Children the number of applications received for repayments under the national repayments

scheme to date; the number of those applications that have been fully processed; when she expects all applications to be fully processed and all due repayments awarded to applicants; and if she will make a statement on the matter. [38588/06]

Minister for Health and Children (Ms Harney): The Health Service Executive has responsibility for administering the Repayment Scheme and the information sought by the Deputy relates to matters within the area of responsibility of the Executive.

My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued to the Deputy.

Cancer Screening Programme.

290. **Mr. Connolly** asked the Minister for Health and Children the availability of BreastCheck in County Cavan; and if she will make a statement on the matter. [38589/06]

291. **Mr. Connolly** asked the Minister for Health and Children the availability of BreastCheck in County Monaghan; and if she will make a statement on the matter. [38590/06]

Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 290 and 291 together.

I have met with representatives of BreastCheck and they are fully aware of my wish to have a quality assured programme rolled out to the remaining regions in the country as quickly as possible. I have approved additional revenue funding of €8 million for 2007 to meet the additional costs of roll-out and an additional 69 posts have been approved. BreastCheck also requires considerable capital investment in the construction of two new clinical units and in the provision of five additional mobile units and state of the art digital equipment. I have made available an additional €21m capital funding to BreastCheck for this purpose. This investment will support the roll out to the South and West commencing in the Spring of next year.

At a meeting with my Department recently, BreastCheck reported on significant progress that has been made in preparation for the roll-out. BreastCheck has appointed Clinical Directors for the Southern and Western regions. The recruitment of Consultants and other staff, including Radiographers, is underway. Construction teams have been appointed for the static units in University College Hospital Galway and South Infirmary/Victoria Hospital, Cork. Construction commenced in Cork on 3 November and in Galway on 7 November.

As regards the roll out to specific counties, my Department has requested the Director of the Programme to respond directly to the Deputy.

Hospital Services.

292. **Mr. Perry** asked the Minister for Health and Children if she will intervene with St. James's Hospital on behalf of a person (details supplied) in County Sligo and have them called for treatment as their condition has deteriorated; and if she will make a statement on the matter. [38599/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

Question No. 293 answered with Question No. 267.

294. **Mr. F. McGrath** asked the Minister for Health and Children if she will urgently take action regarding the parking situation especially for patients attending St. Martins' dialysis unit, Beaumont Hospital; and when the new 40-bed unit will be built. [38613/06]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

295. **Mr. F. McGrath** asked the Minister for Health and Children if she will assist the Centre for Independent Living in Castlebar, County Mayo; and if she will support them in their request for personal assistants for 70 people. [38623/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Procedures.

296. **Mr. McEntee** asked the Minister for Health and Children the procedures in place in hospitals, health centres and Government offices to minimise the risk of Legionnaires' disease from showers, spray taps and ornamental fountains; if risk assessments have been carried out on all public buildings; if these risk assessments are available to the public and to staff; and if she will make a statement on the matter. [38637/06]

Minister of State at the Department of Foreign Affairs (Mr. Treacy): The management of public health aspects of Legionnaires' disease is carried out in accordance with multidisciplinary guidance which was produced by the Health Service Executive — Health Protection Surveillance Centre (HSE — HPSC) and covers the prevention, environmental health management, contact tracing and surveillance of cases of Legionnaires' disease in both hospital and community settings. This is available on the HPSC website at www.hpsc.ie. The operational aspects of the public health management or surveillance of Legionnaires' disease are handled as a matter of routine by the Health Service Executive.

Proposed Legislation.

297. **Mr. McEntee** asked the Minister for Health and Children if the proposed health Bill will provide for controls for bacteria commonly found in water systems in hospitals and health care centres including legionella bacteria which causes Legionnaires' disease and has resulted in deaths in hospitals; and if she will make a statement on the matter. [38638/06]

Minister for Health and Children (Ms Harney): The health Bill 2006 will provide for the establishment of the Health Information and Quality Authority which will have responsibility for setting standards on safety and quality in relation to services provided under the Health Acts. The issue of control of notifiable diseases and such matters are dealt with under the provisions of the Health Act 1947 and the regulations made under that Act.

Health Services.

298. **Mr. Ring** asked the Minister for Health and Children if additional funding will be provided to a group (details supplied) in County Mayo in 2007 to ensure the continuation of its good works; and if funding will be provided for new services for this group. [38640/06]

Minister of State at the Department of Health and Children (Mr. S. Power): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has

been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Hospital Procedures.

299. **Mr. F. McGrath** asked the Minister for Health and Children the position regarding cleanliness and hygiene matters in hospitals here and on the strategies to end MRSA. [38646/06]

Minister for Health and Children (Ms Harney): Infection prevention and control of Health Care Associated Infections (HCAIs), including MRSA, 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.

Strict infection control measures, together with improved hospital hygiene, are key actions for the control of the spread of HCAIs. The HSE has put in place a number of structures at local, regional and national levels to achieve this. Two National Hygiene Audits have been carried out in the last year in acute hospitals under the auspices of the National Hospitals Office of the HSE.

In addition, the implementation of the revised guidelines for the Strategy for Antimicrobial Resistance in Ireland, which includes recommendations on hospital hygiene practice, appropriate antibiotic prescribing, active surveillance for the detection of MRSA and corporate/clinical governance structures in the area of infection control, the "Clean Hands Campaign" and the development of national standards in relation to infection control and hospital hygiene are also aimed at addressing the challenges presented by HCAIs.

I am confident that hospital hygiene will continue to improve in view of the increased awareness and resolve within the HSE and the hospitals to attain the necessary high standards.

Care of the Elderly.

300. **Mr. Ardagh** asked the Minister for Health and Children if she will include under services to the elderly, massage therapy for senior citizens with severe pain problems in order to give them relief from their pain on a weekly or fortnightly basis. [38652/06]

Minister of State at the Department of Health and Children (Mr. S. Power): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. There-

fore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Child Care Services.

301. **Mr. Ring** asked the Minister for Health and Children the appeals mechanism in place in relation to the inspection process for privately owned child care facilities in County Mayo; if there is an independent inspectorate that will arbitrate complaints from private sector operators; and if she will make a statement on the matter. [38666/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Health Service Executive has statutory responsibility for the implementation of the Child Care (Pre-School Services) Regulations 1996 and (Amendment) Regulations 1997, which give effect to the provisions of Part VII of the Child Care Act 1991 and provide for notification to, and inspection by the Health Service Executive of pre-school services. The Regulations apply to pre-schools, playgroups, day nurseries, crèches, childminders looking after more than three pre-school children (other than their own such children) in the childminders own home and other similar services which cater for children under six years of age.

Judgments as to whether a pre-school service is in compliance with the Child Care (Pre-School Services) Regulations 1996 and (Amendment) Regulations 1997 are made on inspection by the pre-school services inspection teams of the Health Service Executive.

Both the appeals mechanism in place in relation to the inspection process for privately owned childcare facilities in County Mayo and the arbitration of complaints from private sector operators relate to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Ambulance Service.

302. **Mr. Connolly** asked the Minister for Health and Children the 20 hospitals where it is proposed to remove seven day 24 hour ambulance accident and emergency services. [38674/06]

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 (case) investigated and to have a reply issued directly to the Deputy.

Health Services.

303. **Mr. Kenny** asked the Minister for Health and Children if crowding comes within the 1985 guidelines of her Department in respect of orthodontic treatment; if she will confirm that it is universally accepted that severe crowding is one of the malocclusions dealt with in Category C under the 1985 guidelines; and if she will make a statement on the matter. [38675/06]

Minister for Health and Children (Ms Harney):

The aim of my Department is to promote the development of the treatment capacity of orthodontics in a sustainable way over the longer term. Given the potential level of demand for orthodontic services, the provision of those services will continue to be based on prioritisation of cases based on treatment need — as happens under the existing guidelines. These guidelines were issued in 1985 and are intended to enable the Health Service Executive (HSE), to identify in a consistent way those in greatest need and to commence timely treatment for them.

The HSE has informed my Department that it has established an Orthodontic Review Group. The terms of reference for the Group are:

- to review the recommendations of the Joint Oireachtas Committee Reports;
- to examine the recommendations within the operational remit of the HSE and to establish their status;
- to conduct an analysis of the HSE's existing orthodontic delivery structure and capacity. Based on that analysis, to make recommendations in that regard;
- the recommendations thus made to be costed and a time-frame for their implementation proposed.

The Orthodontic Review Group will report on its findings, including the issue of orthodontic need raised by the Deputy, to the Chief Executive Officer of the HSE.

304. **Dr. Cowley** asked the Minister for Health and Children when the home care packages currently being assessed for County Mayo were received by the offices of the Health Services Executive western region; and if she will make a statement on the matter. [38679/06]

Minister of State at the Department of Health and Children (Mr. S. Power): Operational responsibility for the management and delivery of

[Mr. S. Power.]

health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

305. **Dr. Cowley** asked the Minister for Health and Children the options and services available to a person (details supplied) in County Mayo; the assistance available to this person's daughter; and if she will make a statement on the matter. [38688/06]

Minister of State at the Department of Health and Children (Mr. S. Power): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

306. **Dr. Cowley** asked the Minister for Health and Children the situation regarding the dermatology services in Ballina District Hospital, County Mayo; the plans for the service at the hospital for the future; and if she will make a statement on the matter. [38691/06]

Minister of State at the Department of Health and Children (Mr. S. Power): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Special Educational Needs.

307. **Mr. English** asked the Minister for Health and Children the funding available to stand alone autism units in secondary schools from her Department and agencies controlled by her Department; the details of the application process

of these; and if she will make a statement on the matter. [38732/06]

308. **Mr. English** asked the Minister for Health and Children the non-financial assistance and supports available to stand alone autism units in secondary schools from her Department and agencies controlled by her Department; the contact details for such supports; and if she will make a statement on the matter. [38733/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 307 and 308 together.

The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Voluntary Sector Funding.

309. **Mr. English** asked the Minister for Health and Children the financial supports available from her Department or other organisations to the Irish Osteoporosis Society; if her Department will provide necessary funding for this society. [38739/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Irish Osteoporosis Society (IOS) received funding from the Health Service Executive of €130,000 in 2005. The IOS sought further funding of €128,000 during 2006. Following a series of meetings and checking of documentation, the HSE provided this amount to the IOS on the 22nd of September 2006.

The Health Service Executive has informed my Department that the IOS have not formally applied for further funding but have indicated they wish to. Representatives from the Population Health Directorate are scheduled to meet with the IOS on the 28th November to discuss funding.

Nursing Home Subventions.

310. **Mr. Connaughton** asked the Minister for Health and Children the outcome of an appeal for nursing home subvention for a person (details supplied) in County Galway; and if she will make a statement on the matter. [38939/06]

Minister of State at the Department of Health and Children (Mr. S. Power): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to

consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Question No. 311 answered with Question No. 265.

Health Services.

312. **Mr. F. McGrath** asked the Minister for Health and Children if she will ensure that a person (details supplied) in Dublin 11 receives a day care place; and the action she will take regarding the day care waiting lists. [38948/06]

Minister of State at the Department of Health and Children (Mr. S. Power): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Mental Health Services.

313. **Caoimhghín Ó Caoláin** asked the Minister for Health and Children the extent of compliance now and the steps underway to implement the recommendations of the Inspector of Mental Hospitals regarding current facilities at Cavan General Hospital and St. Davnet's Hospital, Monaghan; and if she will make a statement on the matter. [38949/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Increased investment in mental health services has accelerated the move from institutionally provided services to community-based services and has provided for increases in the number of Consultant Psychiatrists in the public health service. The Report of the Expert Group on Mental Health Policy, entitled 'A Vision for Change', was launched on 24th January 2006. This provides a framework for action to develop a modern, high quality mental health service over the next 7 to 10 years. In 2006, a sum of €26.2 million has been allocated for the further development of our mental health services in line with 'A Vision for Change'. This includes funding of €1.2 million to the National Office for Suicide Prevention for suicide prevention initiatives and research in accordance with "Reach Out", the National Strategy for Action on Suicide Prevention.

Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive

under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Hospital Staff.

314. **Mr. McGinley** asked the Minister for Health and Children if a decision has been made to appoint a permanent breast cancer surgeon for Letterkenny General Hospital; if the appointed consultant will be based permanently in Letterkenny; when it is expected that the appointment will be made; the services being provided for breast cancer in Letterkenny pending the appointment of the full-time consultant; and if she will make a statement on the matter. [38950/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to respond directly to the Deputy in relation to the matter raised.

315. **Mr. McGinley** asked the Minister for Health and Children if arrangements have been finalised with the Northern Ireland Authorities to provide radiotherapy, particularly for Donegal patients; and if she will make a statement on the matter. [38951/06]

Minister for Health and Children (Ms Harney): Last Autumn, I agreed with the then Minister for Health for Northern Ireland that the radiation oncology centre at BCH would provide treatment for patients from Donegal. A Project Board was established under the aegis of Co-operation and Working Together (CAWT) to deliver on this commitment. It included representatives from BCH, Altnagelvin, Letterkenny, the HSE and both Departments.

At the last meeting of the British-Irish Intergovernmental Council on 24 October 2006, it was announced that agreement has been reached for the referral of about 50 radiation oncology patients annually from Donegal to BCH. It has also been agreed that the number will be increased if there is sufficient demand from patients in Donegal. Patient pathways have been developed and the HSE and BCH have agreed the basis for costing the service provided by BCH. Three assessment clinics will be held each month on an ongoing basis. The first referral clinic took place on 8th November and the first patient has already been referred for treatment.

Nursing Home Subventions.

316. **Mr. McCormack** asked the Minister for Health and Children the maximum single enhanced nursing home subvention granted to date in 2006 in the Health Service Executive east, south and west areas; and if she will make a statement on the matter. [38981/06]

Minister of State at the Department of Health and Children (Mr. S. Power): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Health Services.

317. **Mr. Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will receive speech therapy in view of the fact that they will need regular speech therapy to enable them to continue living independently rather than needing full time care. [38996/06]

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

1998	1999	2000	2001	2002	2003	2004	2005	2006
€12.1m	€21.1m	€30.7m	€66.1m	€90.4m	€10m	€20m	€15m	€110m

It must be emphasised that, in addition, the programme for older people would have received pay increases under national wage agreements, such as Sustaining Progress etc, or special pay claims. Where full account is taken of the above factors, the total estimated expenditure for 2006 is €1.2 billion, as published in the Revised Book of Estimates.

Examples of the improvements to services as a result of these increases include the Nursing Home Subvention Scheme which had its funding increased from €35.3 million in 1997 to €160 million in 2006. The additional €20 million allocated in Budget 2006 is to support more basic nursing home subventions and reduce waiting lists for enhanced subventions; it is also to bring more

have this matter investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

318. **Mr. Neville** asked the Minister for Health and Children the measures which are being taken to develop a dedicated acute unit to cater for persons with intellectual disability and challenging behaviour in the Health Service Executive northern area as recommended in the Mental Health Commission Annual Report 2004. [39008/06]

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.

Care of the Elderly.

319. **Mr. O'Connor** asked the Minister for Health and Children the annual provision for investment in health care services for the elderly each year since 1997 to date in 2006; the improvements to existing services in that time; the additional services provided in that time; her plans to develop health care services for the elderly; and if she will make a statement on the matter. [39018/06]

Minister of State at the Department of Health and Children (Mr. S. Power): In 1997, funding for services for older people under a range of expenditure headings was about €219 million.

Funding for additional services for older people including palliative care, was increased by the following amounts in the period 1998 to 2006.

consistency to subventions support throughout the country.

Home Care Packages, which include the services of nurses, home helps and the various therapists including physio and occupational, did not exist in 1997. Funding of €30m was allocated to Home Care Packages in Budget '06 based on 1,100 pilot home care packages in place at the end of 2005. It was allocated to deliver a total of 2,000 additional Home Care Packages by end of 2006. The HSE has advised that 3,095 new clients were in receipt of Home Care Packages up to the end of September of this year.

Day/Respite Care services received an additional €9 million (€7m in 2006 and €2m in 2007) to provide about 1,325 extra places per week in such centres.

The Home Help Service received almost €120million in 2005 and an additional €33m was allocated to it in 2006 (€30m for 2006 and €3m for 2007). The additional funding is providing 1.75m additional hours.

Elder Abuse — In the period 2003-2005 approximately €2.5m additional funding was allocated to the programme to combat elder abuse. An additional €2 million was allocated in this year's Budget to facilitate the implementation of the full range of recommendations of the report 'Protecting Our Future'. These include the development of a research function in this area and the appointment of Senior Case Workers. The Health Service Executive recently advertised these posts and it is expected that 27 Senior Case Workers and 4 Dedicated Elder Abuse Officers will be appointed by the end of the year.

Geriatricians — Since 1997, additional consultant geriatricians have been appointed with appropriate staff support. There are now 60 approved geriatrician posts.

It is the Department's policy to maintain older people in dignity and independence at home in accordance with their wishes, and at the same time to provide high quality residential care for older people when living at home is no longer possible. The Government's commitment to the development of a comprehensive range of services for older people has been clearly demonstrated by the significantly increased resources made available in recent years and outlined above.

The Government is currently considering new policy on Long Term Care and several principles underlying this were agreed with the social partners in "Towards 2016". These principles include, for example, that there should be one standardised national needs assessment for older people needing care. The use of community and home-based care should be maximised. Sheltered housing options will be encouraged. Where residential care is required, it should be quality care and there should be appropriate and equitable levels of co-payment by care recipients based on a national standardised financial assessment. The level of support for residential care should be indifferent as to whether that care is in a public or private facility. The financial model to support any new arrangements must also be financially sustainable. The Department is currently drawing up proposals for the Government's consideration based on the principles in "Towards 2016".

320. **Mr. O'Connor** asked the Minister for Health and Children the expected impact of an ageing population and greater life expectancy on the provision of health care; her plans to cope with same; and if she will make a statement on the matter. [39019/06]

Minister of State at the Department of Health and Children (Mr. S. Power): Health Care for

Older People will become increasingly important in the coming years due to an ageing population, coupled with increased life expectancy. It is against this background that the Government is currently considering new policy on Long Term Care and several principles underlying this were agreed with the social partners in "Towards 2016". These principles include, for example, that there should be one standardised national needs assessment for older people needing care. The use of community and home-based care should be maximised. Sheltered housing options will be encouraged. Where residential care is required, it should be quality care and there should be appropriate and equitable levels of co-payment by care recipients based on a national standardised financial assessment. The level of support for residential care should be indifferent as to whether that care is in a public or private facility. The financial model to support any new arrangements must also be financially sustainable.

The Department is currently drawing up proposals for the Government's consideration based on the principles in "Towards 2016".

Health Services.

321. **Mr. Ring** asked the Minister for Health and Children if there has been a change in designation of the respite care beds in a facility (details supplied) in County Mayo; if occasional respite care will still be provided as relief for people caring for relatives full time at home; and if she will make a statement on the matter. [39027/06]

Minister of State at the Department of Health and Children (Mr. S. Power): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

International Agreements.

322. **Mr. Timmins** asked the Minister for Health and Children the position in relation to the constitutional ultra vires problems Ireland has with the proposed new intercountry adoption agreement being negotiated with Belarus (details supplied). [39028/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The examination of the draft protocol agreement with Belarus has raised a number of constitutional and legal concerns. The Department is currently attempting to

[Mr. B. Lenihan.]

find ways to resolve these issues with the mutual agreement of both parties.

The difficulties in attempting to satisfy both the Belarusian authorities' requirements and the legal and constitutional imperatives that apply in this jurisdiction are currently being worked through.

It is very difficult to be specific regarding a timescale for the conclusion of these negotiations but I can confirm that the Department is treating this matter as a priority.

Health Services.

323. **Mr. J. O'Keeffe** asked the Minister for Health and Children the reason smear tests that were done in March 2006 are only now being processed; and if she will make a statement on the matter. [39058/06]

Minister for Health and Children (Ms Harney):

The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to respond directly to the Deputy in relation to the matter raised.

Residential Institutions Redress Board.

324. **Mr. McCormack** asked the Minister for Health and Children the position regarding the Commission of Inquiry which was set up by the Western Health Board in April 1999 to enquire into allegations of abuse (details supplied); the reason this Commission of Inquiry has not presented a report to the Health Service Executive; the personnel seconded from the then Western Health Board to act on this inquiry; if the inquiry team was engaged full-time on this inquiry; the cost of the inquiry to date; when is a report expected; and if she will make a statement on the matter. [39059/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley):

I am advised that an inquiry into allegations of abuse by former residents of the Brothers of Charity Services in the former Western Health Board area was commenced in April 1999 by that Health Board. I understand from the Health Service Executive that in September, 2005 it commenced a review of the inquiry process with a view to ensuring that the process will be completed at the earliest possible date. This review is ongoing at the present time.

I am concerned about the length of time which has elapsed since the initial inquiry commenced and I have asked the Health Service Executive to make the necessary arrangements to ensure that

it is completed as a matter of urgency and to indicate their proposals on the matter.

Ambulance Service.

325. **Ms McManus** asked the Minister for Health and Children the findings made by the working group that was established to resolve the problem of duplication in the Dublin region between the two ambulance services; and her plans to progress the issue to a conclusion. [39060/06]

Minister for Health and Children (Ms Harney):

Emergency ambulance services in the greater Dublin area are provided by both the Health Service Executive (HSE) and Dublin City Council through Dublin Fire Brigade. The HSE has advised that the review of Command and Control arrangements, referred to by the Deputy, has been undertaken by a group comprising of representatives from the HSE and Dublin City Council. My Department is advised that the report of the Review Group is at an advanced stage and will be completed shortly. The HSE has advised that the Review Group met with the various staff representations on several occasions in the course of its work. My Department has requested the Parliamentary Affairs Division of the HSE to have a more detailed reply issued directly to the Deputy on this matter.

Accident and Emergency Services.

326. **Mr. Neville** asked the Minister for Health and Children the number of crisis nurses at accident and emergency departments in the health service. [39090/06]

Minister for Health and Children (Ms Harney):

Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular issue raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Mental Health Services.

327. **Mr. Neville** asked the Minister for Health and Children the level of finance allocated to the Mental Health Commission which was not spent in 2005; and the areas where these measures were reallocated. [39091/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Mental Health Commission was allocated €15.5 million in 2005. The total spending by the Commission in

2005 was €5.98 million. The saving of approximately €9.5 million arose because the mental health tribunals under the Mental Health Act 2001 have been incurring costs only since 1 November this year. In accordance with public financial procedures the unspent monies were surrendered as a surplus to the Exchequer.

Suicide Prevention.

328. **Mr. Neville** asked the Minister for Health and Children the number of persons working in the individual suicide resource offices in each Health Service Executive region. [39092/06]

329. **Mr. Neville** asked the Minister for Health and Children the number of permanent suicide resource officers and temporary suicide officers by secondment from areas of the health service. [39093/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 328 and 329 together.

The Report of the Expert Group on Mental Health Policy, entitled 'A Vision for Change', was launched on 24 January 2006. This provides a framework for action to develop a modern, high quality mental health service over the next 7 to 10 years. In 2006, a sum of €25 million has been allocated for the further development of our mental health services in line with 'A Vision for Change'.

An additional €1.2 million was provided in 2006 to the National Office for Suicide Prevention specifically for suicide prevention initiatives and research. The Office was established by the Health Service Executive in 2005. It is responsible for the implementation of "Reach Out", the National Strategy for Action on Suicide Prevention and provides support to groups and organisations for their work in the development of suicide prevention initiatives.

Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

330. **Mr. Neville** asked the Minister for Health and Children the measures being taken to develop a dedicated acute unit to cater for persons with intellectual disability and challenging behaviour in the Health Service Executive northern area as recommended in the Mental Health Commission Annual Report 2005. [39094/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Hospital Land.

331. **Mr. Neville** asked the Minister for Health and Children the measures she is taking in relation to the sale of land at St. Ita's Hospital and St. Brendan's Hospital. [39095/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Mental Health Services.

332. **Mr. Neville** asked the Minister for Health and Children the measures being taken to make capital investment available in the Health Service Executive northern area in order that appropriate community facilities will be provided for patients as recommended in the Mental Health Commission Annual Report 2004. [39096/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Increased investment in mental health services has accelerated the move from institutionally provided services to community-based services and has provided for increases in the number of Consultant Psychiatrists in the public health service. The Report of the Expert Group on Mental Health Policy, entitled 'A Vision for Change', was launched on 24th January 2006. This provides a framework for action to develop a modern, high quality mental health service over the next 7 to 10 years. In 2006, a sum of €26.2 million has been allocated for the further development of our mental health services in line with 'A Vision for Change'. This includes funding of €1.2 million to the National Office for Suicide Prevention for suicide prevention initiatives and research in

[Mr. T. O'Malley.]

accordance with "Reach Out", the National Strategy for Action on Suicide Prevention.

Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Medical Cards.

333. **Mr. McGuinness** asked the Minister for Health and Children if she will expedite the renewal of a medical card for a person (details supplied) in County Kilkenny. [39104/06]

Minister for Health and Children (Ms Harney): Medical cards are made available to persons and their dependants who would otherwise experience undue hardship in meeting the cost of General Practitioner (GP) services. In 2005 the GP visit card was introduced as a graduated benefit so that people on lower incomes, particularly parents of young children, who do not qualify for a medical card would not be deterred on cost grounds from visiting their GP.

Since the beginning of 2005 substantial changes have been made to the way in which people's eligibility for a medical card is assessed and these apply equally to the assessment process for a GP visit card. The income guidelines have been increased by a cumulative 29% and in addition allowance is now made for reasonable expenses incurred in respect of mortgage/rent, childcare and travel to work costs. In June 2006 I agreed with the Health Service Executive a further adjustment to the assessment guidelines for GP visit cards and these are now 50% higher than those in respect of medical cards.

As the Health Service Executive has the operational and funding responsibility for these benefits, it is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Drugs Payment Scheme.

334. **Mr. Connolly** asked the Minister for Health and Children the progress of the review of expenditure on demand led schemes such as the drug payment scheme; the implications of same for services; and if she will make a statement on the matter. [39105/06]

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. 335 answered with Question No. 266.

Mental Health Services.

336. **Ms C. Murphy** asked the Minister for Health and Children if she will increase the level of funding provided to mental health services in her 2007 budget in view of the dramatic decrease, proportionate to overall budget, in funding for such services seen in recent years; and if she will make a statement on the matter. [39157/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Increased investment in mental health services has accelerated the move from institutionally provided services to community-based services and has provided for increases in the number of consultant psychiatrists in the public health service. The report of the expert group on mental health policy, entitled 'A Vision for Change', was launched on 24th January 2006. This provides a framework for action to develop a modern, high quality mental health service over the next 7 to 10 years. In 2006, a sum of €26.2 million has been allocated for the further development of our mental health services in line with 'A Vision for Change'. This includes €1.2 million provided to the National Office for Suicide Prevention for initiatives and research in accordance with "Reach Out", The National Strategy for Action on Suicide Prevention.

The Deputy will appreciate that I cannot at this stage give specific commitments in relation to the level of expenditure in 2007 as the budgetary allocation for mental health services has yet to be determined.

Question No. 337 answered with Question No. 266.

Accident and Emergency Services.

338. **Mr. J. Breen** asked the Minister for Health and Children if she will clarify her statement and name the 26 hospitals that will lose their doctor led accident and emergency services in June 2007; and if she will make a statement on the matter. [39211/06]

Minister for Health and Children (Ms Harney): I did not make such a statement, and there are no proposals to withdraw medical services in June 2007 from 26 accident and emergency depart-

ments. The policy of the Government is to ensure the provision of safe, high-quality services that achieve the best possible outcomes for patients. Patient safety and quality must be paramount and must be the key drivers in configuring acute hospital services, including accident and emergency services. This will mean that those services that can be safely delivered locally are delivered locally and that more complex services that require specialist input are concentrated at regional centres, or, in the case of highly specialised services, in national centres of excellence. This approach is consistent with international best practice for the optimum delivery of patient care.

Housing Aid for the Elderly.

339. **Mr. Blaney** asked the Minister for Health and Children if she will assist in the progress of an application by a person (details supplied) in County Donegal, for heating and two doors under the special housing aid for the elderly; and if she will make a statement on the matter. [39212/06]

Minister of State at the Department of Health and Children (Mr. S. Power): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive (HSE) under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. The HSE's responsibility includes the operation of the Housing Aid Scheme for the Elderly, on behalf of the Department of Environment, Heritage and Local Government. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Decentralisation Programme.

340. **Mr. Naughten** asked the Minister for Communications, Marine and Natural Resources the timetable for the decentralisation of his Department to Cavan town; if a site has been obtained for the decentralised staff; the plans there are for an advanced party to be decentralised; and if he will make a statement on the matter. [38704/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Decentralisation Implementation Group (DIG) has set out that my Department's move to Cavan is scheduled to take place at the end of 2009 and arrangements to have staff in place and operational in line with that schedule will continue to be progressed.

The acquisition of sites and property for decentralisation is a matter for the Office of Public Works (OPW). Interaction with OPW on these elements is well established in my Department, informed by site visits and a thorough ongoing consultative process. In that regard I am happy to confirm that OPW has acquired a landmark site on the Farnham Road in Cavan Town to facilitate the decentralisation project. My Department has already provided an outline specification of our accommodation requirements to OPW and is currently preparing a detailed brief in this regard.

I am also happy to inform the Deputy that I formally opened new offices in Cavan town last month to facilitate the first phase of an advance party of our staff. This first phase involves 20 staff and preparations are well advanced for a second phase advance of an extra 10 staff. A further advance phase is also being actively considered.

Telecommunications Services.

341. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the likelihood of 100% broadband availability throughout the country within a reasonable time on the basis of present performance; if he will identify and examine the options available and the action he will take to prevent the availability, standards and quality of the services here from falling further behind those available in competing economies; if he will issue instructions or directives in this regard in the near future with a view to achieving a rapid provision of broadband services by whatever means at the earliest possible date; and if he will make a statement on the matter. [39111/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, is a matter in the first instance for private sector companies operating in a fully liberalised market, regulated by the independent Commission for Communications Regulation, ComReg.

The role of Government is to implement regulatory and infrastructure policies to facilitate the provision of affordable, high quality telecommunications services, by competing private sector service providers.

However, it has been clear for some time that the private sector has failed to invest at the level necessary to keep pace with the demand for broadband. Direct funding has already been provided under the NDP 2000-2006 for the provision of backbone infrastructure and to upgrade local access infrastructure. My Department's regional broadband programme is addressing the infrastructure deficit by building high-speed open access broadband networks, in association with the local and regional authorities, in the major towns and cities. These Metropolitan Area Networks (MANs) allow the private sector to offer

[Mr. N. Dempsey.]

world-class broadband services at competitive costs. The networks also offer towns opportunities to attract inward investment in advanced technology and knowledge based enterprises.

The Department also offered funding assistance for smaller towns and rural communities through the Group Broadband Scheme. The scheme is technology-neutral, allowing the community to select the most suitable broadband delivery platform for the area.

Despite private and public investment in broadband infrastructure there are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. Options to address these gaps in broadband coverage are currently being considered by a Steering Group comprising officials from my Department and representatives from ComReg. I expect to finalise proposals shortly.

Vessel Decommissioning.

342. **Cecilia Keaveney** asked the Minister for Communications, Marine and Natural Resources the position in relation to a matter (details supplied); and if he will make a statement on the matter. [38477/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The last and final grant payment for the Decommissioning of the vessel named “Sea Queen” was paid by BIM to the beneficiary on 20th October 2006. A letter dated 7/11/2006 was sent by the beneficiary to BIM confirming their receipt of the cheque.

Tax Code.

343. **Mr. O’Shea** asked the Minister for Communications, Marine and Natural Resources when the assessment of proposals under the bio-fuels mineral oil tax relief scheme will be completed; when the successful applicants will be notified (details supplied); and if he will make a statement on the matter. [38518/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): There were a significant number of applications received under the Biofuels Mineral Oil Tax Relief Scheme II. All applications received by the closing date for the scheme are currently being assessed by an assessment panel set up by my Department. Following the assessment process recommendations will be made to the Minister for Finance in line with Section 81 of the Finance Act 2006.

Coastal Protection.

344. **Mr. O’Shea** asked the Minister for Communications, Marine and Natural Resources his proposals to provide the necessary finance for

urgently needed coastal protection work at Ballyvoile, Dungarvan, Co Waterford (details supplied); and if he will make a statement on the matter. [38560/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Responsibility for coastal protection rests with the property owner whether it be a local authority or a private individual.

In 2001 my Department provided funding of €31,484.01 to Waterford County Council towards a study of road protection works at Ballyvoile at a total cost of €41,978.67. In July 2002 the Department requested all coastal local authorities to submit proposals, in order of priority, for consideration in the context of the 2003-2006 National Coast Protection Programmes. Waterford County Council submitted proposals for Phase 1 cliff stabilisation works at Ballyvoile at an estimated cost of €1.1 million and was number two in the Council’s order of priority. They also submitted a proposal for Phase 2 works at Ballyvoile at an estimated cost of €930,000 which was the Council’s number seven priority. There was no Exchequer funding available for this project to date.

The question of providing Exchequer funding for works at Ballyvoile in future years will depend on the amount of funding available for coast protection works generally and overall national priorities. There is no Exchequer funding available for the protection of private property.

Fishing Vessel Licences.

345. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources his views on the inquiry which this Deputy made to him regarding a person (details supplied) in County Dublin; and if he will make a statement on the matter. [38689/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Under the Fisheries (Amendment) Act 2003, the functions of sea-fishing boat licensing and registration were transferred from the Minister for Communications, Marine and Natural Resources to the Licensing Authority for Sea-Fishing Boats, which operates on an independent basis subject to criteria set out in the Act and Ministerial Policy Directives. All applications for sea-fishing boat licences are considered by the Licensing Authority for Sea-Fishing Boats. The head of the Licensing Authority is the Registrar General of Fishing Boats who is a senior official in the Department.

Minister Browne’s reply to your letter of 6 June 2006 issued to you at Dáil Éireann on 28 June 2006. The reply enclosed a copy of the Licensing Authority’s letter of 30 May 2006 that issued to Mr. Marsden concerning his application for a sea-fishing boat licence in respect of the MFV ‘Free-

bird' and in particular to his proposal to use the capacity of the MFV 'Atlantic Drift' and the MFV 'Iron Eagle' as part of the replacement capacity for the purposes of licensing the new vessel. The Licensing Authority has advised me that it is not empowered to vary the requirements of Ministerial Policy Directive 2/2003 by granting an extension to the two-year validity of off-register capacity unless there was a delay on the part of the Licensing Authority in the licensing process, which had the effect of denying Mr. Marsden his entitlement provided by the Policy Directive. The Licensing Authority states that it cannot take into consideration the delay suffered by Mr. Marsden due to mechanical problems in respect of the construction of the MFV 'Freebird'. This is a matter that is outside the control of the Licensing Authority. Mr. Marsden has lodged an appeal to the Appeals Officer under the Independent Appeals System provided by Part 3 of the Fisheries (Amendment) Act 2003, which is awaiting determination.

I am advised that Mr. Marsden requested an extension to the one-year period of the licence offer on 13 October 2006. The Licensing Authority advised him on 26 October 2006 that any decision in this regard must stand suspended under section 7(8) of the Fisheries (Amendment) Act 2003 until the appeal is determined. The Licensing Authority has undertaken to consider this request after the determination of the appeal. Mr. Marsden has also requested the Licensing Authority to regularise the registration of his older vessel the MFV 'Lady Jan' as he wishes to use the capacity from this vessel as part replacement capacity for the MFV 'Freebird'. I am informed that the I am advised that Mr. Marsden requested an extension to the one-year period of the licence offer on 13 October 2006. The Licensing Authority advised him on 26 October 2006 that any decision in this regard must stand suspended under section 7(8) of the Fisheries (Amendment) Act 2003 until the appeal is determined. The Licensing Authority has undertaken to consider this request after the determination of the appeal. Mr. Marsden has also requested the Licensing Authority to regularise the registration of his older vessel the MFV 'Lady Jan' as he wishes to use the capacity from this vessel as part replacement capacity for the MFV 'Freebird'. I am informed that the Licensing Authority is currently in the process of dealing with this matter.

Fisheries Protection.

346. **Mr. Sargent** asked the Minister for Communications, Marine and Natural Resources the full terms of reference, composition, date of establishment and the proposed time frames for the report of the High Level Group on Sea Lice Monitoring and Control referred to in his reply to Parliamentary Question No. 161 of 2 November 2006. [38718/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The High Level group established by my Department to examine issues relating to sea lice monitoring and control has met on a number of occasions. The Group is currently chaired by the Secretary General of the Department. It consists of representatives of the Department, the Marine Institute, Bord Iascaigh Mhara, the Central Fisheries Board, the Western Regional Fisheries Board and the Northern Regional Fisheries Board.

The Terms of Reference for the Group are "to review, in light of experience, the operation of systems and processes for controlling sea lice levels at marine finfish farms, to identify any necessary changes and set out an action plan with specific timeframes for implementation of such changes".

The next meeting of the Group is scheduled to take place on 30 November 2006, at which a draft interim report will be given initial examination.

Offshore Exploration.

347. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if he has examined the Price Waterhouse report and analysis of petroleum exploration terms in Ireland, UK, Norway, Denmark and the Netherlands; if he will incorporate parts of the report in future exploration and licensing policy; and if he will make a statement on the matter. [38864/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question Number 166 of today.

Telecommunications Services.

348. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if he is satisfied that all former Smart Telecom customers have been provided with alternative and satisfactory service; and if he will make a statement on the matter. [38865/06]

353. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the number of subscribers whose broadband and telephone service was disconnected in the course of the dispute between Eircom and Smart Telecom; if all such subscribers have been reconnected with full service in respect of both broadband and telephone; the number of reconnections undertaken by Eircom and other service providers; if provision is being made to prevent a recurrence of the outage and inconvenience to customers; and if he will make a statement on the matter. [38870/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 348 and 353 together.

I refer the Deputy to my reply to Question No. 94 of today.

Electricity Sector.

349. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources his preferred options to generate competition in the electricity industry with particular reference to the need to deliver the benefits of competition to the consumer in the form of reduced energy costs; and if he will make a statement on the matter. [38866/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 139 of today.

Energy Policy.

350. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the role he intends for the ESB in the future; and if he will make a statement on the matter. [38867/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 107 of today. The position remains unchanged.

Broadcasting Services.

351. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if it is intended in the context of the Broadcasting Bill to provide for subtitling with a view to meeting the requirements of persons with hearing deficiencies. [38868/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 118 of today.

Prospecting Licences.

352. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if he has had discussions with oil, gas or other exploration companies with a view to identification of a new licensing regime that would meet all requirements; and if he will make a statement on the matter. [38869/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 100 of today.

Question No. 353 answered with Question No. 348.

Telecommunications Services.

354. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources his plans to provide cutting edge telecommunications technology in all areas throughout the country, urban and rural; if he has had discussions with interested parties with a view to expanding, extending and improving the service and its availability; and if he will make a statement on the matter. [38871/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I meet with industry and interested parties on a regular basis in pursuit of my objective to facilitate the widespread availability of competitively priced broadband in Ireland. The provision of telecommunications services, including broadband, is a matter in the first instance for private sector companies operating in a fully liberalised market, regulated by the independent Commission for Communications Regulation, ComReg. The role of Government is to implement regulatory and infrastructure policies to facilitate the provision of affordable, high quality telecommunications services, by competing private sector service providers.

However, it has been clear for some time that the private sector has failed to invest at the level necessary to keep pace with the demand for broadband. Direct funding has already been provided under the NDP 2000-2006 for the provision of backbone infrastructure and to upgrade local access infrastructure. My Department's regional broadband programme is addressing the infrastructure deficit by building high-speed open access broadband networks, in association with the local and regional authorities, in the major towns and cities. These Metropolitan Area Networks (MANs) allow the private sector to offer world-class broadband services at competitive costs. The networks also offer towns opportunities to attract inward investment in advanced technology and knowledge based enterprises.

The Department also offered funding assistance for smaller towns and rural communities through the Group Broadband Scheme. The scheme is technology-neutral, allowing the community to select the most suitable broadband delivery platform for the area.

Despite private and public investment in broadband infrastructure there are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. Options to address these gaps in broadband coverage are currently being considered by a Steering Group comprising officials from my Department and representatives from ComReg. I expect to finalise proposals shortly.

Communications Infrastructure.

355. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the extent to which he proposes to implement the recommendations of the Dingle Report with particular reference to the optimisation of communications infrastructure available throughout the country with a view to ensuring competition and delivery of a high quality service to consumers; and if he will make a statement on the matter. [38873/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): In April 2005 a team of advisors was engaged to examine the potential for enhancing and augmenting existing state owned infrastructure. This team submitted a Feasibility Report in December 2005. The report found that, while technically feasible, there would be considerable financial, legal, regulatory, operational and organisational challenges in harnessing and enhancing the existing state owned infrastructures. It is not my intention to publish the report given the extent of the commercially sensitive information contained in it. My Department is considering options to enhance competitive backhaul connectivity.

Telecommunications Services.

356. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources his plans, either directly or through the Regulator, to accelerate the delivery of broadband to all areas throughout the country within a short time, having particular regard to the progress in Northern Ireland and the UK; and if he will make a statement on the matter. [38874/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated by the independent Commission for Communications Regulation, ComReg.

The role of Government is to implement regulatory and infrastructure policies to facilitate the provision of affordable, high quality telecommunications services, by competing private sector service providers. However, it has been clear for some time that the private sector has failed to invest at the level necessary to keep pace with the demand for broadband. Direct funding has already been provided under the NDP 2000-2006 for the provision of backbone infrastructure and to upgrade local access infrastructure. My Department's regional broadband programme is addressing the infrastructure deficit by building high-speed open access broadband networks, in association with the local and regional authorities, in the major towns and cities. These Metropolitan Area Networks (MANs) will allow

the private sector to offer world-class broadband services at competitive costs. The networks also offer towns opportunities to attract inward investment in advanced technology and knowledge based enterprises.

The Department also offered funding assistance for smaller towns and rural communities through the Group Broadband Scheme. The scheme is technology-neutral, allowing the community to select the most suitable broadband delivery platform for the area.

Despite private and public investment in broadband infrastructure there are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. Options to address these gaps in broadband coverage are currently being considered by a Steering Group comprising officials from my Department and representatives from ComReg. I expect to finalise proposals shortly.

357. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if is satisfied that the programme for the delivery of broadband services throughout the country is expected to deliver maximum availability and take up in the shortest possible time; and if he will make a statement on the matter. [38875/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated by the independent Commission for Communications Regulation, ComReg.

The role of Government is to implement regulatory and infrastructure policies to facilitate the provision of affordable, high quality telecommunications services, by competing private sector service providers. However, it has been clear for some time that the private sector has failed to invest at the level necessary to keep pace with the demand for broadband. Direct funding has already been provided under the NDP 2000-2006 for the provision of backbone infrastructure and to upgrade local access infrastructure. My Department's regional broadband programme is addressing the infrastructure deficit by building high-speed open access broadband networks, in association with the local and regional authorities, in the major towns and cities. These Metropolitan Area Networks (MANs) will allow the private sector to offer world-class broadband services at competitive costs. The networks also offer towns opportunities to attract inward investment in advanced technology and knowledge based enterprises.

The Department also offered funding assistance for smaller towns and rural communities through the Group Broadband Scheme. The

[Mr. N. Dempsey.]

scheme is technology-neutral, allowing the community to select the most suitable broadband delivery platform for the area. Despite private and public investment in broadband infrastructure there are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. Options to address these gaps in broadband coverage are currently being considered by a Steering Group comprising officials from my Department and representatives from ComReg. I expect to finalise proposals shortly.

358. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if is satisfied that deregulation in the Irish context is sufficiently focused to ensure the delivery of the full scale of modern telecommunication services including broadband and mobile telephony to all areas of the country; if an adequate degree of competition exists to ensure that the rights and entitlements of subscribers are fully observed; and if he will make a statement on the matter. [38876/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 132 of today.

359. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the full extent of the BT proposals in regard to the provision and facilitation of broadband throughout the country; and if he will make a statement on the matter. [38877/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, is a matter in the first instance for private sector companies operating in a fully liberalised market regulated, by the independent Commission for Communications Regulation, ComReg. Private sector companies' investment proposals are matters for those companies. I have no function in this matter.

360. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if, arising from a Sunday newspaper article his attention has been drawn to an alleged request from Eircom for the upgrading of a number of telephone lines which currently render it impossible to obtain broadband in some rural areas due to the use of shared or divided lines which were installed in the 1980s; if as suggested, funding to the extent of €200 million has been sought from the State to facilitate such an upgrade; the full extent of such enquiries or discussions including the alternatives; and if he will make a statement on the matter. [38878/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I am aware that Eircom has highlighted the infrastructure enhancements required in order to provide broadband services throughout its network. I also recognise that despite private and public investment in broadband infrastructure there are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. Options to address these gaps in broadband coverage are currently being considered by a Steering Group comprising officials from my Department and representatives from ComReg. I expect to finalise proposals shortly.

Broadcasting Services.

361. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources his policy preferences in respect of the development of terrestrial television transmissions in the future; and if he will make a statement on the matter. [38879/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 127 of today.

362. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources his preferred options of the development of digital television; and if he will make a statement on the matter. [38880/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to Question No. 127 of today.

Prospecting Licences.

363. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources his preferred options in respect of his anticipated review of the exploration licensing regime in the future; and if he will make a statement on the matter. [38881/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 100 of today.

364. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if he will ensure in the context of a future review of oil, gas or other mineral exploration licences, that such regime is pitched in such a way as to encourage exploration and at the same time be seen to give a fair, adequate and transparent return to the taxpayer; and if he will make a statement on the matter. [38882/06]

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

Deputy to my reply to Question No. 100 of today.

365. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the nature of discussions he has had within his Department or with the exploration sector within the context of the review he has suggested of the exploration licensing regime; and if he will make a statement on the matter. [38883/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 100 of today.

Questions No. 366 to 368, inclusive, answered with Question No. 156.

Postal Services.

369. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if, in the context of the future development of postal and packaging services here and notwithstanding his previous references to postal services in European countries, he will have due regard for the topographic and geographic nature of Ireland; and if he will make a statement on the matter. [38887/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 110 of today.

370. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if he has issued policy directives through An Post, directly or through the Regulator, in regard to the future development of the postal and packaging services throughout the country having due regard for compliance with EU directives, the retention of a nationwide efficient and cost effective postal service; and if he will make a statement on the matter. [38888/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 88 of today.

371. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the deficiencies in the postal delivery services which appear to affect specific areas; if he has issued instructions or had discussions with the Regulator or An Post with a view to identification of the underlying cause or causes of such deficiencies in the service; and if he will make a statement on the matter. [38889/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 157 of today.

372. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if An Post has achieved sufficiently high following day delivery throughout the service; if he proposes to take policy decisions to ensure a delivery service in keeping with best practice worldwide; and if he will make a statement on the matter. [38890/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 134 of today.

Post Office Network.

373. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the number of post offices that have been closed or downgraded in the past five years; the number of new offices opened or upgraded in the same period; and if he will make a statement on the matter. [38891/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the deputy to my reply to Question No. 103 of today.

374. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources his policy in regard to the future of An Post and the retention of the maximum number of upgraded post offices throughout the country; and if he will make a statement on the matter. [38892/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 81 of today.

Postal Services.

375. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources his preferred options for the retention of the maximum scale of services to An Post with particular reference to ensure the viability of the company and deregulation; and if he will make a statement on the matter. [38893/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 181 of today.

Energy Costs.

376. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the fact that in other EU jurisdictions, deregulation and competition in the area of gas and electricity supply is to the advantage of the consumer in contrast to the situation here, whereby it appears that the EU law transposed into domestic law has resulted in price increases which will have an impact on the domestic consumer and consequences for the

[Mr. Durkan.]

manufacturing and services industry; and if he will make a statement on the matter. [38894/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 120 of today.

377. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources when he proposes to take action of a legislative nature or otherwise to intervene on behalf of the consumer with a view to delivering the benefits of lower international oil and gas prices to the domestic and business section here; and if he will make a statement on the matter. [38895/06]

390. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if he is satisfied that the regulatory system as transposed into Irish law is capable of giving Irish consumers the benefit of lower oil and gas prices on international markets; if he will take action to address this issue; and if he will make a statement on the matter. [38913/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 377 and 390 together.

I refer the Deputy to my reply to Question No. 119 of today.

Digital Hub.

378. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the degree to which the digital hub is achieving its targets; and if he will make a statement on the matter. [38896/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Digital Hub Development Agency has entered into a 3 year Performance Contract with my own Department that commits it to specific targets.

The targets to be achieved during the 3 year period commencing 1st April 2006 are outlined in four specific areas namely: property; enterprise development; community and learning programmes; and organisational performance. These targets will be reviewed annually beginning in April 2007.

Broadcasting Services.

379. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if all religious broadcasts from the various churches here which were discontinued on the FM service have been fully restored on an alternative frequency; and if he will make a statement on the matter. [38897/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 142 of today.

Postal Services.

380. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the cost of postcodes; the degree of implementation; and the benefit to consumers; and if he will make a statement on the matter. [38899/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 112 of today.

Broadcasting Services.

381. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the position in regard to the separation of TG4 from RTÉ; and if he will make a statement on the matter. [38900/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 77 of today.

Electricity Generation.

382. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if he is satisfied that sufficient generating capacity exists to ensure the continuity of supply and the integrity of Eirgrid for the foreseeable future; if sufficient surplus supply exists to cater for all eventualities; and if he will make a statement on the matter. [38901/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 137 of today.

Telecommunications Services.

383. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources further to Parliamentary Question No. 148 of 9 November 2006, the options being considered to ensure full connectivity of broadband, telephone and mobile phone services to those parts of the country, such as the Black Valley, County Kerry which do not have access to a reliable and quality service; the groups, bodies, agencies or individuals with whom he is having discussions; when he expects to reach a conclusion; and if he will make a statement on the matter. [38902/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, telephone and mobile phone services is a matter in the first instance, for the private sector companies operating in a fully liberalised

market, regulated by the Commission for Communications Regulation (ComReg), the independent regulator.

As regards the deployment of broadband infrastructure, it has been clear for some time that the sector has failed to invest at the level necessary to keep pace with the demand for broadband.

Despite private and public investment in broadband infrastructure there are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. Options to address these gaps in broadband coverage are currently being considered by a Steering Group comprising officials from my Department and representatives from ComReg. My aim is to see a situation where every reasonable request for broadband will be met at a reasonable price. I expect to finalise my proposals shortly.

384. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources when he expects all telephone exchanges and cable networks to be broadband enabled; and if he will make a statement on the matter. [38904/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have no function in these matters.

Energy Supply.

385. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the lessons which can be learned from the most recent power blackout throughout Europe; the steps that can be taken to prevent such an occurrence here; and if he will make a statement on the matter. [38905/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 89 of today.

Telecommunications Services.

386. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources when he expects 100% broadband availability will be achieved here; if specific steps are required to achieve this target; and if he will make a statement on the matter. [38906/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated by the independent Commission for Communications Regulation, ComReg.

The role of Government is to implement regulatory and infrastructure policies to facilitate the provision of affordable, high quality telecom-

munications services, by competing private sector service providers.

However, it has been clear for some time that the private sector has failed to invest at the level necessary to keep pace with the demand for broadband. Direct funding has already been provided under the NDP 2000-2006 for the provision of backbone infrastructure and to upgrade local access infrastructure. My Department's regional broadband programme is addressing the infrastructure deficit by building high-speed open access broadband networks, in association with the local and regional authorities, in the major towns and cities. These Metropolitan Area Networks (MANs) will allow the private sector to offer world-class broadband services at competitive costs. The networks also offer towns opportunities to attract inward investment in advanced technology and knowledge based enterprises.

The Department also offered funding assistance for smaller towns and rural communities through the Group Broadband Scheme. The scheme is technology-neutral, allowing the community to select the most suitable broadband delivery platform for the area.

Despite private and public investment in broadband infrastructure there are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. Options to address these gaps in broadband coverage are currently being considered by a Steering Group comprising officials from my Department and representatives from ComReg. I expect to finalise proposals shortly.

Broadcasting Services.

387. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources his plans to alleviate interference with television or radio reception caused by mass turbines or other structures; and if he will make a statement on the matter. [38907/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 173 of today.

388. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources when he expects to extend the broadcasting and transmission of RTÉ radio and television to neighbouring jurisdictions; and if he will make a statement on the matter. [38910/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 170 of today.

Question No. 389 answered with Question No. 98.

Question No. 390 answered with Question No. 377.

Geological Survey.

391. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the full extent of the GSI with particular reference to the extent to which modern technology has been used to update the information; if he will restore the GSI Bill to the Order Paper; and if he will make a statement on the matter. [38914/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to Question No. 84 of today.

Bord na Móna.

392. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources his plans for the future of Bord Na Móna and the role he expects the company to fulfil in the future; and if he will make a statement on the matter. [38915/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 140 of today.

Telecommunications Services.

393. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the further discussions he has had with State or semi-State bodies such as ESB, Bord na Móna, Iarnród Éireann and others in regard to the previously reported proposal to provide a State controlled telecommunications network to facilitate the advanced of broadband and state of the art telecommunications technology in general; if costings have been undertaken on this issue; and if he will make a statement on the matter. [38916/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): In April 2005 a team of advisors was engaged to examine the potential for enhancing and augmenting existing state owned infrastructure. This team submitted a Feasibility Report in December 2005. The report found that, while technically feasible, there would be considerable financial, legal, regulatory, operational and organisational challenges in harnessing and enhancing the existing state owned infrastructures. It is not my intention to publish the report given the extent of the commercially sensitive information contained in it. My Department is considering options to enhance competitive backhaul connectivity.

Alternative Energy Projects.

394. **Mr. Durkan** asked the Minister for

Communications, Marine and Natural Resources his preferred options for the incentivisation of alternative energy production; and if he will make a statement on the matter. [38918/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 101 of today.

Legislative Programme.

395. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the reason the Postal Services Miscellaneous Provisions Bill was withdrawn; if it is intended to replace it with alternative legislation; and if he will make a statement on the matter. [38919/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 160 of today.

Alternative Energy Projects.

396. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the extent to which an evaluation has been carried out of the use of bio-diesel for domestic heating purposes; and if he will make a statement on the matter. [38921/06]

399. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources his preferred options in respect of the development of the alternative energy sector with particular reference to the need to generate adequate import substitution to assist in safeguarding security of supply and meeting the Kyoto principles; and if he will make a statement on the matter. [38926/06]

400. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the extent to which he has examined the various options available in terms of bio-fuels with particular reference to the growing of energy crops; the extent to which any one of the alternatives is most attractive in terms of meeting the requirements and cost effectiveness; and if he will make a statement on the matter. [38927/06]

401. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the extent to which he has examined the merit of introducing further incentives to promote the production of energy crops as an alternative to the payment of fines for failure to comply with Kyoto; and if he will make a statement on the matter. [38928/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 396, 399, 400 and 401 together.

I refer the Deputy to my reply to Question No. 82 of today.

Energy Supply.

397. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if it is intended to provide one or two interconnectors; if this is expected to happen by way of public or private enterprise or a combination of both; and if he will make a statement on the matter. [38923/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 114 of today.

Energy Costs.

398. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources his views on the noticeable divergence of energy prices here with those in neighbouring and competing countries; if he will take action to review the relevant EU legislation with the objective of delivering the benefits of completion to the Irish consumer; and if he will make a statement on the matter. [38925/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 120 of today.

Question Nos. 399 to 401, inclusive, answered with Question No. 396.

Harbours and Piers.

402. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources the expected timeline for the execution of dredging work and the building of a breakwater at Buncrana Harbour; and the number of rescue operations that have been hindered or retarded due to the silt build-up in the harbour over the past two years. [38930/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Buncrana Harbour is owned by Donegal County Council and responsibility for its maintenance and development rests with the local authority in the first instance. The Council submitted an application to the Department for funding to construct a breakwater to prevent siltation at the ferry slipway and a proposed boat harbour south of the existing pier. The proposed development would include an RNLI berth with 24 hour unrestricted tidal access in the boat harbour. Earlier this year funding of €300,000 was approved to initiate the construction of the breakwater at Buncrana. 75% of this funding will be made available via a grant from the Department while Donegal County

Council will provide the remaining 25%. My Department gave approval in March 2004, subject to the resolution of an issue over rental charges, for a foreshore lease to allow construction of a marina and associated works at Buncrana and a foreshore licence to allow dredging to take place.

Discussions have taken place between my Department and the Council regarding the issue of rental charges in respect of the proposed works. The Council has requested a reduction of the charges in question, as the facility would be used by the RNLI. The Department of Finance has advised that if the proposed works are being done primarily at the behest of the RNLI and are of benefit to no other party, a good case could be made to waive the rental charges on the basis of Sections 2 and 3 of the Foreshore Act. Accordingly, the Department of Finance has agreed to give consideration to a full waiver of the charges if the Council can confirm that the facility is being constructed solely for the use of the RNLI.

In addition, if this confirmation is not possible, the Department of Finance has agreed to consider a pro-rata reduction of the charges on foot of quantification by the Council of the ratio of benefits to the RNLI and to others. The full details were conveyed by my Department to the Council on 25th October 2006. As soon as the information requested is received from the County Council my Department will be in a position to progress the matter as a priority.

Separately, The Council has proposed to carry out maintenance dredging to deal with ongoing siltation in the harbour and an application from the Council for a Dumping at Sea Permit was received by my Department on 23rd October. This application has been circulated to the normal range of necessary consultees for observations. My Department is aware of concerns expressed by the RNLI regarding possible difficulties launching their lifeboat due to siltation in the Harbour. Accordingly, my Department regards the application as urgent and every effort is being made to expedite the consultation process.

Mobile Telephony.

403. **Mr. Callely** asked the Minister for Communications, Marine and Natural Resources the levels of non-ionising radiation that are internationally recognised as being injurious to health arising from mobile phones and masts; and if he will make a statement on the matter. [38965/06]

404. **Mr. Callely** asked the Minister for Communications, Marine and Natural Resources the areas where there is a risk of exposures to levels of electromagnetic emissions; and if he will make a statement on the matter. [38966/06]

405. **Mr. Callely** asked the Minister for Communications, Marine and Natural Resources the monitoring, checks and balances that are in

[Mr. Callely.]

his Department in order to assess the levels that the general public are subject to electromagnetic emissions from licensed telecommunication operators; and if he will make a statement on the matter. [38967/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 403 to 405, inclusive, together.

Ireland has adopted European Union Council Recommendation of 12th July, 1999 on “the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz)”, (1999/519/EC) and the guidelines established by the International Commission on Non-Ionising Radiation Protection (ICNIRP).

Through a process of scientific review, including the leading international scientific and medical experts, ICNIRP have set these limits as those at which no adverse health effects can be found. For exposures to the general public these limits include an additional safety factor of a 50 fold reduction.

For efficient and effective networks, the signals must be present at all locations. I must stress however, that the international scientific and medical consensus is that no adverse health effects have been demonstrated to have been caused by electromagnetic fields, such as those emitted by mobile phones and telecommunication masts below the limits developed by ICNIRP.

In Ireland this limits are enforced for mobile and other telecommunications services, as appropriate, by the Commission for Communications Regulation (ComReg), which audits approximately 100 sites annually. In 2003 and 2004 ComReg conducted, in liaison with my Department, an audit of 401 sites. I can state that no site audited to date has been found to breach the limits. Indeed, measurements are typically less than a thousandth of the limits. To date over 12% of sites nationwide have been audited.

Alternative Energy Projects.

406. **Mr. Callely** asked the Minister for Communications, Marine and Natural Resources the progress of renewable energy projects issues under consideration by his Department with regard to renewable energy; and if he will make a statement on the matter. [38969/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Ireland has a target to treble the contribution from renewable energy sources in electricity production from 5% approximately to 15% by 2010. The target approximates to 1650 megawatts of generating plant. There is currently 940MW of renewable powered electricity capacity connected. This consists of approximately 670MWs of

wind-powered plant, 236MW of hydro powered plant with the balance (c. 34MWs) made up of different biomass technologies. The additional new capacity required to achieve the target will be delivered by projects already selected under the AER VI competition and the new Renewable Energy Feed In Tariff (REFIT) programme.

On 29th September I announced the first tranche of support under REFIT to over fifty new renewable powered electricity generating plants. The combined capacity of these projects is over 600 megawatts (MW), with wind-power accounting for most of the new support. REFIT allows project developers to negotiate long term fixed price contracts in the wholesale electricity market. On the back of these contracts investors will release the necessary capital. Developers are currently completing the financial and logistical preparation necessary in order to have their projects constructed and producing electricity. Full details of the REFIT programme and the successful applicants are available on my Departments website at www.dcmnr.ie.

Telecommunications Services.

407. **Mr. Callely** asked the Minister for Communications, Marine and Natural Resources the benefits or otherwise to the consumer arising from competition in the telecoms sector here; the measures in place to allow consumers to easily change from one service provider to another; and if he will make a statement on the matter. [38970/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The telecoms market in Ireland is fully liberalised and open and the provision of telecommunications services is a matter in the first instance for the private sector companies. Statutory responsibility for the regulation of this sector rests with the independent regulator, the Commission for Communications Regulation (ComReg), under the Communications Regulation Act 2002 and the Regulations transposing the EU Regulatory Framework for Electronic Communications Networks and Services.

One of ComReg’s key objectives is the promotion of competition and the interests of users in the sector. The advantages of an open and liberalised market and competition include increased choice of operators, products and services, flexibility and benefits in terms of prices. Changing from one service provider to another is a contractual matter between the customer and the service provider concerned.

Harbours and Piers.

408. **Mr. Deasy** asked the Minister for Communications, Marine and Natural Resources the status of the project for the redevelopment of Dunmore East Harbour in County Waterford

which is expected to cost in the region of €50 million; if funding will be provided for the project by his Department; when funding will be made available; the planned commencement and completion dates for the project; and if he will make a statement on the matter. [39047/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Following a lengthy public consultation process in 2004 on development options for Dunmore East Harbour, a planning application for a harbour development, together with an environmental impact statement, were prepared and submitted to Waterford County Council. Planning permission for the development of the Fishery Harbour Centre was received in late 2005.

The cost of providing the new harbour facility is estimated at between €50 and €60 million depending on final scheme selection and tendering. In 2006, €300,000 is provided for further design and €300,000 for site investigation to progress the development. The project is currently at detailed design stage. The final Phase 3 marine site investigation commenced in July this year and is approximately 50% complete to date. The remainder of the site investigation will be completed during Spring/Summer 2007. A contract has been awarded for hydrographic survey work, which is likely to be completed by the end of 2006, subject to weather. Tender documents are currently being prepared for a Cost Benefit Analysis.

A decision on funding of this project will be made in due course in accordance with the guidelines for Appraisal and Management of Capital Expenditure Proposals in the Public Sector, taking into account the amount of funding made available for fishery harbours, with particular reference to the National Development Plan 2007–2013 and overall national priorities.

Aquaculture Development.

409. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the reason, on the basis of scientific evidence available to him, no spatfall occurred in Killary Harbour in 2006; if his attention has been drawn to the serious implications of this for mussel farming in the bay; if his attention has further been drawn to the incidence of no spatfall in 2006; and if he will make a statement on the matter. [39186/06]

410. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the tonnage of mussel harvested in Killary Harbour for each of the past ten years; the average undersize of mussel and extent of undersize mussel each year; and if he will make a statement on the matter. [39188/06]

411. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the value of mussel harvests in Killary Harbour for each of the past ten years; the main markets for harvested mussels from Killary Harbour; and if he will make a statement on the matter. [39189/06]

412. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources if, in respect of the co-ordinator to the local aquaculture management systems, he is satisfied that this system operates to best benefit in the case of Killary Harbour; if his attention has been drawn to a proposal put forward by a group of sixteen licensed mussel farmers in Killary Harbour that in order for the CLAMS system to operate to best benefit, he should appoint an independent, skilled and experienced mediator who could hear submissions from all mussel farmers involved and prepare fair but inclusive proposals for working agreements for the future in view of the different business perspectives that exist among licensed mussel holders in the harbour; and if he will make a statement on the matter. [39190/06]

413. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources his projections for mussel harvesting in respect of Killary Harbour for the next five years; and if he will make a statement on the matter. [39191/06]

415. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the extent of phyto-plankton entering Killary Harbour on the basis of scientific evidence and analysis available to him; if his attention has been drawn to the fact that mussel growth to maturity has slowed from 18 months to 36 months on many of the mussel fields licensed for that purpose; his views on whether this is mainly due to lack of phyto-plankton for mussel spat for growth; if he will comment on the seriousness of the situation arising from the lack of phyto-plankton in Killary Harbour; and if he will make a statement on the matter. [39193/06]

416. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources if he will instruct a scientific based report to be carried out on the potential for mussel farming in Killary Harbour over the next five years; if his attention has been drawn to the difficulties currently being incurred in growing mussel stock to maturity; and if he will make a statement on the matter. [39194/06]

417. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources if he has received a request for a meeting with him from licensed holders in Killary Harbour who request that in order for the CLAMS system to operate to best benefit, that an experienced

[Mr. Kenny.]

and capable mediator be appointed to bring the CLAMS system to its best operational standard in view of the different business perspectives that exist within the bay; when he proposes to arrange and agree such a meeting; and if he will make a statement on the matter. [39195/06]

419. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the compensation paid in 2001 in respect of natural disruptions to aquaculture and mussel farming in Killary Harbour; the levels of payment made to each licensed holder; the reason no licensed mussel holder from County Mayo received compensation; if the farmers involved from County Mayo lodged applications; if they were informed of such a compensation scheme being available and the appropriate dates for application for such compensation; and if he will make a statement on the matter. [39197/06]

420. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources his proposals to deal with the provision of spat for mussel growing to licensed mussel farmers in Killary Harbour in view of the failure and non-spatfall in 2006; and if he will make a statement on the matter. [39198/06]

421. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources his projected tonnage at best capacity for mussel growth in Killary Harbour for the next five years; and if he will make a statement on the matter. [39199/06]

422. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the number of occasions that BIM officials have visited Killary Harbour and have interviewed all active mussel farmers in the bay in respect of their standard of work, quality of product and marketing techniques; the proposals he has to further enhance mussel product from Killary Harbour for the future; and if he will make a statement on the matter. [39200/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 409 to 413, inclusive, 415 to 417, inclusive, and 419 to 422, inclusive, together.

The Co-ordinated Local Aquaculture Management Systems (CLAMS) process is a nationwide initiative, to facilitate the management and the development of aquaculture, by local stakeholders, in bays and inshore waters throughout Ireland. BIM provide assistance to individual CLAMS groups to support them in their role. I am fully supportive of the CLAMS initiatives around the coast, which are a valuable tool in the local management of aquaculture. As the

CLAMS are local management structures, the proposals referred to by the Deputy, are a matter for the Killary CLAMS group.

Mussel cultivation has emerged as one of the most valuable sectors of the aquaculture industry in recent years. In order to ensure the continued success and sustainability of the sector, it is necessary that the capabilities of our bays for shellfish aquaculture be established. This is why I have instructed BIM, through the Aquaculture Forum, to undertake Carrying Capacity studies in the main shellfish growing bays around the coast. Killary harbour has been prioritised as one of the pilot locations for this undertaking. This work will identify the obstacles at local level (such as the availability of phyto-plankton and crop density levels) that may be impacting on mussel farming in this bay and provide a practical and scientific basis for recommendations on how they should be tackled. It is not possible to make an accurate projection for the “best capacity” output from Killary for the next five years on the basis of current information. The findings of the pilot carrying capacity study should help inform future planning.

The question of the availability/occurrence of mussel spat is a wider question and is an issue faced by operators nationally. Mussel seed is a naturally occurring, wild resource which is also transient and unpredictable. While considerable research has been carried out by the Marine Institute into mussel seed, much remains to be done before a greater understanding has been achieved of the life cycle of the mussel and before it would be at all possible to predict its occurrence. For these reasons, it is critical to manage fishing for mussel seed so as to protect against over exploitation of the resource. The success of mussel spat collection for farming, in a given season, is dependent on many factors including; timing of deployment of collectors, tidal conditions, weather patterns, and salinity. All of these parameters can affect the distribution of mussel larvae in a bay, which in turn can affect settlement. The failure of the spat collection effort experienced by the farmers in Killary Harbour in 2006 is I am advised, purely a natural phenomenon, which has occurred in the past both in Killary and elsewhere from time to time. There are strategies that the Killary farmers can pursue to mitigate the 2006 spat failure such as buying in seed from producers in other bays, collecting rock seed and grading and thinning their existing stocks and then repacking the small mussels to boost output. I would urge the Killary farmers to engage with their local BIM area officer and with their CLAMS group with a view towards developing a cooperative strategy to deal with this challenge.

I am aware that certain operators have been experiencing a slow-down in the rate of growth of their crops in recent times. The issue of improving growth rates for all of the mussel farmers in Killary is a complicated one. Not only does

it depend on the amount of phytoplankton in the bay but also on nutrients from other sources such as fresh water runoff into the lough. In addition the number and positioning of longlines in a bay as well as the stocking density used on those lines and the method of cultivation are also crucial factors. I am aware through the work of the Killary and other CLAMS groups that BIM has been working with farmers to demonstrate the benefit of changing husbandry practices and reducing the density of mussels on particular longlines thus improving growth rates. The outcome of the pilot carrying capacity study in Killary should provide important information to inform future arrangements.

During the last three months of 2005, as part of a major review of the rope mussel sector, BIM staff visited all the significant rope mussel production areas in the country, including Killary, and in each area most (but not all) of the individual farms were visited. Very detailed data was collected in each area for comparison purposes and much of the analysis of this data was showcased at the recent rope mussel workshop held in Bantry on the 16th of November. Due to limitations on staff resources BIM is not in a position to visit every mussel farm every year. BIM does however visit any farm that it is involved with in

respect of grant aid or development projects. In this respect it would be safe to say the Killary based mussel farmers have had more visits from BIM staff than any other area in the country over the last three years because of the level of activity in the bay.

The main markets for harvested rope mussels are in France, Spain and Italy. The size of harvested mussels is decided by the needs of the markets in Europe. The Belgian markets generally require mussels of 65mm+ with the French, Dutch and German markets requiring a mussel of a smaller size, in the 45mm size range. However should the market preference change in the future, the harvest size would meet the demand. There are no size regulations applicable to rope cultivated mussels. Whilst the tonnages of mussels produced by the Irish mussel industry are monitored, no systematic data regarding the average individual size of mussels sold from year to year is collected from Killary or any other production area. The producers respond to market demand and the characteristics of the particular crop they have to hand. There are no legal minimum size regulations applicable to harvesting rope cultivated mussels. The volume and value for the rope mussel industry in Killary is given below.

Year	Location	Harvested Quantity (MT)	Value at First Sale €
1995	Killary Harbour	452	240,107
1996	Killary Harbour	630	246,964
1997	Killary Harbour	805	306,641
1998	Killary Harbour	1,010	542,178
1999	Killary Harbour	821	312,736
2000	Killary Harbour	246	62,471
2001	Killary Harbour	475	296,935
2002	Killary Harbour	1,170	767,593
2003	Killary Harbour	1,136	896,372
2004	Killary Harbour	1,419	1,110,453
2005	Killary Harbour	1,703	1,297,386

Exports to EU

Year	Bay	Export volume t	Export value €
2002	Killary	380	223,773
2003	Killary	212	172,952
2004	Killary	444	352,200

The exceptional frequency of detection of naturally occurring bio-toxins in shellfish growing waters in 1999 and 2000 led to prolonged closures for shellfish harvesting, of many premier shellfish growing areas, resulting in lost crops and financial difficulties throughout the shellfish farming sec-

tor. The rope mussel production sector was particularly badly affected.

Following representations by industry to the Minister for the Marine and a preliminary assessment by BIM of estimated losses, funding of €3.174m was made available to the shellfish production sector under the Shellfish Remedial Package. The aim of the scheme was to assist growers to overcome the difficulties of prolonged closures due to bio-toxins. The scheme provided financial aid to assist producers with a once-off environmental clean-up of redundant stock and to restore and secure production capability for the future. The scheme applied to losses of stock, which was mature and ready for harvest in the period 1 May to 31 December 2000. It should be noted that the Scheme was not devised to provide

[Mr. N. Dempsey.]

compensation to individual growers but rather to provide assistance to promote the restocking of affected farms on the basis of applications received from these farmers.

This national scheme was announced in Budget 2001 and launched in Bantry on 12 January 2001 and was launched by the Minister of State at the Department and received wide media coverage in both the national and local press and on radio and television. The practice of launching schemes with media coverage and advertising such schemes in local press is a standard practice followed by BIM.

Administration of the scheme was delegated to BIM who dealt with matters such as publicity, the application process and the assessment of applications received in accordance with agreed criteria. Details regarding the objectives of the scheme and how to apply were advertised by BIM in the Kerryman and Connaught Tribune of 19 January 2001 and the Southern Star of 20 January 2001. Details were also published in BIM's Administration of the scheme was delegated to BIM who dealt with matters such as publicity, the application process and the assessment of applications received in accordance with agreed criteria. Details were also published in BIM's *Aquaculture Newsletter No 36* and *Aquaculture Ireland*. The Irish Shellfish Association was involved with BIM in negotiations with regards to the Scheme.

A total of 80 applications were received by BIM. Having assessed all applications in accordance with the criteria of the scheme, funding was approved in respect of 43 applications. The broad geographical spread of applications provides evidence that applications were received from all over the country and that the scheme was very well known to the mussel industry. Given its responsibility for the administration of public funds, it was not the policy of BIM, nor would it have been appropriate for BIM, to solicit individual applications under the Scheme.

There were seven Killary-based beneficiaries. Of these seven, five were members of the Killary Co-op at the time of the Scheme. It should be noted that the Killary Coop is comprised of members with addresses in both Co Galway and Co Mayo. BIM is not aware as to the reasons why a number of the mussel farmers in Killary failed to make applications to the scheme in time to be considered eligible for payment. BIM did not exclude any eligible applicant from the Scheme. All valid applications received, were processed in strict accordance with the criteria laid down for the operation of the scheme. A number of mussel farmers from Killary did lodge applications well after the closing date, and BIM did deal with them as sympathetically as possible. However it was not possible to make payments to these applicants as the fund for the scheme was fully spent dealing with the claims of eligible applicants;

leaving no monies available to deal with late applications.

414. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources if all of the available designated area for mussel farming is currently taken up by licensed holders; the number of licensed holders who actually use the licence allocated to them as distinct from having leased on their licence; and if he will make a statement on the matter. [39192/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Fisheries (Amendment) Act 1997, as amended, allows for applications to be made for the cultivation of mussels at any location on the foreshore. Such applications are, of course, subject to statutory criteria and public policy.

Aquaculture licences may be granted to individual persons, partnerships, co-operative societies or companies. There is no obstacle to a licensee employing a third party to operate the licence. My Department does not maintain statistics on such third party arrangements as the licensee remains responsible, in the first instance, for ensuring that the aquaculture is carried out in accordance with the terms and conditions of the licence.

Questions Nos. 415 to 417, inclusive, answered with Question No. 409.

Harbours and Piers.

418. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the extent of works that were carried out in Killary Harbour between 1992 and 1996 on the basis of improvement of infrastructure and facilities for growing mussels and so on; if these works are still *in situ* and in operation; and if he will make a statement on the matter. [39196/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): For the period 1992 to 1996 there were no works undertaken by the Department in Killary Harbour other than a Hydrographic Survey in 1996.

Questions Nos. 419 to 422, inclusive, answered with Question No. 409.

Fisheries Protection.

423. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the person who, with regard to foreign gillnet surveys, is granting permission for trials in Irish waters in view of the fact that there are foreign vessels using illegal gear to land fish in Irish waters in the name of research; the way he can advocate criminal sanctions for technical fishery offences for Irish vessels while fishing with undersize gear by foreign vessels goes un-

ished; the procedure these vessels undertake before permission for a trial is given; the measures his Department takes to ensure they are keeping within the remit of the trial while these trials are under way; and if he will make a statement on the matter. [39202/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Council Regulation (EC) No. 850/98 lays down technical conservation measures for the protection of juvenile marine organisms. However, Article 43 of this Regulation provides for a derogation from these measures (mesh size and other technical stipulations) for the purpose of scientific research. The cases referred to by the Deputy relate to scientific research being carried out with gill-nets with mesh sizes under 120 mm which are currently banned. The article stipulates that any such research must be carried out under the supervision of the Member State whose vessel is involved, and with advance notification to the European Commission and to the coastal state, in this case Ireland.

The Minister of State, Deputy Browne, and I do not accept the need for research involving the use of undersized mesh, and particularly not where the species in question is the subject of protection as part of a recovery plan.

In recent months Spanish vessels have carried out research into species such as hake, megrim and anglerfish, using undersized meshes. In July/August this year the Minister of State, Deputy Browne, and I became aware that French vessels were proposing to carry out such experiments in the hake and monkfish fisheries off the west coast. The Minister of State, Deputy Browne, immediately instructed officials to raise the matter with the European Commission and the French authorities, with the result that the French authorities instructed their vessels to withdraw the element of their research programme involving undersized meshes.

More recently, my Department received notification from the Spanish Ministry advising of their intention to carry out similar research in the hake and megrim fisheries. At the request of the Minister of State, Deputy Browne, officials of my Department have again expressed our very strong opposition to the proposal and asked the Commission to intervene to stop such fishing which is completely contrary to the EU plans for conservation and recovery of the stocks. The Commission has written to the Spanish authorities seeking a justification for the research programmes. Officials from my Department have also met with the Spanish authorities in relation to the matter. One such vessel was indeed arrested while discussions were ongoing with the Commission and the Spanish authorities, but was subsequently released on the basis that it was part of the research programme.

The Minister of State, Deputy Browne, has written to Commissioner Borg requesting an amendment to the EU Regulations so that the express approval of the coastal Member State would be necessary for research projects in their Exclusive Fisheries Zone. We will continue to press strongly for the introduction of the amendment over the coming weeks.

In the meantime, the Irish control authorities will continue to monitor the activities of any vessels carrying out research in Ireland's waters to ensure that the regulatory requirements are met.

Energy Supply.

424. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the extent to which he has had discussions with An Bord Gáis with a view to the further extension of the gas pipeline throughout the western and mid-western region with particular reference to achieving maximum availability throughout the region; and if he will make a statement on the matter. [39204/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Since 2002, the Commission for Energy Regulation (CER), which is a statutory independent body, has been charged with all aspects of the assessment and licensing of prospective operators who wish to develop and/or operate a gas distribution system within the State under the Gas (Interim) (Regulation) Act 2002.

The construction by Bord Gáis Éireann (BGÉ) of a natural gas transmission pipeline, known as the Mayo-Galway Pipeline, has recently been completed. The pipeline is one part of the infrastructure required to transport natural gas from the Corrib gas-field to the national gas network.

Earlier this year the Commission for Energy Regulation (CER) directed BGÉ to implement a new Gas Connections Policy, which determines the economic viability of connecting towns to the gas network. The new policy allows for the appraisal of a new town either on its own or as part of a regional group of towns. Having regard to this new policy, BGÉ carried out a comprehensive review of towns being considered for connection to the national gas network. The review is being conducted in two phases, and phase 1, which covers the towns in the proximity of the Mayo-Galway Pipeline, has already been completed.

Following consideration of this phase of the review, the CER made the decision to allow Bord Gáis to extend the natural gas network to eleven towns along the route of its Mayo-Galway gas transmission pipeline. The towns to be connected to the network are Athenry, Craughwell, Headford, and Tuam in Co. Galway and Ballina, Ballyhaunis, Castlebar, Claremorris, Crossmolina,

[Mr. N. Dempsey.]

Knock and Westport in Co. Mayo, and it is hoped that some of these can be connected by the end of 2007.

Bord Gáis is continuing its evaluation of the viability of extending the gas network elsewhere to towns in other parts of the country, including the mid-west, with a view to completing its review by July, 2007. Following completion of this study, the CER will consider whether other towns with an economically viable case may be connected. While I have not had direct discussions with BGE in the matter, my Department is kept regularly apprised by both the CER and Bord Gáis as to the progress of this review, and with regard to any decisions made.

A map which shows each of the towns to be examined in phase 2 of the review is available on Bord Gáis's website *www.bge.ie*, as well as details of all issues which went into its consideration of towns considered under phase 1.

My Department has also engaged consultants for a Gas to the Northwest Study, in the context of the Government's objective for regional policy in the National Development Plan and having regard to the National Spatial Strategy.

The scope of this study is firstly, to determine the feasibility of bringing gas from the Mayo-Galway pipeline to Donegal Town via Sligo, considering three specified alternative routes; secondly, to examine and assess options for and issues surrounding the development of gas-fired power generation along the pipeline routes; and finally, to present options for the provision of gas pipeline infrastructure and gas-fired power generation, with recommendations as to how best the options may be pursued. The study is scheduled for completion in January 2007.

Question No. 425 answered with Question No. 101.

Postal Services.

426. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources his vision for the provision of postal, delivery and counter services in the future with particular reference to the role to be played by An Post and other service providers; the extent to which profitable and non-profitable services are to be shared; and if he will make a statement on the matter. [39206/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The future provision of postal, delivery and counter services will be, in the first instance, a matter for An Post and other service providers.

As set out clearly in the Programme for Government, this Government and the Board of An Post continue to be committed to the objec-

tive of ensuring a viable and sustainable nationwide post office network into the future. With this in mind, I have asked the company to ensure that any strategy for the development of the company should ensure the long term viability of the post office network.

With respect to mail services, I believe that there will continue to be a key national role for An Post in delivery of mails and parcels. However, over the coming years, competition can be expected to increase in these sectors, whether from the privately owned express sector, from the large European public operators now looking for international business or from electronic substitution.

Liberalisation of the mail market in Ireland has already commenced and the proposed third Postal Directive proposes that the postal sector is to fully liberalise across the EU on 1 January 2009 subject to political agreement, which, if achieved, would open up the letter post area to full competition.

Issues that will be important for Ireland in the context of a fully liberalised market will include the protection of the universal service, ensuring that Irish citizens continue to receive a broad suite of postal services and the continued viability of An Post in the face of open competition. No decision has yet been made as to how the provision of the USO shall be financed.

The development of the postal market requires the availability of competitive, high quality products. The current level of market opening has introduced new players with offerings that meet consumer needs and further market opening will provide further opportunities for new and existing players. The development of further competition allied with a modernised and customer-focused An Post will provide the basis for the further development of the postal sector here.

Decentralisation Programme.

427. **Mr. Connolly** asked the Minister for Foreign Affairs the number of staff in his Department who have indicated willingness to decentralise; and if he will make a statement on the matter. [38596/06]

Minister for Foreign Affairs (Mr. D. Ahern): Under the Government's decentralisation programme, the Development Cooperation Directorate of the Department of Foreign Affairs, which is Irish Aid's Headquarters, and currently based in Dublin, will decentralise to Limerick. This is scheduled to take place during the third quarter of 2007 and will involve the relocation to Limerick of 124 posts.

Already, 48 posts in Irish Aid headquarters, including that of Director General, are filled by officers who have signalled their intention to decentralise to Limerick. Some 12 of these

officers were already serving within the Department. The remainder is made up of 25 officers who have been recruited from other Departments and Offices via the Central Applications Facility, 8 officers who have been assigned from inter-Departmental promotion panels and 3 newly-recruited officers.

A further 17 officers who are serving elsewhere in the Department, mostly abroad, are also expected to decentralise to Limerick and will be taking up duty in Irish Aid in advance of the move. In addition, 21 officers from other Departments who have applied to decentralise to Limerick, most of whom are currently based in provincial locations, will transfer to the Department closer to the date of the move. Once these officers take up duty in Irish Aid, 86 posts (69% of the Directorate's staff complement) will be in place.

A small number of staff, approximately 15 at entry grades, will be recruited for direct assignment to Limerick in the months preceding the move.

There are 24 development specialist posts attached to Irish Aid's headquarters. Five Development Specialists and two Senior Development Specialists, who had applied to decentralise, have since decided to withdraw their applications. The specialists, with the support of the IMPACT trade union, say that they are not prepared to consider decentralising while issues around the terms and conditions of their employment are unresolved.

Discussions are continuing with representatives of the specialists, with IMPACT, and with the Department of Finance with a view to resolving the issues involved which also have a wider Civil Service dimension. It would be my hope that a greater number of Specialists will, in time, volunteer to decentralise to Limerick.

In addition to those officers volunteering to decentralise to Limerick with Irish Aid, 115 officers within my Department have applied to transfer to provincial locations with other Departments. To date, 26 of these have accepted offers to decentralise.

Middle East Peace Process.

428. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he has contacted the Israeli Ambassador and expressed the concern of the Irish Government in relation to the rising toll in deaths and injuries in Gaza as a result of Israeli military actions over the past four months; if he has discussed these issues with the Ambassador; if he has demanded that the Israelis commit to withdrawing their current policy of shelling highly populated areas; if he has not discussed these matters with the Ambassador, does he intend to do so and when; and if he will make a statement on the matter. [38610/06]

429. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he has been in contact with the US Ambassador regarding the current Israeli policy of shelling highly populated areas, which has resulted in nearly 250 fatalities, including children and nearly 1,000 wounded, 34% of whom have been children, in the past four months; if he has asked the US to intervene and use its considerable influence to put a halt to this devastating policy; if not, will he do so; and if he will make a statement on the matter. [38611/06]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 428 and 429 together.

The Government is deeply concerned by the situation in the Occupied Palestinian Territories, and especially by the rising toll of death and destruction in Gaza. We have conveyed our position clearly and consistently in direct contacts with the parties, including the Israeli Ambassador in Dublin and the Israeli Government in Jerusalem, in our contacts with the US and others, and at the United Nations.

Most recently, I have unreservedly condemned the killing of 18 civilians, including women and children, in the shelling of Beit Hanoun by the Israeli Defence Forces on 8 November. I also condemn the killing of an Israeli woman in rocket attacks on Sderot on 15 November. The Government has called very clearly for an immediate end to all violence. This includes the Israeli military operation in Gaza and the firing of rockets on Israel from Palestinian Territory.

An Emergency Special Session of the UN General Assembly on 17 November adopted a Resolution, introduced by the Palestinian delegation, which calls on Israel to cease immediately military operations which endanger the Palestinian civilian population in the Occupied Territories and withdraw its forces from within the Gaza Strip to their positions prior to 28 June 2006. Ireland and all other EU Member States voted in favour of the Resolution.

The meeting of the General Affairs and External Relations Council in Brussels on 13 November strongly deplored the Israeli military action in Gaza and the unacceptable military operation in Beit Hanoun. The Council emphasised that any military action should not be disproportionate or in contravention of international humanitarian law. The Government and our EU partners have reminded all parties of their obligation to protect civilian lives. Israel has a legitimate right to defend itself against attack, but not at the expense of the lives and welfare of innocent civilians.

The terrible violence of recent months underlines the urgent need to revive a credible peace process in the Middle East. There can be no military or unilateral solutions to the Israeli — Palestinian conflict. We have argued strongly that

[Mr. D. Ahern.]

the only way forward for the Israeli and the Palestinian people is the negotiation of a viable two-State solution. The EU supports the continuing efforts of President Mahmoud Abbas to negotiate the formation of a Palestinian national unity government. The Council on 13 November stated that a government with a platform reflecting the Quartet principles and allowing for early engagement would be a partner for the international community in re-launching the peace process.

All parties have an obligation to seize the opportunity to rebuild the peace process and to avoid further tragedies such as those witnessed in the Occupied Territories in recent weeks.

Prisoner Transfers.

430. **Mr. Carey** asked the Minister for Foreign Affairs if his Department has received documentation from the authorities in Ecuador regarding its wish to operate the Strasbourg Agreement as a mechanism to facilitate the repatriation of prisoners; and if he will make a statement on the matter. [38676/06]

Minister for Foreign Affairs (Mr. D. Ahern): The Department of Foreign Affairs has not received any such documentation from the Ecuadorian authorities regarding facilitating the transfer of prisoners.

Our Honorary Consul in Ecuador, together with her EU colleagues, are in regular contact with the Ecuadorian Authorities with the objective of having the procedures of the Strasbourg Convention activated by Ecuador.

Overseas Development Aid.

431. **Mr. O'Connor** asked the Minister for Foreign Affairs the position regarding the plan to include Cambodia, Laos and Vietnam in the Irish Aid Programme; if he will provide assurances that this will not take from the effort being made on the African continent; and if he will make a statement on the matter. [39017/06]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): The Government decided in December 2004 to open an Embassy in Hanoi with responsibility for the development of a South East Asia regional development programme covering Vietnam, Cambodia and Laos.

Irish Aid established a development programme in Vietnam in 2005. Programmes commenced in Cambodia and Laos in 2006. They focus, as in Africa, on poverty reduction, pro-poor economic growth and civil society. Funding is also provided for de-mining activities.

I can assure the Deputy that the inclusion of Vietnam, Cambodia and Laos in Ireland's aid programme will not adversely impact on our commitment to Africa.

The vast majority of our aid goes to Africa. This will continue. The White Paper on Irish Aid, approved by the Government and published in September, states that "Africa will remain the principal geographic focus for Irish Aid". In line with this commitment, the Government have designated Malawi as a new programme country for Irish Aid.

Road Network.

432. **Mr. Sargent** asked the Minister for Arts, Sport and Tourism the impact of the construction of the M3 on heritage tourism. [38563/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Responsibility for the design, planning, specification and implementation of individual national road projects, including the M3 Scheme, is a matter for the National Roads Authority under Section 17(1) of the Roads Act, 1993 and the relevant local authority which, in this case, is Meath County Council. Neither the National Roads Authority nor the Local Authorities operate under the aegis of my Department.

I understand that an Environmental Impact Statement for the M3 scheme was prepared on behalf of Meath County Council and it found, inter alia, that the scheme would stimulate increased tourist activity as well as improving the accessibility of recreational and cultural facilities.

Arts Funding.

433. **Mr. Perry** asked the Minister for Arts, Sport and Tourism if he will ensure that funding is allocated to a gallery (details supplied) in County Sligo for its redevelopment which will go into construction in 2007; and if he will make a statement on the matter. [38581/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Under the Cultural Development Incentive Scheme (CDIS) which operated between 1994 and 2000, the Model Arts & Niland Gallery, Sligo received funding of £1,100,000 to refurbish its existing building for use as an Arts centre and to provide exhibition space, space for workshops, Audio-visual/music centre, small restaurant and retail outlet.

In July last I announced a new capital funding scheme — ACCESS II. This new scheme will provide grant aid towards the development costs of arts and culture infrastructure around the country. It will run over the years 2007 — 2009. The scheme is intended to provide a further impetus to the development of arts and culture facilities, thereby enhancing the quality of life for our citizens.

Applications for ACCESS II were accepted up to November 17th, 2006. An independent Committee will assess project proposals received and

will make recommendations to me for consideration. I hope to be in a position to announce the successful applicants early next year.

Sports Funding.

434. **Mr. Deasy** asked the Minister for Arts, Sport and Tourism the status of the submission from Special Olympics Ireland for funding over the next five years; his views on whether Special Olympics Ireland carries out an invaluable role; if his attention has been drawn to the fact that over 25% of current funding for Special Olympics Ireland comes from a trust fund which will end in 2007; if his attention has further been drawn to the fact that Special Olympics Ireland require €3.3 million a year Government funding, in addition to its own fund-raising, to maintain and develop its programme over the next five years; and if he will make a statement on the matter. [39045/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I am happy to place on record the high regard in which both I and my Government colleagues hold Special Olympics Ireland. Since 1999, Special Olympics Ireland has received core funding of €4 million from the Irish Sports Council including almost €0.6 million this year.

Special Olympics Ireland recently made a submission to the Government on the development and funding of the Special Olympics Programme over the next three years. Subsequently, they met with officials of my Department to elaborate on their submission which is being given the fullest consideration in consultation with other Government Departments.

Proposed Legislation.

435. **Mr. Wall** asked the Minister for Arts, Sport and Tourism his views in regard to the contents of a submission (details supplied); the meetings he has had in regard to the independent review within his Department and at EU level; the progress made in regard to the implementation of the review; if he has made or considered a submission to the European Commissions White Paper; and if he will make a statement on the matter. [39183/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The final text of the Arnaut Report was received in my Department on 17th November and is being examined by my officials in consultation with the Football Association of Ireland. The report is divided into two main parts, one dealing with the specific nature of sport in EU law generally, and the other using European football as a case study, to investigate and suggest certain practical solutions. According to the findings of the Report, there is a crucial need to have a formal structure for the relationship between

the EU institutions and the European governing body for football.

It is likely that the issues discussed in the Arnaut Report will feed into a White Paper on Sport, which is being proposed by the EU Commission, and the Deputy may rest assured that my Department will participate fully in the discussions around the White Paper when published.

Grocery Industry.

436. **Dr. Cowley** asked the Minister for Enterprise, Trade and Employment when consumers here will see the promised reduction expected from the abolition of the Groceries Order; if his Department established a group to scrutinise this; and if he will make a statement on the matter. [38539/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Groceries Order was abolished primarily because it allowed wholesalers and suppliers to determine minimum retail prices charged to consumers, thereby seriously constraining price competition in the grocery trade. During the time the Groceries Order was in force more than 2,000 small independent retailers went out of business resulting in the grocery trade in Ireland becoming more concentrated in the hands of fewer participants.

The combined impact of these events was to create a floor under the retail price below which groceries could not be sold. This resulted in Irish consumers paying more for their groceries than would otherwise have been the case. However, there are many factors which impact on the price of groceries in our supermarkets. The lack of competition caused by the Groceries Order was only one such factor. Others would include production costs, labour costs, interest rates, overheads, international exchange rates and so on.

Because of this, and despite the implication in the question, I never predicted price reductions resulting from the removal of the Grocery Order nor did I predict any period of time over which such reductions might be expected to occur. On the other hand I am on record as saying all along that I expected prices to be lower in the future than they would otherwise be had the Groceries Order remained in force. CSO figures are consistent with this view, particularly when grocery price inflation is compared with overall inflation. The Consumer Price Index for October shows that the prices of products previously covered by the Groceries Order fell by 0.7% in the seven-month period from April to October while during the same seven month period, prices of products not covered by the Groceries Order rose by 1.5%.

The overall impact on all groceries prices (Groceries Order and Non Groceries Order items) is a decrease of 0.2% in the same seven-month period. The real benefits however will be

[Mr. Martin.]

felt over time, as price competition re-emerges at retail level in the trade thus reversing the 18 years of damage done by the Order.

Following the enactment of the legislation which abolished the Groceries Order, I asked the Competition Authority to review and monitor developments in the grocery sector in light of the new regulatory environment. I am anxious to ensure that the benefits of removing the Order are not thwarted by the emergence of other anti-competitive practices. That is why, for example, the Competition Act 2006 prohibits practices such as resale maintenance, which were institutionalised by the Order. It would be very damaging to consumer interests if such practices were to emerge within the grocery trade in another guise. Since removal of the Order, the Competition Authority has received no complaints of anti-competitive behaviour in the sector, nor has it seen any evidence of such behaviour.

The Authority's monitoring of the sector is on going but I understand they believe it is too early to reach any conclusions. In April 2007, one year's worth of data will be available for analysis and I understand the Authority intends to publish, later in 2007, an analysis of developments in the grocery sector focusing on pricing trends, market structure and barriers to entry. Thereafter further analyses will be published annually for as long as necessary.

Employment Legislation.

437. **Ms Cooper-Flynn** asked the Minister for Enterprise, Trade and Employment if a person employed for a three and a half year period with no break of service is entitled to be made permanent under current employment legislation (details supplied). [38554/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The Protection of Employees (Fixed-Term Work) Act 2003 provides in relation to an employee who enters on a fixed-term contract of employment before the commencement of the Act on 14 July 2003 that if that employee is employed continuously on such a contract of employment for three continuous years, his or her contract of employment can only be renewed one more time on a fixed-term basis for up to one year and that if it is renewed again after that, it is deemed to be a contract of indefinite duration (a permanent contract) unless the employer has objective grounds for renewing the contract of employment again on a fixed-term basis.

In addition, the 2003 Act provides in relation to an employee who enters on a fixed-term contract of employment after the commencement of the Act, that if that employee is employed on such a contract of employment for four continu-

ous years and the contract is renewed again after that, then it is deemed to be one of indefinite duration (a permanent contract) unless the employer has objective grounds for renewing the contract of employment again on a fixed-term basis.

Under the 2003 Act, a ground shall not be regarded as an objective ground for the purposes of the Act, unless it is based on considerations other than the status of the employee concerned as a fixed-term employee, and the less favourable treatment which it involves for that employee, is for the purpose of achieving a legitimate objective of the employer, and such treatment is appropriate and necessary for that purpose.

Any dispute between an employer and a fixed-term employee about whether a contract of employment should be deemed to be one of indefinite duration may be referred to a Rights Commissioner for a decision, under the 2003 Act.

Financial Services Regulation.

438. **Ms Burton** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the action being taken by the New Zealand competition watchdog, the Commerce Commission, against 11 banks and financial institutions in New Zealand that have acted anti-competitively by price-fixing the credit card fees paid by retailers; if the Competition Authority has investigated the credit card market here; if fees in the Irish credit card market are set in a competitive way; if the Competition Authority have reported on the matter; and if he will make a statement on the matter. [38583/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I am aware that New Zealand's Commerce Commission has issued civil proceedings against two credit card companies and a number of financial institutions for alleged price-fixing in relation to retailer's fees. In Ireland, charges imposed by credit institutions are notifiable under section 149 of the Consumer Credit Act, 1995 (as amended) to the Irish Financial Services Regulatory Authority (IFSRA). I have no function in this matter. IFSRA in exercising their powers under the Act, have regard to, inter alia, fair competition between financial institutions.

Investigations are part of the day to day work of the Competition Authority and by their very nature are confidential. The Authority does not publish investigative findings, as to do so, could prejudice any legal proceedings arising out of the investigation. The Competition Authority is an independent statutory agency responsible for the enforcement of competition law across all sectors of the Irish economy. I have no direct responsibility for the day to day work of the Authority. However, I am informed the Authority did pub-

lish a report last year on competition in the banking sector but did not consider this issue.

Competition Authority.

439. **Ms Burton** asked the Minister for Enterprise, Trade and Employment if he will report on investigations by the Competition Authority into the lack of choice offered by financial institutions to their clients in regard to payment protection insurance on loans; and if he will make a statement on the matter. [38584/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Deputy's question concerns investigations which are part of the day to day work of the Competition Authority. The Competition Authority is an independent statutory agency responsible for the enforcement of competition law across all sectors of the Irish economy. I have no direct responsibility for the day to day work of the Authority. In any case, investigations by their very nature are confidential and the Authority does not publish investigative findings, as to do so, could prejudice any legal proceedings arising out of the investigation.

Research Funding.

440. **Mr. Kenny** asked the Minister for Enterprise, Trade and Employment the amount of funding committed to the RTDI initiative under the current National Development Plan; if he will provide a breakdown in relation to the amounts allocated individually to the Border Midlands Western and south eastern regions; the amount spent on this initiative to date; the amount spent in each region; and if he will make a statement on the matter. [38651/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The table below sets out the position in relation to funding allocations for RTDI under the National Development Plan 2000-2006 and the amounts spent to date in both the Border, Midlands and Western and the Southern and Eastern regions. The RTDI Priority is one of four priority areas to receive funding under the Productive Sector Operational Programme. This funding is comprised of both exchequer and EU structural funds and to date spend stands at over €1.7 billion.

Spending under the priority takes place across a range of measures in the education, industry, agriculture, food industry, marine, forestry and environmental sectors. There have been a number of significant achievements during the lifetime of the Operational Programme. These include

- the establishment of Science Foundation Ireland on a statutory basis,

- €987 million spent on Industry Research and Development,
- €134 million spent on world class equipment under the Programme for Research in Third level Institutions,
- the establishment of seven Centres for Science, Engineering & Technology Research, and
- the build and fit-out of the Celtic Explorer marine research vessel, which averages over 300 operational days at sea per annum.

When the current NDP was drawn up in 1999, very ambitious estimates for expenditure were included for RTDI spending, particularly in the BMW region. Unfortunately, spending under this priority has been well below forecasts. There have been a number of contributory factors to this outcome, including:

- the Programme experienced a slow start to spend, with some delay in securing State Aid clearance from the EU Commission and spend under some measures being included in the old Industry Programme. Spend under the RTDI priority however, continues to strengthen, and has increased year-on-year over the course of the programme.
- The impact of the slowdown in economic activity in 2000-02, and the outbreak of foot and mouth disease, meant that businesses and the agriculture sector were not in a position to put forward sufficient investment plans in the early years to avail of funding. As R+D projects have unusually long lead-in times between inception and funding requests, expenditure is now only being realised in the latter part of the programme.
- In the case of the BMW, the absorption capacity of the region has had a strong impact on the level of spend. NUI Galway has performed extremely well in obtaining competitive Research and Development funding, while the Institutes of Technology are being encouraged to improve their research capacity have a more limited research capacity. Likewise, the industrial base in the BMW (more small, indigenous companies and less high value-added industry) means that R&D activity by industry in the region is also relatively limited compared to the S&E.

Emerging difficulties in drawing down EU funds involved were identified some time back and my Department has been working to ameliorate the problem. Steps taken have included initiatives designed to encourage the take up of available

[Mr. Martin.]

funding, revisions to the Programme Complements to allow larger projects to be supported and the transfer of funding from RTDI to other areas. It should be noted that funds transferred to other Operational Programmes and priorities have been retained within the BMW region, thus ensuring no dilution of the regional aid to the area.

RTDI allocations and spend to date

	Amount Allocated	Spend to June 2006
	billion €	billion €
National	3.095	1.728
BMW	0.844	0.264
S&E	2.250	1.464

Note: the amount allocated figure takes account of decommitments of EU and related funding.

Job Creation.

441. **Mr. Crawford** asked the Minister for Enterprise, Trade and Employment the number of jobs at present provided by IDA supported factories in each of the Border counties of Cavan and Monaghan; and if he will make a statement on the matter. [38713/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): IDA Ireland is the agency with statutory responsibility for the attraction of foreign direct investment (FDI) to Ireland and its regions. The Forfás Annual Employment Survey records jobs gained and lost in companies supported by the Industrial Development Agencies.

At the end of 2005 there were 7 IDA supported companies employing 1, 069 people in Cavan and 6 companies employing 290 people in Monaghan. IDA Ireland believes that the vigorous pursuit of its main policy objectives is the best response to the current challenging environment of increasing opportunities for employment both within its own portfolio but also across the wider economy. The key features of this approach are as follows:

- Continuing investment promotion activities to generate new flows of FDI into Ireland
- Working closely with foreign owned companies already located in Ireland to identify new investment opportunities
- Helping to maintain and augment the competitiveness of client companies to enhance their capacity for investment and direct and indirect employment creation.

I am confident that the strategies being pursued by IDA Ireland will continue to deliver for Ireland, including the people of Cavan and Monaghan, new and expansion FDI projects.

442. **Mr. Crawford** asked the Minister for Enterprise, Trade and Employment the number of site visits the IDA or Enterprise Ireland has organised to each of counties Monaghan and Cavan in each of the past five years; if he has satisfied himself that sufficient effort is being made to get inward investment of hi-tech jobs to this border region; and if he will make a statement on the matter. [38714/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): IDA Ireland is the Agency with statutory responsibility for the attraction of foreign direct investment to Ireland while Enterprise Ireland is responsible for the development of indigenous industry with export potential. As part of its statutory responsibilities IDA Ireland maintains a property portfolio to assist in the marketing of individual areas and regions to both overseas investors and Enterprise Ireland clients.

As itineraries for site visits relate to mobile investments, normally from overseas, and the EI portfolio of indigenous client companies is of its nature not very mobile, the number of site visits arranged by Enterprise Ireland only relates to a small number of companies. Any such visits are primarily for natural resources companies, taking into account their special location requirements such as access to raw materials and to facilities.

Where an Irish company is interested in relocating an expansion to another part of the country, the Enterprise Ireland Office in that Region will assist in providing information on premises and services available locally, or contact details for other information sources in the Region.

So far this year the IDA has hosted five site visits to Cavan and one to Monaghan. The following table provides details the number of site visits to Counties Cavan and Monaghan from 2002 to 2006. Site Visits are only one indicator of IDA's marketing effort of the Counties. In this respect the Agency continues to actively market Cavan & Monaghan for Foreign Direct Investment through presentations to potential clients by its Projects Division and Overseas Marketing Executives Internationally.

IDA Ireland is continuing to actively market the vacant 23,000 sq ft Advanced Technology Building (23,000 sq ft) on its recently upgraded and fully serviced Business Park in Cavan (c 40 acres), for new inward investment or qualifying indigenous industry. In addition IDA Ireland are promoting two other sites with full planning permission for new 25,000 sq ft Advanced Technology buildings and fully serviced sites of 10 to 15 acre for new Greenfield investments.

To date this year there has been a significant increase in the number of overseas projects which have included Cavan on their itineraries, which is encouraging. Ultimately decisions regarding where to locate, including where to visit as a potential location are taken by investors.

IDA's Regional Strategy has been to adopt a focused approach to marketing, selecting specific towns in each Region and setting targets for new investment. This year, for example, IDA is working to secure a new investment in the medical devices area for Cavan town as it believes the existing 23,745 sq ft facility on its Cavan Business Park is particularly suited to that sector and that,

in addition, the sector will not compete with existing businesses in the town for potential employees.

I understand this approach has been very successful in other towns in the region such as Dundalk and Drogheda where there have been some significant investments secured over the last twelve months.

	2002	2003	2004	2005	2006 (To date)
Cavan	1	2	1	2	4
Monaghan	1	0	0	0	1

Job Losses.

443. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment when he became aware of the difficulties of an operation (details supplied); when his department became aware of the problems in the company; the ongoing discussions taking place with Enterprise Ireland on the development of the site; and if he will make a statement on the matter. [38721/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): While responsibility for the food sector rests with the Minister for Agriculture and Food, I am aware that the market for canned meat is in decline as a result of changed consumer preferences and a greater emphasis on fresh and chilled products.

Enterprise Ireland has been aware for some time of the difficulties being experienced at the plant in question. Over the past two years, the agency was working with the company to try and stimulate new product development to replace products in decline. Under its Research and Development grant aid scheme, Enterprise Ireland supported potential new product development projects. Unfortunately, there was no positive outcome from these initiatives.

There was also a possibility that some of the existing management team might purchase the business. Enterprise Ireland held discussions with these potential new owners and encouraged the company to do business if possible. However, the company recently came to the view that it had exhausted all possibilities in relation to a management buy-out and, as a result, it announced the closure of the plant last Tuesday.

Notwithstanding this, Enterprise Ireland will continue to work with the company to try and develop alternative uses for the site in Ruskey.

Work Permits.

444. **Mr. F. McGrath** asked the Minister for Enterprise, Trade and Employment if he will clarify the confusion in the case of a person (details supplied) in County Galway who is seeking a work permit; and if he will assist them with a work permit. [38978/06]

Minister for Enterprise, Trade and Employment (Mr. Martin):

The Work Permit section of my Department informs me that, having heard an appeal, the original decision was upheld in this case. The proposed employee is currently the subject of a deportation order issued by the Tánaiste and Minister for Justice, Equality and Law Reform and is, therefore, not eligible to enter the workforce.

Furthermore, in the aftermath of EU Enlargement, it is Government policy that employers should be able to source nearly all of their workforce needs from within the EU. Accordingly, only in cases where exceptional levels of skill and qualifications are needed for the job, and the employer has made meaningful attempts to find EEA nationals first, will my Department now consider work permit applications.

Grant Payments.

445. **Mr. Ring** asked the Minister for Enterprise, Trade and Employment the grants paid out by Mayo County Enterprise Board in each of the past three years and to date in 2006; and the grants currently available. [38979/06]

Minister for Enterprise, Trade and Employment (Mr. Martin):

Mayo County Enterprise Board (CEB) was established in 1993 to provide support to small businesses with 10 employees or fewer. The Board's function is to develop indigenous enterprise potential and to stimulate economic activity at local level. The CEB supports individuals, firms, community groups, provided that the projects have the capacity to achieve commercial viability. Priority must be given to manufacturing and internationally traded services companies which could develop into strong export entities.

The specific types of CEB assistance available to micro-enterprise is broken down between financial assistance such as grants for feasibility studies, employment grants and capital grants and non-financial assistance such as Programmes covering Business Management, Mentoring, E-commerce, Enterprise Education and Women in Business networks. Full details on the activities of Mayo CEB are available in its Annual Reports

[Mr. Martin.]

which are laid before the Houses of the Oireachtas.

The general levels of available financial assistance are as follows:

- *Capital grants* up to a maximum of 50% of the cost of capital and other investment or €75,000, whichever is the lesser; a portion of the grant in excess of 40% (in the BMW Region) or 35% (in the S&E Region) to be in refundable form.
- *Employment grants* a grant of up to €7,500 per new job, to a maximum of 10 new jobs.
- *Feasibility study grants* up to a maximum of 60% (in the BMW Region) or 50% (in the S&E Region), of the cost of a feasibility study and business plan, subject to an overall limit of €6,350 (in the BMW Region) or €5,100 (in the S&E Region).

Details of the total amount of grants paid out by Mayo CEB in each of the past three years and to date in 2006 are in tabular form below.

Mayo CEB Grant Payments

	€
2003	359,012
2004	294,223
2005	301,239
2006 to 16/11/06	212,000

Job Creation.

446. **Mr. McEllistrim** asked the Minister for Enterprise, Trade and Employment the plans he has in place to attract more jobs for north Kerry; if Tralee is lagging behind other comparable towns in the country in terms of job creation in the past four years; when he expects the liquified natural gas storage facility on a land bank between Tarbert and Ballylongford to be up and running; the stage the project is at. [39054/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): Support for job creation and investment in individual counties and towns is a day-to-day operational matter for the development agencies as part of their responsibility under the Industrial Development Acts. While I may give general policy directives to the agencies I am precluded under the Industrial Developments Acts from giving directives regarding individual undertakings or from giving preference to one area over others.

In general, the strategies in place by the enterprise training and development agencies for the County revolve around growing the existing FDI client base, attracting new investment, promoting the indigenous sector, encouraging entrepreneurship and small start-up companies and the

provision of training for the unemployed and those in work.

Employment in agency-assisted firms is recorded by the Forfás in their annual Employment Survey but this data is only captured at county level and the latest year for which data is available is 2005. The total number of people employed in agency-assisted companies in County Kerry at the end 2005 was 6,453.

Kerry Technology Park is a Shannon Development initiative in co-operation with the Institute of Technology Tralee and in partnership with IDA Ireland, Tralee Urban District Council, Kerry County Council, and the private sector. At the end 2005 there were 16 companies operating from the Park, employing 220 people — an increase of 55 over 2004. This increase was spread across a number of companies, all of which operate in the knowledge based business sector.

The focus of IDA Ireland is on the linked Hub towns of Tralee and Killarney as designated under the National Spatial Strategy. There are eleven IDA supported companies operating in North Kerry employing 1,026 people in permanent jobs; 9 of these companies are located in Tralee. Employment in IDA supported companies has demonstrated relative stability in recent years, with growth of 8% during 2005 in North Kerry. The Agency is also working closely with existing clients in Kerry to encourage them to expand their operations. A total of 1,368 new jobs were created in IDA assisted companies in Kerry in respect of each of the years 2000 to 2005.

Kerry County Enterprise Board's 2006 budget allocation stands at over €900,000, which is 17.8% higher than the allocation provided to the Board in 2005. This increase enables the Kerry Board to maximize entrepreneurial development in the micro-enterprise sector throughout the north Kerry region. From January 2006 to-date the Board has paid out over €240,000 in grant assistance to 27 businesses based in the County and has assisted in the creation of 51 jobs.

In May 2006, I announced that Shannon Development had entered into an "option-to-purchase" agreement with Shannon LNG, in relation to 281 acres of the 600-acre Shannon Development owned land bank between Tarbert and Ballylongford, County Kerry. Under the agreement, Shannon LNG, an Irish subsidiary of Hess LNG Limited, is proposing to build a €400 million liquefied natural gas (LNG) receiving terminal on the site.

Subject to feasibility studies, technical assessments and, in due course, planning and other approvals, the Shannon LNG project has the potential to provide over 40% of Ireland's gas requirements. Shannon LNG has commenced its programme of technical assessments and feasibility studies. It is anticipated that Shannon LNG will apply for planning permission in 2007, and, subject to planning approval, work should commence in 2008 with the terminal becoming

operational in 2011. The terminal could provide about 50 long-term permanent jobs, along with additional support jobs and around 350 construction jobs at its peak.

I am confident that the strategies being pursued by the development agencies will continue to deliver sustainable jobs for the people of Kerry, including Tralee. The Construction of the Metropolitan Area Network in Tralee, which is scheduled to begin by year end 2006, will further enhance the attractiveness of Tralee and the North Kerry area for new investment and jobs.

Pension Provisions.

447. **Mr. F. McGrath** asked the Minister for Social and Family Affairs the action he will take regarding employers who want to downgrade pension schemes; and if he will make a statement on the matter. [38470/06]

Minister for Social and Family Affairs (Mr. Brennan): The provision of occupational pensions in Ireland is on a voluntary basis and depends on the willingness of employers to contribute to and maintain schemes for their employees.

Defined benefit provision, in recent years, has been under pressure because of volatility in the stock markets and increasing liabilities arising from demographic pressures, low interest rates, increasing wage costs that translate into higher benefits and regulatory requirements. These factors are adding greatly to the cost of defined benefit schemes. New accountancy standards, which make pensions liabilities transparent on a company's balance sheet, are also contributing to the pressures under which defined benefit schemes are now operating. As a result, some employers are no longer willing to maintain such schemes.

For a number of years, a drift towards defined contribution provision has been apparent with little or no new defined benefit schemes being opened. We have also seen a number of existing defined benefit schemes closing to new members, even in cases where firms are highly profitable. This is, in my view, a regrettable development. However, at this stage, further regulation would only serve to add to the pressures on defined benefit provision and could be counter productive.

The Government has committed itself to producing a Green Paper on pensions as part of the social partnership agreement Towards 2016. The Green Paper will outline the major policy choices, the challenges in this area and the views of the social partners.

Also, as part of this agreement, the Pensions Board has been asked to research benefit design options in the occupational pensions area and to examine current design issues in both defined benefit and defined contribution arrangements, with a view to producing guidance as to designs

which encompass the positive elements of each arrangement while adjusting the costs and risks to the parties involved.

It is my intention to produce the Green Paper by the end of March next year. A consultation process will follow this and the Government will respond to these consultations by developing a framework for comprehensively addressing the pensions agenda over the long term.

Departmental Staff.

448. **Ms Enright** asked the Minister for Social and Family Affairs the procedures in place for officers of his Department employed as managers of employment exchanges; the terms of employment; the person who has responsibility for employment of staff or the cessation of employment of staff; the disciplinary procedures in place in view of incorrect procedures being carried out; the grievance procedures available if a persons employment is terminated without fair and adequate procedures being carried out; and if he will make a statement on the matter. [38501/06]

Minister for Social and Family Affairs (Mr. Brennan): My Department currently has 65 Branch Offices located at various locations throughout the country. Each Branch Office is managed and operated, under a contract for services, by a Branch Manager who is required to act as an Agent for the Department in the area served by the office.

As part of the terms and conditions of their appointment, Branch Managers are required to provide sufficient clerical support to allow for the efficient performance of the work of the Office. It is a matter for each individual Branch Manager to employ his or her own staff and neither I nor my Department has any role in the recruitment of clerical staff by a Branch Manager.

While the terms and conditions under which staff are employed in Branch Offices are matters to be agreed between the Branch Manager and his or her individual employees, my Department expects that the terms of such employment would be in accordance with the relevant employment legislation.

In this regard, if an employee is of the opinion that they have been unfairly dismissed they may present a claim of unfair dismissal to either a Rights Commissioner or the Employment Appeals Tribunal under the Unfair Dismissals Acts.

Social Welfare Benefits.

449. **Mr. P. McGrath** asked the Minister for Social and Family Affairs the amount which has been expended on the rent supplement scheme in each of the past 10 years; and if he will make a statement on the matter. [38504/06]

456. **Mr. P. McGrath** asked the Minister for Social and Family Affairs the money expended on rent allowance to enable qualifying persons rent private accommodation in each of the past 10 years and to date in 2006. [39015/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 449 and 456 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. The expenditure on rent supplement from 1996 to date is shown in the tabular statement below.

Expenditure on Rent Supplement from 1996 to 2006

Year	Expenditure
	€000's
1996	79,490
1997	95,610
1998	111,740
1999	128,240
2000	150,590
2001	179,438
2002	252,340
2003	331,470
2004	353,760
2005	368,705
2006*	323,666

* End October 2006.

450. **Mr. Wall** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Kildare has received information that the rent subsidy they receive is to be reduced to the point that they will not be able to afford it as they will be on maternity leave and as such will have no residential accommodation for themselves and their two children; the options available to the person to overcome the problems as stated; the way the person on maternity leave can pay this amount from their income of €185.50 and €97 maternity leave payment per week; and if he will make a statement on the matter. [38514/06]

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 the rules of the scheme, rent supplements are calculated to ensure that an eligible person after the payment of rent has an income equal to the rate of supplementary welfare allowance appropriate to his or her family circumstances, less a minimum contribution of €13 which each recipient is required to pay from his or her own resources. The regulations governing rent supplement stipulate that in addition to the minimum contribution, recipients are also required to contribute towards their rent any additional assessable means that they have over and above the appropriate basic supplementary welfare allowance rate.

The Health Service Executive has advised that person concerned is in receipt of her correct entitlement to rent supplement based on her income from one parent family payment, maternity benefit and maintenance payments. The Executive has further advised that if the person is not satisfied with the decision of the Executive it is open to that person to appeal the decision to the Executive's designated Appeals Officer.

451. **Mr. N. O'Keeffe** asked the Minister for Social and Family Affairs his views on paying the old age pension or a large portion of this pension in conjunction with the carers allowance to carers, many of whom are caring for their spouse or relative on a 24 hour per day, seven days a week basis. [38527/06]

452. **Mr. Ardagh** asked the Minister for Social and Family Affairs if he is the Minister with responsibility for carers; and the action he is taking to increase the rate of pay for carers to bring it in line with the minimum wage. [38656/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 451 and 452 together.

Supporting and recognising carers in our society is and has been a priority of the Government since 1997. Over that period, weekly payment rates to carers have been greatly increased, qualifying conditions for carer's allowance have been significantly eased, coverage of the scheme has been extended and new schemes such as carer's benefit and the respite care grant have been introduced and extended.

The carer's allowance is a social assistance payment which provides income support to people who are providing certain elderly or incapacitated persons with full-time care and attention and whose incomes fall below a certain limit. The primary objective of the social welfare system is to provide income support and, as a general rule, only one weekly social welfare payment is payable to an individual. This ensures that resources are not used to make two income support payments to any one person. Persons qualifying for

two social welfare payments always receive the higher payment to which they are entitled.

In Budget 2006, I announced the biggest ever increases in the weekly rates of payments to carers representing increases of over 17% for recipients of carer's allowance. From January this year, the rate of carer's allowance increased to €200 per week for carers aged 66 years and over. This rate of payment may be higher in many instances than the rate of state pension or qualified adult allowance payable to a person. Such a person who is providing full-time care and attention to a person who requires such care may be entitled to receive this higher rate of carer's allowance. I would strongly urge any person in this position to make enquiries with my Department.

In addition, from June 2005, the annual respite care grant was extended to all carers who are providing full-time care to a person who needs such care regardless of their income. Those persons in receipt of other social welfare payments, excluding jobseeker's assistance and benefit, are entitled to this payment subject to meeting the full-time care condition. This arrangement was introduced to acknowledge the needs of carers especially in relation to respite. I also increased the level of the respite care grant from €1,000 to €1,200 per year from June 2006.

While I and my Department have responsibility for income support payments to carers, several other departments, particularly the Department of Health and Children and the Health Services Executive, are responsible for the provision of services to support carers. Co-operation between relevant Government departments and agencies is essential if the provision of services, supports and entitlements for carers is to be fully addressed. For that reason, I am pleased that the new national partnership agreement "Towards 2016" commits my Department to leading the development of a structured consultation process to inform future policy in relation to carers. This will involve an annual meeting of carer's representative groups and relevant department and agencies. The first such meeting is being held today, 21 November 2006.

Another key Government commitment in "Towards 2016" is the development of a National Carer's Strategy. This strategy, which will focus on supporting informal and family carers in the community, will be developed by the end of 2007. All relevant departments and agencies will be involved in the strategy and there will be appropriate consultation with the social partners.

Proposals involving additional expenditure can only be considered in a budgetary context. I am committed to working for, and with, carers to deliver increased benefits, supports, and services for them and their families. In that regard, I will continue to review the scope for further development of the supports available.

Social Welfare Code.

453. **Mr. Ardagh** asked the Minister for Social and Family Affairs the reason the payment in respect of a child of a lone parent is €19.30 per week and that of a carer's child is €16.80 per week. [38657/06]

Minister for Social and Family Affairs (Mr. Brennan): My Department provides child income support in a number of ways. The principal support is child benefit, CB, a universal payment which is neutral vis-a-vis the employment status of the child's parents and does not contribute to poverty traps. In addition to CB, child dependant increases, CDIs, are paid to social welfare recipients in respect of qualified child dependants.

At one point there were 36 different rates of CDI. There are currently three different weekly rates, €16.80, €19.30 and €21.60, depending on the type of payment. Half rate CDI may also be paid in respect of a child in certain circumstances, for example where both of the child's parents are receiving a social welfare payment, or where one parent has earnings over a prescribed amount. The policy in recent years has been to maintain the rate of CDIs constant while concentrating additional resources in CB.

It has been the policy of successive Governments to maintain child dependant rates at existing levels in favour of concentrating additional resources on increasing child benefit, resulting in significant increases in child benefit for all families. Any change to existing policy, including child dependant increases, would be for consideration in a Budgetary context and in the context of an overall review of targeted child income supports.

Social Welfare Benefits.

454. **Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs the cost of creating a new back to school allowance (details supplied) payable to families on social welfare payments and households in receipt of family income supplement at a rate €300 for primary school children and €475 for children over 12 years of age. [38694/06]

Minister for Social and Family Affairs (Mr. Brennan): The Back to School Clothing and Footwear Allowance (BSCFA) scheme provides a one-off payment to eligible families to assist with the extra costs when their children start school each autumn. The allowance is intended as a contribution towards meeting the full cost of school clothing and footwear.

Budget 2006 provided for a number of improvements to the scheme. These include –

- an increase of €40 in BSCFA rates from June 2006
- Extension of entitlement to the back to school clothing and footwear allowance to

[Mr. Brennan.]

recipients of guardian's (formerly orphan's) payments for the first time, and

- An increase in the additional income disregard for entitlement to the scheme from €50 to €100 over the relevant social welfare rate.

From June 2006, an allowance of €120 is payable in respect of qualified children aged from 2 to 11 years, or €190 in respect of qualified children aged from 12 to 22 years. The Department of Education and Science operates a grant scheme towards the cost of providing school textbooks for pupils from low-income families at primary and post-primary level. In addition, schools participating in the School Support Programme (SSP) under Delivering Equality of Opportunity in Schools (DEIS) the new action plan for educational inclusion, and which operate a book loan/rental scheme for 2006/2007, have been allocated increased grant aid from a supplementary fund which has been made available for this purpose. Schools are notified of the scheme each year by circular letter.

In 2006, some 172,000 children will benefit from the back to school clothing and footwear allowance scheme at an annual cost of €25.6 million. On the basis of the number of recipients of the allowance in 2006, the cost of creating a new allowance at a rate of €300 for primary school children and €475 for children over 12 years of age as suggested by the Deputy would be €64 million per annum. This would be an additional €38.4 million over the current annual expenditure on the scheme. Further improvements to the scheme are being considered in the context of the Budget, and in the light of resources available to me for improvements in social welfare payments generally, and ongoing progress on developing a second-tier style support targeted child poverty.

455. **Mr. Ring** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Mayo is not receiving the fuel allowance, Christmas bonus or child dependant allowance for their daughter in college. [38944/06]

Minister for Social and Family Affairs (Mr. Brennan): Social Welfare Regulations provide that the Christmas Bonus and the Free Fuel Allowance are payable only to persons in receipt of pensions and long-term Social Welfare payments. The person concerned is in receipt of illness benefit which is a short-term Social Welfare payment and therefore he does not qualify for either payment of the Christmas Bonus or the Free Fuel Allowance.

An application form for payment of a qualified child allowance in respect of a child over 18 years has been posted to the customer. His claim will be reviewed on receipt of the completed form.

Question No. 456 answered with Question No. 449.

457. **Mr. Ring** asked the Minister for Social and Family Affairs if a person (details supplied) in County Mayo will be approved and awarded the back to school footwear and clothing allowance on their revised application; and the reason this Deputy cannot get an answer from the Health Service Executive in this regard. [39067/06]

Minister for Social and Family Affairs (Mr. Brennan): The Health Service Executive has advised that an application was made by the person concerned in August 2006 but it was disallowed. Her household income as assessed was substantially above the prescribed limit for entitlement to the allowance. I understand that the Health Service Executive have been in direct contact with the Deputy on this case.

458. **Mr. Stanton** asked the Minister for Social and Family Affairs if, in circumstances of extreme illness, he will allow people to receive the fuel allowance even if they do not qualify due to the application of the means test; and if he will make a statement on the matter. [39108/06]

Minister for Social and Family Affairs (Mr. Brennan): The aim of the national fuel scheme is to assist householders on long-term social welfare or health service executive payments with meeting the cost of their heating needs during the winter season. Fuel allowances are paid for 29 weeks from end-September to mid-April. The allowance represents a contribution towards a person's normal heating expenses.

A number of improvements have been made to the scheme in recent years including the easing of the means test and extending the duration of payment from 26 weeks to 29 weeks. Most recently, Budget 2006 provided for an increase in the rate of fuel allowance of €5.00 from €9.00 to €14.00 (€17.90 in designated smokeless areas).

It is estimated that some 274,000 people (151,000 with basic fuel allowance and 123,000 with smokeless fuel supplement) will benefit in 2006 at an estimated annual cost €125.1m. In addition to the fuel allowance, some 340,000 pensioner and other households qualify for electricity or gas allowances through the household benefits package, payable towards their heating, light and cooking costs throughout the year, at an overall cost of €119 million in 2006.

Under the supplementary welfare allowance scheme which is administered on my behalf by the Community Welfare Service of the Health Service Executive a special heating supplement may be paid to assist people in certain circumstances who have special heating needs. If a recipient of a social welfare or Health Services Executive payment has exceptional heating costs due to ill health, infirmity or a medical condition

which he/she is unable to meet out of household income, it is open to him/her to apply to the local community welfare officer for a special heating supplement under the supplementary welfare allowance scheme. This supplement is considered the most appropriate and effective way to provide extra resources in circumstances where a person has increased heating requirements due to illness.

Airport Development Projects.

459. **Dr. Cowley** asked the Minister for Transport if his Department will allocate the necessary funding needed by Ireland West Airport, Knock to enable it to expand to its full potential; and if he will make a statement on the matter. [38488/06]

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 introduced earlier this year by my Department to ensure that such funding is in compliance with the legally-binding EU guidelines on financing of airports which were published towards the end of 2005.

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. That process is well advanced and I expect to be in a position to announce each airport's allocation under the scheme shortly.

Marine Accidents.

460. **Mr. Eamon Ryan** asked the Minister for Transport the communication he has had with the Marine Accident Investigation Branch regarding the ORA HOPE collision; and the reason for the decision not to undertake an official investigation of the said collision. [38537/06]

Minister for Transport (Mr. Cullen): I assume the Deputy is referring to the Marine Casualty Investigation Board, (MCIB), which is the Irish marine accident investigation organisation. The

MCIB is independent of this Department in the exercise of its functions. As I have previously advised the House the vessel mentioned was subjected to inspection by Port State Control Officers of this Department following the incident and the report of the inspection is published on the website of the Paris Memorandum of Understanding on Port State Control: www.parismou.org

Public Transport.

461. **Ms Shortall** asked the Minister for Transport if his attention has been drawn to an alternative transport system for Dublin (details supplied); and his Department's response to same. [38515/06]

Minister for Transport (Mr. Cullen): I am aware of the proposed "Dargan Plan" which has been described recently in the media and was the subject of a presentation to both my Department and to the Joint Oireachtas Committee on Transport of which the Deputy is a member.

There is already a credible, professional and technically robust transportation strategy for Dublin in the form of DTO's "A Platform for Change". This was based on detailed transportation modelling, technical analysis, examination of alternative options and professional judgement and has been accepted by Government as the basis for the Transport 21 investment programme for the Greater Dublin Area.

I also do not accept that the timelines and capital cost estimates suggested in the "Dargan Plan" are realistic. The Government has already taken decisions on Transport 21 and more particularly on the key elements of an integrated transport network for the Greater Dublin Area, based on a robust professional analysis by the DTO and the relevant transport delivery agencies. Over the past year we have developed a growing momentum on the delivery of this investment programme. It is vital that we maintain that momentum rather than begin again a debate about the composition of the investment programme.

Road Network.

462. **Dr. Cowley** asked the Minister for Transport the definition of a national road, a regional road, a strategic road and a non-strategic road; and if he will make a statement on the matter. [38552/06]

Minister for Transport (Mr. Cullen): Section 10 of the Roads Act deals with the classification of national, regional and local roads. A national road means a public road or a proposed public road which is classified as a national road under section 10 of the Roads Act, 1993. A regional road means a public road or a proposed public road which is classified as a regional road under section 10 of the Roads Act, 1993.

[Mr. Cullen.]

There is no legal definition for a strategic road or a non-strategic road under section 10 of the Roads Act, 1993. My Department has responsibility for national roads only. Matters concerning non-national roads are the responsibility of the Minister for the Environment, Heritage and Local Government.

Taxi Regulations.

463. **Ms Shortall** asked the Minister for Transport his plans to introduce a subsidy to encourage the greater availability of wheelchair accessible taxis; and if he will make a statement on the matter. [38577/06]

Minister for Transport (Mr. Cullen): My Department's Sectoral Plan for Accessible Transport under the Disability Act 2006 sets out a programme for action on accessibility in a number of key transport areas, including the taxi and hackney sector. The plan in particular sets out actions for increasing the accessibility, availability and affordability of small public service vehicles. On the issue of affordability, the Commission for Taxi Regulation will investigate the possibility of putting in place some form of subsidy or assistance on a pilot basis. I understand that a report on a subsidy proposal for the purchase of accessible small public service vehicles is due to be submitted to my Department by the Commission for Taxi Regulation in the near future.

Air Services.

464. **Mr. P. Breen** asked the Minister for Transport the way, in view of Aer Lingus' recently promulgated schedule of transatlantic services for Summer 2007 wherein the airline proposes to operate a ratio of five flights direct from Dublin to three flights from Shannon, the airline proposes to make up the 1:1 ratio within the 12 month period as required by the current Ireland US Bilateral Agreement; and if he will make a statement on the matter. [38578/06]

Minister for Transport (Mr. Cullen): It is a matter for all of the airlines on transatlantic routes (including Aer Lingus) to comply with the terms of the Ireland US Air Transport Agreement. Statistics on landings are furnished to my Department by the airport authority on an ongoing basis and are subject to an annual check. There is no evidence to date of non-compliance by Irish or US carriers.

Public Transport.

465. **Ms O. Mitchell** asked the Minister for Transport the schemes or initiatives in the area of public transport that have been suspended or cancelled within his Department since 2002; the

amount spent on such schemes to date; and if he will make a statement on the matter. [38592/06]

Minister for Transport (Mr. Cullen): The period since the establishment of an integrated Department of Transport in 2002 has been marked by good progress in the upgrading of public transport networks and services including, in particular, the revitalization of the railway network, as envisaged in the National Development Plan 2000-2006. Transport 21 provides the framework for future investment in the sector up to 2015. Good progress has also been made in the strengthening of institutional arrangements, through the establishment of a Railway Safety Commission and the decision to establish a Dublin Transport Authority and in plans for the reform of bus market regulation.

Against this background and to the best of my knowledge, no schemes or initiatives in the area of public transport have been suspended or cancelled, since 2002 but policies, programmes and projects in relation to public transport have evolved and been adapted in response, inter alia, to public consultation, detailed analysis and Government consideration and decisions. For example some of the proposals in the National Development Plan 2000-2006 were modified as a result of the recommendations in the Dublin Transportation Office's long term transportation strategy "A Platform for Change".

Decentralisation Programme.

466. **Mr. Connolly** asked the Minister for Transport the number of staff in his Department who have indicated a willingness to decentralise; and if he will make a statement on the matter. [38598/06]

Minister for Transport (Mr. Cullen): There are presently 54 members of staff of my Department who have expressed interest in decentralizing out of Dublin.

Integrated Ticketing.

467. **Ms O. Mitchell** asked the Minister for Transport the amount of funding provided by his Department to the integrated ticketing implementation of the RPA to date; if the team is still funded by his Department; the amount paid to consultants (details supplied) to date; if his Department continues to fund the consultants; and if he will make a statement on the matter. [38608/06]

474. **Ms O. Mitchell** asked the Minister for Transport the breakdown for the revised budget for the delivery of an integrated ticketing system for public transport in Dublin; if he is confident that this revised figure will be the final cost of the project; if the budget accounts for inflation over the lifetime of its delivery; the new revised date

for the delivery of integrated ticketing; and if he will make a statement on the matter. [38945/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 467 and 474 together.

The position in relation to the Integrated Ticketing Project was set out in the response to Parliamentary Question Numbers 7 and 13 on 2nd November 2006.

I await proposals from the Integrated Ticketing Project Board in relation to scope, timelines and a budget for the phased completion of the integrated ticketing project. I expect these details to be included in the Board's report up to end November 2006.

Some €10.5 million has been paid out to date by the Exchequer on integrated ticketing since commencement of the project in 2002. This includes the RPA's project team costs and associated expertise, namely that of design contractor Sequoia. Sequoia is contracted to the RPA and not to the Department. However, I can confirm that of the €10.5 million Exchequer grant paid out to date, approx. €3.1 million was to cover the work of this contractor. The Department continues to fund the RPA's project team costs and associated expertise, to assist in the preparation of proposals, for the Integrated Ticketing Project Board for the phased completion of the integrated ticketing project.

Public Transport.

468. **Caoimhghín Ó Caoláin** asked the Minister for Transport if his attention has been drawn to the fact that Bus Éireann services to the town of Carrickmacross on the Dublin Letterkenny Derry routes have been cut back from nine stops each way per day to two and that as a consequence some passengers have been forced to disembark on the busy N2 Carrickmacross by-pass; if he will intervene to return these important services to Carrickmacross in the interest of safety; and if he will make a statement on the matter. [38678/06]

Minister for Transport (Mr. Cullen): The provision of any public bus services on a specific route by a private bus operator is subject to the 1932 Road Transport Act. In the case of the State bus companies, the initiation or alteration of a bus service is subject to compliance with the necessary regulatory requirement of giving advance notice to my Department and to compliance with the provisions of section 25 of the Transport Act 1958 concerning competition with licensed private operators.

My Department has processed a number of applications from Bus Éireann to facilitate a re-organisation of its services on the route in question. These applications provided for the re-routing of services between Letterkenny and Dublin at Carrickmacross and for an increase in services on the Monaghan Dublin route, which will continue to operate through Carrickmacross.

Decisions on the routing of Bus Éireann services are a matter for the determination of the company, subject to compliance with section 25 of the Transport Act 1958.

Dublin Airport Authority.

469. **Mr. Crowe** asked the Minister for Transport if he has made representations to the Dublin Airport Authority in view of the concern from people with disabilities over the rumoured moving of the current bus stop outside the arrivals building at Dublin Airport into the short term car park, which would mean that people with disabilities will have further to travel; and if his attention has been drawn to plans to replace the Airlink bus service with a coach service that does not offer full accessibility. [38696/06]

Minister for Transport (Mr. Cullen): This matter falls within the day-to-day operational responsibilities of the Dublin Airport Authority (DAA), in which I have no function.

Railway Stations.

470. **Ms Shortall** asked the Minister for Transport the amount of funding allocated to Iarnród Éireann in each of the past five years for the extension and upgrade of parking at railway stations; the amount drawn down in each of these years and the way this money has been spent; the number of extra parking facilities provided in each case; and if he will make a statement on the matter. [38697/06]

Minister for Transport (Mr. Cullen): The provision and maintenance of parking facilities at railway stations is a matter for Irish Rail. While Irish Rail develops parking facilities as part of its rail modernisation programme, my Department has approved in 2006 funding totalling €3.865 million for a feasibility study by Irish Rail on a car park expansion programme and for specific expansion/improvement works at the car parks serving Ennis, Mallow and Leixlip-Louisabridge railway stations. These improvement works will increase the total car parking available at these stations by over 650 spaces. The implementation and funding of more extensive car park expansion and improvement works will be discussed with Irish Rail when the feasibility report referred to above is available. Prior to this year my Department had not provided specifically funding for car park improvement works.

Bus Services.

471. **Ms O. Mitchell** asked the Minister for Transport his views on providing a subsidy to a Galway City private bus operator for the provision of low floor disabled accessible buses; and if he will make a statement on the matter. [38700/06]

Minister for Transport (Mr. Cullen): My Department's Sectoral Plan, "Transport for All", drawn up in accordance with the Disability Act 2005 along with the plans of five other Government Departments, was recently approved by both Houses of the Oireachtas.

The Plan does not provide for funding of the nature proposed by the Deputy. The Department has had, however, preliminary discussions with the representative bodies of the private bus sector and Dublin Bus and Bus Eireann with a view to agreeing timescales for the full realisation of accessible bus services in respect of commercial bus services. It is intended that as part of the reform of the bus licensing regime, the obligation to operate low floor wheelchair accessible buses will become a statutory requirement. The Department is currently in discussion with operators in this regard.

Road Safety.

472. **Ms O. Mitchell** asked the Minister for Transport his plans to set up a pilot scheme to admit motorbikes into bus lanes; if there is a risk assessment for the proposal in relation to pedal bikes; and if he will make a statement on the matter. [38701/06]

Minister for Transport (Mr. Cullen): The Road Safety Authority has proposed that the issue of allowing motorcyclists access to bus lanes be examined.

The matter is presently under consideration by my Department and other relevant agencies and all aspects of the proposal will be considered before a final decision is made.

Integrated Ticketing.

473. **Ms O. Mitchell** asked the Minister for Transport if Dublin Bus intend to introduce a new ticketing system, which involves a disposable card; the details of such a system; if his Department has provided funding to Dublin Bus for such a system; when it is expected that it will be introduced; and if he will make a statement on the matter. [38848/06]

Minister for Transport (Mr. Cullen): I understand that Dublin Bus is currently replacing its ticketing system which is life-expired. As part of this project the company is developing an interim disposable smartcard which will be brought into operation in late 2007 and which will replace a range of magnetic strip tickets. Dublin Bus is funding this initiative from its own resources.

It is intended that the disposable cards will be withdrawn from sale no later than 12 months from the implementation of the overall integrated ticketing smartcard being developed for the Greater Dublin Area. The Integrated Ticketing Project Board has approved these interim plans

in advance of the introduction of the full smart-card system.

Question No. 474 answered with Question No. 467.

Road Safety.

475. **Mr. Eamon Ryan** asked the Minister for Transport his proposals to introduce on a pilot basis access to combined bus and cyclelanes for motorcycles; if he will provide details of his proposals in this regard; the reason motorcycles were not originally allowed access to such bus lanes; and if his attention has been drawn to possible road safety implications that may arise from such a change in the regulations. [38954/06]

Minister for Transport (Mr. Cullen): The primary purpose of bus lanes is to facilitate and promote bus based public transport. Regulations, which have national application, generally limit the use of bus lanes to buses and, in the case of with-flow bus lanes, to cyclists also. Having regard to the role of taxis in providing an on-street immediate hire service, an exemption to the restriction relating to the use of with-flow bus lanes is allowed in respect of taxis when they are being used in the course of business.

Many representations have been received by my Department seeking to extend access to bus lanes in relation to a wide range of other road users. A review of the access issue was carried out in 2001 in consultation with the relevant agencies that took account of the physical characteristics of the vehicles seeking access, including motorcycles. The result of that review was to maintain the existing position with regard to access.

Earlier this year, the Road Safety Authority proposed that the issue of allowing motorcyclists access to bus lanes be examined. The matter is presently under consideration by my Department and other relevant agencies and all aspects of the proposal, including the safety implications, will be taken into account.

Airport Development Projects.

476. **Mr. Haughey** asked the Minister for Transport the situation regarding the provision of Terminal 2 at Dublin Airport; and if he will make a statement on the matter. [38990/06]

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 Govern-

ment's objective of having this new terminal in place by 2009.

The present position with regard to the proposed new terminal is that the planning application was approved, with conditions, by Fingal County Council in October last. 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 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.

Road Safety.

477. **Ms O. Mitchell** asked the Minister for Transport his position in relation to answering parliamentary questions which relate to road safety and the Road Safety Authority; the reason he has sought to refer such parliamentary questions to the authority and is not in a position to directly provide answers on such questions; and if he will make a statement on the matter. [38991/06]

Minister for Transport (Mr. Cullen): The Road Safety Authority Act 2006 (Establishment Day) Order 2006 (S.I. No 462 of 2006) established the Road Safety Authority (RSA) with effect from the 1st September 2006. Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) a number of functions relating to road safety such as driver testing, vehicle testing and standards, delivery of the driver theory test, were transferred from my Department to the Road Safety Authority.

Where questions relate to matters which are the responsibility of the RSA it is more appropriate that such questions are directed to the RSA.

Traffic Management.

478. **Ms Shortall** asked the Minister for Transport if a count is available to his Department of the number of car parking spaces available to commuters at each railway station, LUAS stop, major bus termini and so on; if so if he will provide the information to this Deputy and other information available to him on the demand for car parking at such places. [39012/06]

Minister for Transport (Mr. Cullen): While my Department makes funding available to public transport operators and local authorities for the development of new parking facilities for com-

muters, the overall capacity of current car parking facilities is an operational matter for the company, agency, or local authority concerned.

479. **Mr. Timmins** asked the Minister for Transport the position in relation to park and ride facilities planned for Tallaght; if the park and ride facilities for LUAS at Tallaght will be put in place as a matter of urgency; and if he will make a statement on the matter. [39020/06]

Minister for Transport (Mr. Cullen): Responsibility for the provision of Park and Ride facilities for Luas rests with the Railway Procurement Agency (RPA). The RPA informs me that the facility which is under construction at Tallaght will cater for 450 cars. The development which will include this Park and Ride facility is scheduled to open in December 2007.

Pending the completion of the permanent facility, the RPA has provided Park and Ride arrangements in a temporary facility adjacent to the Tallaght stop at Exchange Hall. These temporary arrangements have been in place since the end of 2004 providing 450 spaces.

Light Rail Project.

480. **Mr. Timmins** asked the Minister for Transport the position in relation to extending the LUAS to Blessington, County Wicklow; if this will be extended in view of the increase in population over the past number of years and the resultant amount of commuters who travel to work in Dublin on a daily basis; and if he will make a statement on the matter. [39025/06]

Minister for Transport (Mr. Cullen): The Dublin Transportation Office long term transportation strategy A Platform for Change provides the basis for the Transport 21 investment programme in the Greater Dublin Area. It did not recommend the provision of Luas to serve the Blessington area within the timeframe of the strategy.

481. **Mr. Timmins** asked the Minister for Transport the position in relation to introducing a shuttle bus to the Tallaght LUAS serving the Blessington area running every 15 minutes between 6am to 9am and 4pm to 7pm; if, in view of the number of persons who commute from this area he will introduce this service; and if he will make a statement on the matter. [39026/06]

Minister for Transport (Mr. Cullen): The provision of any public bus services on a specific route by a private bus operator is subject to the 1932 Road Transport Act. In the case of the State bus companies, the initiation or alteration of a bus service is subject to compliance with the necessary regulatory requirement of giving advance notice to my Department and to compliance with the provisions of section 25 of the

[Mr. Cullen.]

Transport Act 1958 concerning competition with licensed private operators.

My Department has not received any applications from private bus operators, or notifications from the State bus companies for shuttle bus services to the Tallaght LUAS line serving the Blessington area as referred to by the Deputy.

Air Services.

482. **Mr. Connolly** asked the Minister for Transport if, in view of the frequent incidences of cardiac incidents with air passengers, he will take the necessary steps to oblige airlines to carry defibrillators on all shorthaul flights; and if he will make a statement on the matter. [39109/06]

Minister for Transport (Mr. Cullen): Aviation is subject to international rules relating to safety matters laid down in the Convention on International Civil Aviation (known as the Chicago Convention) and by the European Union and the Joint Aviation Authority.

The determination of regulatory requirements relating to medical equipment that is appropriate for carriage on aircraft needs to be informed by professional judgement taking account of a range of issues including the state of medical technology, issues relating to diagnosis and appropriate administration of medical treatment, risks arising from inappropriate use of medicines or equipment and the probability of various medical conditions occurring on board. There are clearly also cost considerations relating to equipment and appropriate training of staff that have to be taken into account.

These issues are best addressed in the light of a widely based overview of actual experience of medical conditions occurring on board aircraft by the responsible international bodies. It is difficult for any one country in isolation to assemble the necessary overview and to ensure that there is an appropriate balance between protecting the welfare of passengers and the overall costs. The medical panel of the International Civil Aviation Organisation (ICAO) is keeping the carriage of defibrillators on aircraft under active consideration.

The IAA is carrying out an investigation following a recent death on board an Irish aircraft. I will consider, in the light of the outcome of this investigation whether any further action on this matter is appropriate. This could for example take the form of an approach to ICAO or the European Commission.

Irish Language.

483. **Dr. Cowley** asked the Minister for Community, Rural and Gaeltacht Affairs if he will make amendments to the Official Languages Act 2003; his views on whether Section 9 needs amending to make traffic signs, advertising and

national logos bilingual; and if he will make a statement on the matter. [38582/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): As I have already indicated on the record of the House, these regulations have been published and laid before each House of the Oireachtas in draft form. This is in order to give Deputies and Senators the opportunity to debate the draft regulations and to make suggestions for amendments, if they so wish, before I sign them.

I look forward to debating the draft regulations in the Dáil and Seanad in the near future and to hearing suggestions and comments from Deputies and Senators.

Decentralisation Programme.

484. **Mr. Connolly** asked the Minister for Community, Rural and Gaeltacht Affairs the number of staff in his Department who have indicated willingness to decentralise; and if he will make a statement on the matter. [38593/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): My Department is committed to relocating 140 posts to new headquarters at Knock Airport and 10 posts to the Department's offices in Na Forbacha.

The decentralisation process is now well advanced — 68 posts have already been assigned to temporary offices in Tubbercurry, Co. Sligo, which opened in July of this year. OPW have indicated that a new headquarters building will be in place at Knock Airport by mid 2008 and those posts will then be relocated to the new building.

Of the 10 posts to go to Na Forbacha, 8 posts have been relocated there and I expect the balance to be in place in 2007.

The number of original staff of the Department who agreed to relocate to Knock Airport or Na Forbacha was 18. However, we were very well subscribed at most grades, through the CAF system, by staff of the wider Civil Service who wished to relocate with the Department.

With the progress achieved to date, and in view of the fact that there is still a large number of other staff available to transfer in to the Department under the CAF arrangements, I am satisfied that we will be able to meet all of our staffing requirements in both locations in the required timeframe.

Community Development.

485. **Mr. McEllistrim** asked the Minister for Community, Rural and Gaeltacht Affairs if he will roll out the CLÁR Programme to the remaining parts of north Kerry not covered by the scheme; and the benefits of the RAPID scheme in Tralee, County Kerry since its introduction. [39048/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): In early April I announced new measures under the Clár Programme in the existing CLÁR areas and an extension into parts of five new counties (Wicklow, Carlow, Laois, Kilkenny and Offaly). This brings the total number of counties covered by the Programme to 23 and increases the population benefiting from the Programme to nearly 727,000. I have no plans at present for any further expansion.

With regard to the RAPID Programme, Tralee, along with 19 other provincial towns, was included in the Programme in 2002. As I have indicated to the House on a number of occasions, it is a matter for individual Departments to report progress with their projects under the RAPID programme. In support of my Department, Pobal collects data from each RAPID area in respect of funding allocations received by projects from Government Departments and local state agencies. The latest data in respect of the programme is available on Pobal's website under the RAPID section (<http://www.pobal.ie/live/RAPID>). The Deputy may find it helpful to access this information. I understand that full data in respect of the year 2006 will not be collected until early 2007.

The Deputy will be aware that I launched the RAPID Leverage Fund in 2004 to support small-scale projects identified by the Area Implementation Schemes. Examples include increased funding to Tralee Town Council to develop:

- New playgrounds in Ragoonane and St. Martins Park;
- Fencing basketball/tennis courts in Spa Road;
- 20 car parking spaces in Spa Road/Balloonagh;
- Dyke area in Shanakill/Ragoonane;
- Repairs to footpaths;
- Traffic calming-ramps and pedestrian crossings;
- Community gardens;
- CCTV cameras to improve community safety.

486. **Mr. Connolly** asked the Minister for Community, Rural and Gaeltacht Affairs the reason the promised €20,000 matching funding to a centre (details supplied) in Co. Monaghan has not been made available; when the funds will be advanced to the resource centre; and if he will make a statement on the matter. [39098/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Community-based projects attracting less than 50% public funding under LEADER may qualify for CLÁR top-up

funding subject to certain conditions. Applications are made to the local LEADER group.

To date, the Department has not received an application for funding from the Cavan-Monaghan Rural Development Co-op Society Ltd on behalf of Rockcorry Development Association.

Grant Payments.

487. **Mr. P. Breen** asked the Minister for Agriculture and Food the details of grant aid for abatours for export plants as recently announced; the agency that will implement same; and if she will make a statement on the matter. [38474/06]

Minister for Agriculture and Food (Mary Coughlan): In keeping with commitments given in the Agri-Vision 2015 Action Plan, I recently announced a beef and sheepmeat processing sector investment package totalling some €50 million. This grant assistance, which should trigger investment of some €120 million, is yet another clear indication of the Government's commitment to the continued development of a modern, competitive, innovative and market-focused food industry.

Financial support will be made available towards the cost of the construction and acquisition of buildings, new machinery and equipment and will significantly assist the industry in improving efficiency and competitiveness. The positive response of the beef and sheepmeat sectors to the challenges presented in an ever-changing market in recent years has been a major contributor to the enhanced status and reputation of Irish produce abroad.

Beef and sheepmeat are a vital component of the agri-food industry, with beef exports alone amounting to almost one-fifth of total Irish food and drink exports in 2005. This investment package will assist in the further development of these sectors and in so doing, will not only strengthen primary processing, but also underpin agricultural incomes.

The scheme will be managed by Enterprise Ireland who will evaluate the suitability of investment projects submitted for grant assistance. Further details, including eligibility criteria and terms and conditions of the scheme will be announced in the near future.

488. **Mr. Deenihan** asked the Minister for Agriculture and Food when a single farm payment for 2006 will be made available to a person (details supplied) in County Kerry; and if she will make a statement on the matter. [38475/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application under Category C of the 2005 Single Payment Scheme National Reserve which caters for farmers who sold their milk quota into the Milk Quota Restructuring Scheme and converted

[Mary Coughlan.]

their enterprise to a farming sector for which a direct payment under Livestock Premia and/or Arable Aid Schemes would have been payable during the reference period 2000 to 2002. The person named was deemed successful under this category and was allocated a top-up from the National Reserve.

Under the 2006 Single Payment Scheme National Reserve successful applicants under Category C of the 2005 National Reserve will now be eligible for a top-up from the 2006 National Reserve to reflect the increased value of the Dairy Premium in 2006. My Department will automatically apply this top-up and the farmers concerned need not make an application to the 2006 National Reserve. The person named will now be due an additional top-up which will be applied to his 2006 Single Payment. Provisions are currently being made to apply this top-up and it is expected that this will be in place soon.

The person named has received a 50% advance payment of the 2006 Single Payment and the balancing payment will include the additional allocation from the 2006 National Reserve.

489. **Mr. Ring** asked the Minister for Agriculture and Food if she will approve a substantial *ex gratia* grant to a group (details supplied) in County Mayo in view of the good works they are carrying out for animal welfare. [38476/06]

Minister for Agriculture and Food (Mary Coughlan): My Department has in recent years made *ex gratia* payments to a number of bodies involved in the actual delivery of animal care and welfare services throughout the country. The funding available to any individual organisation is dependent on resources available and the level of demand and is therefore intended only as a contribution to the overall costs of the organisations. Until 2004, these *ex gratia* payments were made from residual funds available in my Department's vote at the end of the year. However from 2004, specific provisions for this purpose have been included in the Department's estimates.

I will be making decisions in the next few weeks on payments to those bodies, including the body named, which have made applications for funding in respect of 2007.

490. **Mr. Kehoe** asked the Minister for Agriculture and Food if a senior officer from her Department will meet with persons (details supplied) in County Wexford to discuss the ongoing problems with their single payment; and if she will make a statement on the matter. [38516/06]

Minister for Agriculture and Food (Mary Coughlan): The persons named submitted applications under the Single Payment Scheme in

April 2006. The outstanding issues in relation to the transfer of Entitlements are currently being resolved. An official from my Department has made arrangements to meet the persons named to discuss these issues.

491. **Mr. Deenihan** asked the Minister for Agriculture and Food when area aid payment will be made available to a person (details supplied) in County Kerry; and if she will make a statement on the matter. [38529/06]

Minister for Agriculture and Food (Mary Coughlan): An application under the Disadvantaged Areas Scheme was received from the person named on 2 May 2006. Following computer validation, the 19.65 hectares declared by the applicant is confirmed as eligible under the Scheme. However, an issue in relation to the required minimum stocking level was identified and an official from my Department will make direct contact with the person named in the matter. Payment under the Disadvantaged Areas Scheme can only issue where the minimum stocking density level of 0.15 livestock units per hectare is met.

492. **Mr. Deenihan** asked the Minister for Agriculture and Food the position regarding the application for inclusion under the national reserve by a person (details supplied) in County Kerry; and if she will make a statement on the matter. [38530/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for an allocation of entitlements from the 2006 Single Payment Scheme National Reserve under Category B.

Category B caters for farmers who commenced farming after 31 December, 2002 or who commenced farming in 2002 but who received no direct payments in respect of that scheme year.

The position is that processing of the 2006 National Reserve applications will commence shortly and the intention is to make allocations to successful applicants at the earliest opportunity.

A formal letter outlining my Department's decision on the National Reserve will issue to the person named as soon as his application has been processed.

493. **Ms Enright** asked the Minister for Agriculture and Food if she will confirm receipt of NRTE form completed by a person (details supplied) in County Offaly; when she will process this application; and when the applicant will receive receipt of payment; and if she will make a statement on the matter. [38536/06]

Minister for Agriculture and Food (Mary Coughlan): An application for the Transfer of

Entitlements to the person named under the Single Payment Scheme was submitted on the 26th of October 2006. The application was accepted even though the closing date for receipt of completed applications to transfer entitlements was 16 May 2006.

The application was examined and further documentation is required. An official from my Department contacted the person named on the 16th of November and requested the specific documentation.

Upon receipt of the documentation my Department will process the application and will correspond directly with the person named.

Forestry Sector.

494. **Mr. Sargent** asked the Minister for Agriculture and Food if her attention has been drawn to the fact that Ireland has been put on a shortlist of countries that are among the world's worst forestry operators; and if her attention has further been drawn to the fact that several environmental groups have called for Ireland to be stripped of its Forestry Stewardship Council accreditation. [38562/06]

Minister for Agriculture and Food (Mary Coughlan): I am aware of a list compiled by some environmental groups claiming that a number of companies in eight different countries should not benefit from Forest Stewardship Council (FSC) certification.

The FSC, which is an international network promoting responsible management of the world's forests, certifies forest companies not countries. In Ireland, Coillte and a number of privately owned forests have been certified by the FSC and the Coillte certification was reconfirmed by the FSC earlier this year.

Departmental Staff.

495. **Mr. Connolly** asked the Minister for Agriculture and Food 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. [38580/06]

Minister for Agriculture and Food (Mary Coughlan): The majority of staff in my Department are recruited through competitions held by the Public Appointments Service (PAS). PAS also hold special competitions for people with a disability from which candidates may be assigned to my Department.

My Department conducts interviews for direct recruitment in respect of a small number of unestablished grades from time to time. People with a disability who satisfy the eligibility criteria, which is based on the skills necessary to do the job, are eligible to compete in these competitions.

Animal Breeding Regulations.

496. **Mr. Crawford** asked the Minister for Agriculture and Food the percentage of the national herd on which artificial insemination is being used for breeding purposes; if she has satisfied herself that enough effort is being made to encourage the use of high quality breeding stock through this system; if not, her plans to encourage this system; and if she will make a statement on the matter. [38709/06]

Minister for Agriculture and Food (Mary Coughlan): In 2005 (the most recent year in which full year statistics are available) there were a total of 2.350 million cows in Ireland and between 35 and 40% of these cows were bred to artificial insemination (27% via AI technician service and the remainder via DIY AI).

These figures are low by international standards, with AI usage figures of greater than 80% being reported in other developed countries. As AI permits the use of superior proven genetics to be used on a widespread basis allowing for rapid improvement in the National herd, I am concerned at the low and falling uptake of the service that has taken place over the last number of years.

In 2006 I was therefore delighted to be in a position to provide €67,000 towards the cost of an initiative developed by all partners in the industry designed to lead to the increase in the uptake of AI. The involvements of parties such as AI companies, Teagasc and ICBF led to a focused education and promotion campaign through the Spring of 2006.

Preliminary figures for the 2006 AI season indicate that the decline in AI usage has been arrested, with an increase in being reported by many of the AI companies.

Plans are underway for further AI promotion. My Department has already facilitated three meetings of all industry stakeholders recently with a view to organizing a Spring and Autumn 2007 campaign. I am awaiting industry proposals outlining an A.I. campaign involving both Department and industry based on matching funding. I will make a decision on funding for my Department when the proposals are submitted to me.

My Department is fully committed to increasing the uptake of AI in the National herd, and I am always open and positive towards any industry initiative that will help farmers achieve better profits on their farms.

Bovine Diseases.

497. **Mr. Crawford** asked the Minister for Agriculture and Food if progress is being made to extend the age of animals that have to be tested for BSE; her views on whether the present regime is no longer necessary in view of the drop in BSE

[Mr. Crawford.]

numbers and the fact that no animal under 36 months was ever found with same; and if she will make a statement on the matter. [38710/06]

Minister for Agriculture and Food (Mary Coughlan): The requirement that all bovine animals over 30 months of age, slaughtered for human consumption, must be tested for BSE is provided for in Regulation (EC) No. 999/2001 of the European Parliament and of the Council, laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (TSEs). Under the Regulation, as it currently stands, I have no discretion to raise the age limit at which bovines destined for human consumption must be tested.

Regulation (EC) No 999/2001 is currently in the process of being revised, though it is not now anticipated that the proposed amendments will become law before the end of next month. The amendments, as currently drafted, would enable Member States to seek the approval of the Commission and other Member States for revisions to their annual monitoring programmes to change the age limit for testing for BSE in healthy animals slaughtered for human consumption. Such applications would be on the basis of a range of criteria relating to the BSE situation and controls in the particular country. These criteria have yet to be determined and may yet take some time to finalise.

I, and my officials, have made repeated and consistent efforts to have the age thresholds for the various categories of animals changed, based on the results of surveillance carried out here and I will, of course, continue to press for a change in the age threshold at every opportunity.

Grant Payments.

498. **Mr. Crawford** asked the Minister for Agriculture and Food the number of farmers in County Cavan who have received the first instalment of their single farm payment; the number still awaiting payment; and if she will make a statement on the matter. [38711/06]

Minister for Agriculture and Food (Mary Coughlan): Applications were received from 5,232 Cavan herd owners under the 2006 Single Payment Scheme and, to date, the 50% advance payment has issued to approximately 95% of these applicants. In common with the coupled schemes, which the Single Payment Scheme replaced, delays in processing can be caused by many factors, including incomplete application forms, errors on applications and discrepancies highlighted following computer validation, which must be resolved via correspondence with the applicant. The majority of those cases, which have yet to receive an advance payment, are

where applicants did not submit an application to transfer the Single Payment entitlements, with lands, by way of inheritance, gift, lease or purchase. My Department will continue to issue payments to farmers, as outstanding problems are resolved. Balancing payments under the 2006 Scheme are scheduled to commence on 1 December 2006.

499. **Mr. Crawford** asked the Minister for Agriculture and Food the number of farmers in County Monaghan who have received the first instalment of their single farm payment; the number still awaiting payment; and if she will make a statement on the matter. [38712/06]

Minister for Agriculture and Food (Mary Coughlan): Applications were received from 4,357 Monaghan herd owners under the 2006 Single Payment Scheme and, to date, the 50% advance payment has issued to approximately 95% of these applicants. In common with the coupled schemes, which the Single Payment Scheme replaced, delays in processing can be caused by many factors, including incomplete application forms, errors on applications and discrepancies highlighted following computer validation, which must be resolved via correspondence with the applicant. The majority of those cases, which have yet to receive an advance payment, are where applicants did not submit an application to transfer the Single Payment entitlements, with lands, by way of inheritance, gift, lease or purchase. My Department will continue to issue payments to farmers, as outstanding problems are resolved. Balancing payments under the 2006 Scheme are scheduled to commence on 1 December 2006.

Question No. 500 withdrawn.

Farm Retirement Scheme.

501. **Mr. Naughten** asked the Minister for Agriculture and Food further to her announcement on 13 November 2006 on the payment of the ERS top-up, when her Department became aware of the acceptability of the EU to an Exchequer top-up of the ERS pension; and if she will make a statement on the matter. [38722/06]

Minister for Agriculture and Food (Mary Coughlan): My Department had raised the possibility of an increase in the rates of pension payable under the Early Retirement Schemes with the European Commission on a number of occasions. The Commission's consistent response was that increases for existing participants would not be eligible for EU funding and that index linking was ruled out by the EU Regulations. I therefore decided to explore the possibility of paying increases from the national exchequer. However it was necessary to satisfy the Com-

mission Services that such increases would be admissible under the EU Regulations governing the payment of State Aids. This required some correspondence and direct discussion at official level. It was in March 2006 that I received confirmation from the Commission that they would not oppose the payment of the increases. These increases will cost some €33 million extra over the remaining period of the two Schemes, and some 5,000 retired farmers will benefit from them.

Grant Payments.

502. **Mr. Naughten** asked the Minister for Agriculture and Food if the single farm payment entitlement has been transferred by way of inheritance and payment issued to a person (details supplied); the date and value of the payment; and if she will make a statement on the matter. [38723/06]

Minister for Agriculture and Food (Mary Coughlan): Single Payment entitlements to the value of €970.34 have been transferred to the person named by way of inheritance. However, Single Payment applications were not received in either 2005 or 2006 from the person named. Payment for 2005 can only be made to the representatives of the person who transferred the entitlements by inheritance, as they had submitted a Single Payment application for that year. Arrangements to implement this payment will be made shortly.

The person named cannot be paid for 2006 as a Single Payment application has not been received. The deadline for receipt of Single Payment applications for 2006 was in May of this year. However, it may be possible for the person named to transfer the inherited entitlements for 2006 and in this regard an official from my Department will be in touch with her to ascertain if she wishes to pursue this option.

Poultry Industry.

503. **Dr. Upton** asked the Minister for Agriculture and Food the number of Government inspections under the EC Egg Marketing Regulations that have been carried out in each county since the coming into force of those regulations; the number of times, possible illegal practices have been detected on foot of these inspections;

the action taken to remove the possibility of such possible illegal practices; the number of eggs and the part of the UK from which they have been imported into Ireland during each of the past five years; and if the eggs imported into Ireland from the UK are affected by the ongoing investigation by the UK DEFRA into possible illegal practices in the UK egg industry. [38929/06]

Minister for Agriculture and Food (Mary Coughlan): Table 1 sets out the number of inspections carried out and infringements detected in the past five years under the egg marketing standards regulations. The breakdown by county is not immediately available and will be supplied to the Deputy as soon as the information is compiled. Infringements of the regulations are always dealt with by a letter to the relevant operator requiring corrective action as well as, where warranted, the seizure and destruction of eggs and follow-up inspections to check compliance. There is also the legal option of de-registering packing centres.

The CSO is responsible for the collection of statistics in relation to imports of eggs and egg products. Table 2 sets out the details on imports from the UK over the last five years as supplied by that office.

The DEFRA investigation into possible illegal practices in the UK egg industry is still ongoing. The preliminary information available from the investigation does not indicate that the eggs in question moved from the UK to Ireland. One of the issues being investigated by DEFRA is whether some of the eggs in question originated in Ireland and/or Northern Ireland. My Department will be co-operating with the investigation as necessary.

Table 1

Total Number of Egg Inspections and Infringements

Year	Inspections	Infringements
2006 (to date)	2,156	156
2005	2,817	291
2004	1,899	215
2003	2,112	185
2002	1,685	165

Table 2

2005	Birds Eggs in Shell Fresh Preserved or Cooked	Birds' Eggs Not in Shell, and Egg Yolks: Dried	Birds' Eggs, Not in Shell, & Egg Yolks: Other than Dried	Egg Albumin	Totals
	tonnes	tonnes	tonnes	tonnes	tonnes
GB	1,426	221	495	91	2,233
Northern Ireland	2,776	5	105		2,886

[Mary Coughlan.]

2004	Birds Eggs in Shell Fresh Preserved or Cooked	Birds' Eggs Not in Shell, and Egg Yolks: Dried	Birds' Eggs, Not in Shell, & Egg Yolks: Other than Dried	Egg Albumin	Totals
	tonnes	tonnes	tonnes	tonnes	tonnes
GB	1,613	270	295	124	2,302
Northern Ireland	1,817	3	104		1,924

2003	Birds Eggs in Shell Fresh Preserved or Cooked	Birds' Eggs Not in Shell, and Egg Yolks: Dried	Birds' Eggs, Not in Shell, & Egg Yolks: Other than Dried	Egg Albumin	Totals
	tonnes	tonnes	tonnes	tonnes	tonnes
GB	1,262	170	126	99	1,657
Northern Ireland	1,689	1	87		1,777

2002	Birds Eggs in Shell Fresh Preserved or Cooked	Birds' Eggs Not in Shell, and Egg Yolks: Dried	Birds' Eggs, Not in Shell, & Egg Yolks: Other than Dried	Egg Albumin	Totals
	tonnes	tonnes	tonnes	tonnes	tonnes
GB	1,272	108	115	59	1,554
Northern Ireland	251	25	79		355

2001	Birds Eggs in Shell Fresh Preserved or Cooked	Birds' Eggs Not in Shell, and Egg Yolks: Dried	Birds' Eggs, Not in Shell, & Egg Yolks: Other than Dried	Egg Albumin	Totals
	tonnes	tonnes	tonnes	tonnes	tonnes
GB	1,510	423	191	183	2,307
Northern Ireland	493	52	161		706

Direct Payment Schemes.

504. **Mr. Connaughton** asked the Minister for Agriculture and Food if her attention has been drawn to the low qualification threshold for young farmers who want to purchase entitlements, particularly the qualifying criteria for new entrants in view of the low off farm income limit that currently exists; if her attention has further been drawn to the fact that the single payment 2006 EU regulations state that total off farm income must not exceed €20,000; if her attention has further been drawn to the fact that this level of off farm income appears to be very low when compared with the farm waste management scheme and others; and if she will make a statement on the matter. [38971/06]

Minister for Agriculture and Food (Mary Coughlan): The position is that Single Payment Entitlements may be sold with or without land but may only be sold without land when at least

80% of the entitlements have been used in one calendar year. The regulations also set out provisions for a claw-back on the sale of entitlements (with and without land) that Member States may apply in order to replenish the National Reserve. In this context the regulations provide that no claw-back should be applied when entitlements are sold to a new entrant to farming. The Member State is free to determine the qualifying criteria that should be applied in defining a new entrant to farming but the baseline is that the new entrant must not have been engaged in an agricultural activity at his/her own risk during the previous 5 years. The qualifying criteria for a new entrant under the Single Payment Scheme, including the threshold for off-farm income, were agreed following detailed discussions at the Single Payment Advisory Committee which was set up to advise on issues relating to the Single Payment Scheme. The Committee comprises representatives from my Department, the farming organisations and Teagasc. The arrangements for

clawback, including the definition of a new entrant to farming, are subject to a review on an annual basis. It should be noted that clawback for entitlements sold in respect of the 2007 scheme year has been reduced from 30% to 15% (for entitlements sold without land) and from 5% to 2.5% (for entitlements sold with land).

Farm Waste Management.

505. **Mr. Neville** asked the Minister for Agriculture and Food when a person (details supplied) in County Limerick will be assessed for the farm waste management scheme. [39006/06]

Minister for Agriculture and Food (Mary Coughlan): The person concerned is an applicant under the Farm Waste Management Scheme. Approval to commence the investment works was issued by my Department to the applicant on 1 November 2006.

Grant Payments.

506. **Mr. Crawford** asked the Minister for Agriculture and Food when a person (details supplied) in County Cavan will be awarded the area aid and single payment; and if she will make a statement on the matter. [39033/06]

Minister for Agriculture and Food (Mary Coughlan): The position is that an application under the Single Payment Scheme/Disadvantaged Area Compensatory Allowance Scheme was received from the person named on the 18th April 2006. The application was selected for an on-the-spot ground eligibility and cross-compliance inspection that was carried out on the 9th of October 2006. The applicant was not present at the time of inspection.

The inspecting officer was not satisfied the applicant was resident at the address as given on the Single Payment scheme/Disadvantaged Area Compensatory Allowance Scheme application form. A notice was sent to the person named indicating this. If the person named is not satisfied with the result of the inspection, he may seek a review by contacting his Local Office. He also has the right to appeal the outcome of any such review.

Sugar Industry.

507. **Mr. Sherlock** asked the Minister for Agriculture and Food the action she is taking to ensure that the former employees of Greencore, Mallow are paid their full and correct compensation as agreed by the Labour Court; and if she will make a statement on the matter. [39046/06]

Minister for Agriculture and Food (Mary Coughlan): I presume that the Deputy is referring to the EU restructuring aid for the sugar industry, which in Ireland's case is worth €145 million approximately. The aid, as provided for in

Council Regulation (EC) No 320/2006, is to cover the economic, social and environmental costs of restructuring the sugar industry involving factory closure and renunciation of quota. In July 2006 the Government decided on the percentage of the aid to be reserved for beet growers and contractors and provided an indicative breakdown of the potential allocation of the aid to be followed by Greencore in preparing its restructuring plan, including a figure of €28.4 million for employee redundancy payments. This figure as well as others in the Government decision was based on information previously supplied by Greencore. These decisions are now the subject of judicial review proceedings instituted by Greencore in the High Court.

The position regarding the Labour Court recommendation was outlined by my colleague, the Minister of State at the Department of Enterprise, Trade and Employment, Deputy Killeen, when the Deputy raised the matter on the Adjournment on 25 October 2006.

School Transport.

508. **Mr. P. Breen** asked the Minister for Education and Science further to Parliamentary Question No. 576 of 24 October 2006 (details supplied), if the transport liaison officer has investigated the matter; and if she will make a statement on the matter. [38479/06]

Minister of State at the Department of Education and Science (Miss de Valera): Under the terms of my Department's Post Primary School Transport Scheme, a pupil is eligible for transport if he or she resides 4.8 kilometres or more from his or her local post primary education centre, that is, the centre serving the catchment area in which he or she lives. The scheme is not designed to facilitate parents who chose to send their children to a post primary centre outside of the catchment area in which they reside. However, children who are fully eligible for transport to the post primary centre in the catchment area in which they reside may apply for transport on a concessionary basis to a post primary centre outside of their own catchment area — otherwise known as catchment boundary transport. These children can only be facilitated if spare seats are available on the bus after all other eligible children travelling to their own post primary centre have been catered for. Such children have to make their own way to the nearest pick up point within that catchment area. The pupils referred to by the Deputy in the details provided are availing of Catchment Boundary transport and are responsible for making their own way to the pick up point.

Teachers' Remuneration.

509. **Mr. Kehoe** asked the Minister for Education and Science the efforts being made to

[Mr. Kehoe.]

resolve the problem with the Internet payment system for substitute teachers wages; the efforts being made to prevent the problem happening again; and if she will make a statement on the matter. [38481/06]

Minister for Education and Science (Ms Hanafin): A new web based system which enables Secondary and community/Comprehensive schools to input claims for the payment of casual and non casual teachers and special need assistants and record teacher absences on line from the school was introduced on the 6th November. During the first week of operation there were some technical difficulties with the system. These difficulties were resolved and the system is working satisfactorily. In the first payroll schedule for the payment of the casual and non casual teachers in excess of seventy thousand claims have been processed using the new system.

Departmental Funding.

510. **Mr. F. McGrath** asked the Minister for Education and Science if she will assist schools (details supplied) on capitation grant, high insurance costs, special needs education, class size and the urgent need to fund these schools adequately. [38482/06]

Minister for Education and Science (Ms Hanafin): There have been significant improvements in recent years in the level of funding for voluntary secondary schools, including the schools referred to by the Deputy. In addition to the €12 per pupil increase in 2006 in the standard per capita grant that now stands at €298 per pupil, voluntary secondary schools have benefited additionally by the increase of €14 per pupil in 2006 in the support services grant bringing the overall grant to €159 per pupil.

I wish to draw the attention of the Deputy to my announcement of further significant increases in the context of the 2007 estimates. From 1 January next the standard per capita grant will be increased by a further €18 to €316 per pupil. In addition, the support services grant will be increased by a further €30 for voluntary secondary schools, which includes a further equalisation measure, to €189 per pupil. For such schools this cumulative increase of €48 per pupil will bring the aggregate grant to over €500 per pupil from 1 January next. These grants are in addition to the per capita funding of up to €40,000 per school that is also provided by my Department to secondary schools towards secretarial and caretaking services.

For a secondary school with 500 pupils, this will bring annual grants towards general expenses and support service to over €290,000. Schools are afforded considerable flexibility in the use of resources to cater for the needs of their pupils. This is in my view, in general, a preferable

approach to putting in place grants for specific cost items, including those referred to by the Deputy.

Significant improvements have also been made in the staffing of our second level schools in recent years. With the creation of over 2,000 additional posts and the retention of over 2,100 posts which would otherwise have been lost due to the fall in enrolments, there is now one teacher for every 13 students at second level.

There has also been enormous progress in relation to increasing the number of teachers in our schools who are specifically dedicated to providing education for children with special educational needs. At second level, approximately 1,854 whole time equivalent additional teachers are in place to support pupils with special educational needs. This compares to the approximately 200 teachers that were in place in 1998 for such pupils. In addition, there are 534 whole time equivalent learning support teachers and approximately 1,365 whole time equivalent special needs assistants in our second level schools.

The provision that I have made, in the context of the 2007 estimates, for these significant increases in the funding of voluntary secondary schools is a clear demonstration of my commitment to prioritise available resources to address the needs of schools.

School Accommodation.

511. **Mr. F. McGrath** asked the Minister for Education and Science if she will assist a school (details supplied) in County Limerick with their application for a small-scale permanent accommodation grant; and if she will further assist this school to meet the requirements of the children in their care with extra facilities. [38483/06]

Minister for Education and Science (Ms Hanafin): School Planning Section of my Department is in receipt of an application for the Small Schools Scheme 2007 from the school referred to by the Deputy. The closing date for this devolved scheme was 27 October 2006. The application will be assessed by my officials and publication of the list of successful applicants for the scheme will be published as soon as possible.

Clár Tógála Scoileanna.

512. D'fhiafraigh **Mr. M. Higgins** den Aire Oideachais agus Eolaíochta an bhfuil suíomh aimsithe do Ghaelscoil Dara, An Rinn Mhór, i gcathair na Gaillimhe agus an bhfuil an t-iarstáisiún aimsire san áireamh. [38520/06]

Minister for Education and Science (Ms Hanafin): Dheimhnigh Coimisinéirí na nOibreacha Poiblí le gairid leis an Roinn nach bhfuil an suíomh i gceist ar fáil le breithniú mar shuíomh scoile nua. Tá mo Roinn gafa go gníomhach faoi láthair ag lorg suímh oiriúnaigh nua chun foirgne-

amh buan a thógáil don scoil a dtagraíonn an Teachta di. Is féidir leis an Teachta a bheith cinnte de go bhfuiltear ag tabhairt aghaidh ar riachtanais bhuanchoiríochta na scoile i gceist chomh tapaídh agus is féidir agus go gcuirfead soláthar foirgnimh bhuan don scoil chun cinn i gcomhthéacs an Chláir um Thógáil agus Athchóiriú Scoileanna.

Departmental Expenditure.

513. **Dr. Cowley** asked the Minister for Education and Science if her Department will increase the investment in second level education here; if her attention has been drawn to the recent OECD report which shows that Ireland is almost at the bottom of the international league in terms of investment in second level education relative to the country's economic wealth; and if she will make a statement on the matter. [38521/06]

Minister for Education and Science (Ms Hanafin): The most recent OECD Education At A Glance report provides figures for 2003/04 which fail to reflect the major increases in second level funding in recent years. Spending by my Department on second level education has increased dramatically since 2003. In 2005, €2.7 billion was spent on second-level education — up from €2.3 billion in 2003 and €1.25 billion in 1997. The Estimates provision for second level education is €2.9 billion, while in the 2007 Estimates we have provided €3.2 billion for investment in second level education next year. This means that we are allocating 54% more for second level education in 2007 than we did in 2002.

The increases provided by this Government have allowed for major progress to be made both in the staffing and in the day-to-day funding of our schools. Since the financial year referred to in the OECD report — 2003 — second-level schools have benefited from substantial increases in funding for their day-to-day costs. The standard capitulation grant of €266 per pupil in 2003 now stands at €298 per pupil and the support services grant for secondary schools has been increased from €127 per pupil in 2003 to €159 per pupil in 2006.

I wish to draw the attention of the Deputy to my announcement of further significant increases in the context of the 2007 estimates. From 1 January next the standard per capita grant will be increased by a further €18 to €316 per pupil. In addition, for voluntary secondary schools the support services grant will be increased by €30 per student, which includes a further equalisation measure, to €189 per pupil. This aggregate increase of €48 per pupil will bring the cumulative increase in the per capita and support services grants for voluntary schools since 2003 to €112 per pupil. These grants are in addition to the *per capita* funding of up to €40,000 per school that is also provided by my Department to secondary schools towards secretarial and caretaking

services. Significant improvements have also been made in the staffing of our second level schools in recent years. With the creation of over 2,000 additional posts and the retention of over 2,100 posts which would otherwise have been lost due to the fall in enrolments, there is now one teacher for every 13 students at second level.

The provision that I have made, in the context of the 2007 estimates, for these significant increases in the funding of secondary schools is a clear demonstration of my commitment to prioritise available resources to address the needs of schools.

School Accommodation.

514. **Mr. Hogan** asked the Minister for Education and Science when the necessary finance will be provided for an extension to a school (details supplied) in County Kilkenny; and if she will make a statement on the matter. [38531/06]

Minister for Education and Science (Ms Hanafin): The School Planning Section of the Department is in receipt of an application for major capital funding from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale projects and has been assigned a Band 2 rating. Progress on the proposed works is being considered in the context of the School Building and Modernisation Programme from 2007 onwards.

Educational Disadvantage.

515. **Mr. Rabbitte** asked the Minister for Education and Science if she has received correspondence from a school (details supplied) in Dublin 24 in relation to the DEIS scheme; if her attention has been drawn to the school's commitment to tackle education disadvantage in the local area through such means as a homework club, courses for parents and art therapy, in co-operation with the home school co-ordinator and school completion programme services; if her attention has further been drawn to the fact that in the period of the appointment of a new principal teacher the school did not formally seek retention of its disadvantaged status under the new DEIS programme; if she will give an assurance that there will be no change to the school's status, as is requested and supported by other schools in the HSCL cluster and by the school completion programme; if she will confirm that the school will continue to have the services of a home school community liaison co-ordinator; if she will offer the school, as an exceptional measure and if necessary, a further opportunity to appeal a decision adverse to its position including making a case in relation to significant development in the immediate catchment area; and if she will make a statement on the matter. [38538/06]

Minister for Education and Science (Ms Hanafin): DEIS (Delivering Equality of Opportunity in Schools), the action plan for educational inclusion, provides for a standardised system for identifying levels of disadvantage. DEIS will bring together, and build upon, a number of existing interventions in schools with a concentrated level of disadvantage. The process of identifying primary and second-level schools for participation in DEIS was managed by the Educational Research Centre (ERC) on behalf of my Department and supported by quality assurance work co-ordinated through the Department's regional offices and the Inspectorate.

As a result of the identification process, 840 schools were invited to participate in the SSP. These comprised 640 primary schools (320 urban/town schools and 320 rural schools) and 200 second-level schools. A review mechanism was put in place to address the concerns of schools that did not qualify for inclusion in the School Support Programme but regarded themselves as having a level of disadvantage which is of a scale sufficient to warrant their inclusion in the programme. The review process operated under the direction of an independent person, charged with ensuring that all relevant identification processes and procedures were properly followed in the case of schools applying for a review.

The closing date for receipt of review applications was Friday, 31st March, 2006. An application for review was not received from the school referred to by the Deputy. The Group has submitted a final report and the review process is now concluded. Schools which have not qualified for the new School Support Programme and which are receiving additional resources, both human and financial, under pre-existing schemes and programmes for addressing concentrated disadvantage, will retain these supports for 2006/2007. After that, schools will continue to get support in line with the level of disadvantage among their pupils.

The DEIS action plan states that, as well as the provision being made for schools with a concentrated level of disadvantage, financial support will also continue to be provided for primary schools where the level of disadvantage is more dispersed. The correspondence referred to by the Deputy has recently been received in the Social Inclusion Unit of my Department and an acknowledgement has been issued to the school. My officials will be in further contact with the school in this regard.

School Closures.

516. **Dr. Upton** asked the Minister for Education and Science if, in view of the number of new families moving into an area whose children may not yet be of school age, she will consider taking over a school (details supplied) in Dublin 8 which would otherwise be closed due to the fact

that those operating it state that there is not currently sufficient demand; and if she will make a statement on the matter. [38544/06]

Minister for Education and Science (Ms Hanafin): The decision to close the school to which the Deputy refers was taken by the school's Trustees. It was decided that the closure would take place on a phased basis, culminating with full closure in June 2007. Thanks, in part, to the cooperation of another school in the immediate area, students from the school referred to by the Deputy have been accommodated. While the Department is satisfied that there is adequate capacity available at primary level in the general area to serve the current demand for pupil places, it will continue to monitor the situation.

Education Welfare Service.

517. **Mr. Bruton** asked the Minister for Education and Science the reason retired school attendance officers have yet to receive a pay award due to them; and if she will make a statement on the matter. [38549/06]

Minister of State at the Department of Education and Science (Mr. B. Lenihan): The National Educational Welfare Board (NEWB) was established under the National Education (Welfare) Act, 2000 as an independent statutory body with responsibilities as set out in the Act. Personnel and payroll issues relating to retired school attendance officers, who were formerly employed by the NEWB, are an operational matter for the Board. In relation to the issue raised by the Deputy I have been informed by the NEWB that payment will be made within the next two weeks.

School Transport.

518. **Mr. Lowry** asked the Minister for Education and Science if school transport has been arranged for a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [38564/06]

Minister of State at the Department of Education and Science (Miss de Valera): In view of the nature of the transport arrangements available to the family in question my Department has worked closely with Bus Éireann in an effort to provide a more suitable service.

A letter has issued to the family explaining the position, and offering a remote area grant towards the cost of transport.

School Staffing.

519. **Mr. Crowe** asked the Minister for Education and Science if her attention has been drawn to the situation in some primary and secondary level schools who cater for school children with visual impairment in the Tallaght and

Rathfarnham area who are currently without a visiting teacher as no replacement has been found for the current visiting teacher who is out of work ill; and if she will assure those concerned parents that a replacement visiting teacher will be located as a matter of urgency. [38565/06]

Minister for Education and Science (Ms Hanafin): An experienced visiting teacher for the visually impaired has been and is currently in place providing full cover for the permanent visiting teacher.

If there are any queries from parents, this replacement visiting teacher can be contacted directly by mobile phone, as she has been and is using the same phone number as the permanent visiting teacher whom she is replacing.

Schools Building Projects.

520. **Mr. Perry** asked the Minister for Education and Science if, with regard to a school (details supplied) in County Sligo, she will confirm that a site has been identified; if tenders have been sought; the cost for the school; when work will commence; the date it will be finished; the amount of money that has been ring-fenced for same; and if she will make a statement on the matter. [38600/06]

Minister for Education and Science (Ms Hanafin): I understand that the Management Authority of the school referred to by the Deputy is in consultation with Sligo County Council for the acquisition of a site for the provision of a new school.

The school referred to by the Deputy was included in my recent announcement of projects which have been approved to progress to architectural planning. It is not possible at this point to indicate when the architectural planning process will be completed.

Education Welfare Service.

521. **Mr. Costello** asked the Minister for Education and Science the number of education welfare officers in the Dublin area; the number of schools which have a full time education welfare officer to look after their needs; and if she will make a statement on the matter. [38609/06]

Minister of State at the Department of Education and Science (Mr. B. Lenihan): The National Educational Welfare Board (NEWB) was established under The Education (Welfare) Act, 2000 as the single national body with responsibility for school attendance. The Act provides a comprehensive framework which promotes regular school attendance and tackles the problems of absenteeism and early school leaving. The general functions of the Board are to ensure that every child attends a recognised school or otherwise receives a certain minimum education.

The Board is developing a nationwide service on a continuing basis that is accessible to schools, parents/guardians and others concerned with the welfare of young people. For this purpose, Educational Welfare Officers (EWOs) have been deployed throughout the country to provide a welfare-focused service to support regular school attendance and discharge the Board's functions locally. The total authorised staffing complement of the Board is 94 comprising 16 HQ and support staff, 5 regional managers, 12 Senior EWO's and 61 EWO's. Five regional teams are in place with bases in Dublin, Cork, Limerick, Galway and Waterford.

In deploying its service staff, the NEWB has prioritised the provision of services to the most disadvantaged areas and the most at-risk groups. This deployment includes areas designated under the Government's RAPID programme where an intensive full level of service is provided. Since September 2005 every county in Ireland is served by an educational welfare service.

In addition to the NEWB personnel there are some 490 staff, within the education sector, deployed in education disadvantage programmes whose work involves an element of school attendance and significant scope exists for integrated working between these personnel and Educational Welfare Officers. My Department is anxious to ensure that the maximum benefit is derived from these substantial personnel resources. Consequently work is ongoing to develop appropriate protocols for all agencies and services to work together in collaboration and to ensure that optimum use is made of the resources deployed including NEWB resources. It is anticipated that the outcome of this work will inform my Department on the staffing requirement for the NEWB into the future.

This government is determined to do all that is possible to ensure that every child gets all the opportunities and support they need to enable them to achieve their potential and participate fully in education. I will be keeping the issue of the NEWB's staffing under review in light of the rollout of services, the scope for integrated working and any proposals that the Board may put to me in relation to clearly identified priority needs.

In relation to Deputy's query regarding the number of Educational Welfare Officers in the Dublin area, the NEWB has informed officials of my Department that 31 service delivery staff (EWOs and Senior EWOs) are deployed throughout Dublin. The service is available to all primary and post-primary schools in the Dublin area and in keeping with its national strategy the NEWB has prioritised the provision of services to the most disadvantaged areas and the most at-risk groups.

School Transport.

522. **Mr. Kehoe** asked the Minister for Education and Science if her attention has been

[Mr. Kehoe.]

drawn to the ongoing transport problems for children attending a school (details supplied) in County Carlow; if she has satisfied herself that pupil safety is not at risk; and if she will ensure that the bus service is improved to accommodate the needs of both parents and pupils. [38618/06]

Minister of State at the Department of Education and Science (Miss de Valera): The case referred to by the Deputy in the details supplied has been considered by the School Transport Appeals Board who found that the present level of service to the school in question is reasonable and that the benefits of an exclusive service would not justify the costs involved.

In view of the further issue raised by the Deputy regarding safety of pupils I have brought the matter to the attention of Bus Éireann, which operates the school transport services on behalf of my Department.

School Accommodation.

523. **Mr. Kehoe** asked the Minister for Education and Science if her Department has received an application from a school (details supplied) in County Carlow to address the current and future accommodation problems in the school; when she expects to make a statement on same; if her Department has learned lessons from the failure to forward plan, as illustrated in Laytown, County Meath; and if so, the action schools can take in areas where there is rapid growth pending. [38619/06]

Minister for Education and Science (Ms Hanafin): I can confirm that the Department is in receipt of an application under the Permanent Accommodation Scheme 2007 from the management authority of the school to which the Deputy refers.

Applications for this Scheme are currently being assessed in accordance with the published prioritisation criteria and a list of successful applicants will be announced when this process is complete.

In relation to forward planning in areas of rapid growth, the process of assessing the need for new or additional educational facilities at primary or post-primary level in any given area entails consideration of all relevant factors, including enrolment and demographic trends, housing developments and the capacity of existing schools to meet the demand for places. Liaison with existing schools is also an important part of the process, as the school authorities would usually alert the Department where, in their view, the need for additional accommodation is anticipated. In this way, every effort is made to ensure that there is adequate existing provision, or that timely arrangements are made to extend capacity or provide new infrastructure where necessary.

Over and above the statutory consultation provisions in relation to local authority draft area development plans, the Department has in recent years worked to strengthen contacts with local authorities to enable informed decisions to be made in planning future educational provision.

On top of this, the published prioritisation criteria for large scale building projects, which were revised following consultation with the Education Partners, targets school projects in rapidly developing areas by assigning them a band 1 rating which is the highest priority possible. Innovations in the delivery of school buildings such as Generic Repeat Designs and use of the Design and Build model ensure that new school buildings are delivered in the fastest timeframe possible. This is clear evidence of the Department's commitment to ensuring that the needs of rapidly developing areas are met as quickly as possible.

School Planning Section is also working proactively with some local authorities on the possibility of the development of school provision in tandem with the development of community facilities. A practical output from this approach is an innovative partnership with Fingal County Council.

Under the terms of the agreement and based on the Department's school planning projections, Fingal County Council will identify and acquire appropriate sites where schools with enhanced sporting, community and arts facilities will be built to the benefit of both the school and the wider community. In practice, the Local Authority will identify the sites when adopting their Local Area Plans. The Council will go on to acquire sufficient land as recommended by the Department on which an appropriate sized school or schools for that local area can then be built.

In return, the design of the schools on these sites will be varied to meet community needs identified by the Council. The range of enhanced combination facilities will include such as full-size sports halls, stage and dressing rooms, community meeting rooms, all-weather pitches and playgrounds. These additional facilities, which will be over and above the Department's standard specifications for schools, will be available not only to the school during normal school hours but also to the local community in the evenings, at weekends and during school holidays.

There are two early examples of the agreement already in place at St. Patrick's NS, Diswellstown and Mary Mother of Hope N.S. both of which are in Dublin 15. The benefits from this approach are obvious and the Department would like to see it replicated throughout the country.

In addition, under the provisions of the Strategic Development Zones (SDZ) it is generally the position that sites must be reserved for schools and that the schools must be developed commensurate with housing and other developments such as community facilities. In the Adamstown SDZ for example, with the cooper-

ation of South Dublin County Council and the developers, 2 new primary schools will be in place in there next year in fulfilment of requirements under the planning Scheme. Again, the Department would like to see this phasing approach replicated throughout the country.

The Department has also recently adopted an area based approach to school planning where, through a public consultation process involving all interested parties, a blueprint for schools' development in an area for a 10 year timeframe is set out. The recently published plan for the N4/M4 corridor is an example of this approach.

Taken in combination I believe the measures outlined will improve the speed and effectiveness of the response to emerging needs in rapidly developing areas.

Schools Building Projects.

524. **Mr. English** asked the Minister for Education and Science the position regarding plans to build a new primary school (details supplied) in County Meath; if this school will be on a stand alone site; the reasons for any delay in the process to date; the timeline of the programme of works; and if she will make a statement on the matter. [38626/06]

Minister for Education and Science (Ms Hanafin): The school building project for in the area referred to by the Deputy was one which I announced to commence architectural design in 2005. A full Design Team has been appointed and the project is at an early stage of Architectural Planning.

The design and planning of a building project is covered by stages 1 to 5, during which the project is developed from the assessment of site suitability, through the detailed design (including the obtaining of planning permission) to the point where detailed Bills of Quantities are prepared. The project will be allowed to progress up to and including Stage 5 Bill of Quantities. This is the final stage before the invitation of tenders.

The Planning Authority at Meath County Council has commenced preparation of the Local Area Plan for the area and this will determine the location of the proposed school building on the site. When this matter is completed my Department will progress this project further.

A decision on which school building projects will advance to tender and construction will be considered in the context of the School Building and Modernisation Programme 2006-2010.

Public-Private Partnerships.

525. **Mr. Crowe** asked the Minister for Education and Science the position regarding the Government's public private partnership programme; and her views on the way it will affect schools. [38628/06]

Minister for Education and Science (Ms Hanafin): I am pleased that my Department is participating in the Government's programme on Public Private Partnerships (PPP) as I believe PPPs have significant potential in relation to: Developing new ideas on design which arise from the output-based approach; Testing value for money over the life-cycle of the projects rather than just construction; Allowing educationalists to concentrate on their core functions; Optimising the allocation of risk in areas such as planning, design, construction, maintenance and operation of education facilities.

Overall, I am satisfied that these objectives were realised in my Department's Pilot PPP programme and in general the outcome has been positive. Many of the lessons learned in developing the original school bundle PPP project and other education PPPs have been incorporated into my Departments school building programme, including a greater emphasis on sustainability, whole life cycling and improved use of circulation and social space in schools.

My Department are involved in further PPP projects in consultation with the National Development Finance Agency who now have responsibility for the procurement process. Currently, applications by interested bidders in respect of a bundle of four schools are being evaluated and I announced the second bundle of PPP school projects today consisting of six schools on five sites.

Departmental Schemes.

526. **Cecilia Keaveney** asked the Minister for Education and Science the position in relation to an application by a school (details supplied) in County Donegal under the small schools scheme; and if she will make a statement on the matter. [38629/06]

Minister for Education and Science (Ms Hanafin): The School Planning Section of my Department is in receipt of an application for the Small Schools Scheme 2007 from the school referred to by the Deputy. The closing date for this devolved scheme was 27 October 2006. The application will be assessed by my officials and publication of the list of successful applicants for the scheme will be published as soon as possible.

School Transport.

527. **Mr. Hogan** asked the Minister for Education and Science when she will approve revised school transport arrangements for a school (details supplied) in County Carlow; and if she will make a statement on the matter. [38650/06]

Minister of State at the Department of Education and Science (Miss de Valera): The case referred to by the Deputy in the details supplied has been considered by the School Transport

[Miss de Valera.]

Appeals Board who found that the present level of service to the school in question is reasonable and that the benefits of an exclusive service would not justify the costs involved. In the circumstances, it is not open to me to re-examine the case.

Special Educational Needs.

528. **Ms Enright** asked the Minister for Education and Science the reason resource hours have been withdrawn from a person (details supplied) in County Laois; and if she will make a statement on the matter. [38665/06]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, the National Council for Special Education (NCSE), through the local special educational needs organisers (SENO), is responsible for processing applications from schools for special needs supports. These supports include resource teaching hours for pupils with low-incidence special needs, based on applications in respect of individual pupils.

My officials have been in contact with the NCSE regarding the pupil referred to by the Deputy. The NCSE has advised that the SENO has sanctioned 3.5 resource teaching hours for the pupil in question.

Third Level Institutions.

529. **Mr. Naughten** asked the Minister for Education and Science if her Department will permit the expansion of NUI Galway to establish an Ulster Connacht medical school; if it will allocate funding to the university for the establishment of such a school; and if she will make a statement on the matter. [38687/06]

Minister for Education and Science (Ms Hanafin): On the 1 February 2006 the Minister for Health and Children and I published the report of the Fottrell Working Group on Undergraduate Medical Education and Training. Among the recommendations of the Fottrell Group was that a graduate stream of entry to medicine be introduced and that graduates of honours Bachelor degree programmes should be eligible to apply.

It is anticipated that the Higher Education Authority will shortly issue a competitive call for proposals to provide the new graduate entry programme, with a view to additional places being provided on this programme from 2007. It will be open to NUI Galway to submit a proposal in response to this competitive call.

530. **Ms O'Sullivan** asked the Minister for Education and Science if the Government is considering the allocation of capital funding to upgrade and expand facilities on the campus of the National College of Art and Design; when she

expects such funding to be allocated; and if she will make a statement on the matter. [38719/06]

Minister for Education and Science (Ms Hanafin): Officials from my Department along with the officials from the Higher Education Authority (HEA) recently met with the authorities of the National College of Art and Design in relation to its campus development. The College was requested to consider and put forward options for the delivery and management of the proposed development and provide an implementation programme.

The HEA has not received the College's proposals to date. I await the views of the HEA before considering the matter further.

Schools Building Projects.

531. **Ms O'Sullivan** asked the Minister for Education and Science if her Department is giving consideration to the provision of a new post-primary school in North Offaly in view of the increasing pressure for places in that area and the demographics in primary schools; if she will ensure that the needs of the area are addressed in time in order that children transferring from primary schools will have places; and if she will make a statement on the matter. [38720/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, the local area development plan for the N4/M4 corridor outlines the Department's long-term educational strategy at both primary and post-primary level for the area to which the Deputy refers. The recommendations in the plan will be advanced under the School Building and Modernisation Programme from 2007 onwards subject to the prioritisation criteria for large scale building projects.

Special Educational Needs.

532. **Mr. English** asked the Minister for Education and Science the funding available to stand alone autism units in secondary schools from her Department and agencies controlled by her Department; the details of the application process of these; and if she will make a statement on the matter. [38730/06]

533. **Mr. English** asked the Minister for Education and Science the non financial assistance and supports available to stand alone autism units in secondary schools from her Department and agencies controlled by her Department; the contact details for such supports; and if she will make a statement on the matter. [38731/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 532 and 533 together.

My Department provides a range of supports to second level schools to enable them to cater

for pupils with special educational needs including the needs of pupils with autism. The supports in question include remedial and resource teaching support, special needs assistant support, funding for the purchase of specialised equipment, transport, accommodation, teacher education and psychological services. Other agencies providing services in respect of pupils with special educational needs include the National Council for Special Education (NCSE), National Education Welfare Board and the State Exams Commission.

As the Deputy is aware, there has been enormous progress made over the past number of years in relation to increasing the number of teachers in our schools who are specifically dedicated to providing education for children with special educational needs.

At second level, approximately 1,854 whole time equivalent additional teachers are in place to support pupils with special educational needs. This compares to the approximately 200 teachers that were in place in 1998 for such pupils. In addition, there are 534 whole time equivalent learning support teachers and approximately 1,365 whole time equivalent special needs assistants (SNAs) in our second level schools.

With effect from 1 January 2005, the National Council for Special Education (NCSE) has taken over key functions from my Department in relation to special educational provision. The NCSE was formally established as an independent statutory body on the 1st October 2005 under the Education for Persons with Special Educational Needs Act 2005. The Council acts under the broad policy direction of my Department but has the resources and the remit to play the leading role in the delivery of education services to children with disabilities/special needs.

The NCSE co-ordinates with the health services, schools and other relevant bodies regarding the provision of education and related support services to children with disabilities/special needs.

The responsibilities of the NCSE include the following: Deciding on applications for additional teaching support in respect of children with disabilities with special educational needs at second level; Deciding on applications for special needs assistant (SNA) hours; Processing applications for school placement in respect of children with disabilities with special education needs.

My Department supports the education of individual students with autism in various second level schools throughout the country. The precise model of provision made available at second level will depend on the assessed needs of the pupils involved. Some pupils are capable of attending ordinary classes on an integrated basis with additional teacher and/or special needs assistant support. In other cases, placement in special dedicated classes or units attached to the school may be the more appropriate response. Such special

classes operate at significantly reduced pupil teacher ratios.

The NCSE, through the local Special Educational Needs Organiser (SENO) will process the relevant application for resources and inform the school of the outcome. It is important to note that in the case of decisions on additional teaching and SNA support, the SENO will outline the process to the school and parents, where appropriate, and will at the end of the process outline the basis on which the decision was made.

In addition, my Department's Teacher Education Section has developed a strategy designed to meet the continuing professional development needs of personnel working with children with special educational needs. This involves a major expansion of the range of post-graduate professional training programmes available to teachers in the special needs area and the ongoing development of the Special Education Support Service (SESS) to support schools staff locally.

Given the increasing number of children with special needs now availing of the opportunity of a mainstream second level education, my Department has put in place a strategy which involves the provision of training and support at initial teacher education and also the provision of training and support for continuous professional development.

In terms of initial teacher education, the Education Degree and Higher Diploma in Education programmes include elements on the learning difficulties of pupils as part of a general alertness orientation programme.

Separate post-graduate programmes for Learning Support Teachers and Special Education Needs Teachers are provided by seven third-level institutions with the support of my Department. In addition, a new combined post-graduate programme of training for Learning Support and Special Education Needs is being offered to teachers from September 2006. My Department also funds a Masters Programme in Special Education Needs which is offered in St. Patrick's College.

The Deputy will also be aware that my Department's National Educational Psychological Service (NEPS) provides direct contact and services to children and young adults who need the support of an Educational Psychologist. NEPS encourages a staged assessment process, whereby each school takes responsibility for initial assessment, educational planning and remedial intervention, in consultation with their assigned NEPS psychologist. Only if there is a failure to make reasonable progress in spite of the school's best efforts, will a child be referred for individual psychological assessment. This system allows the psychologists to give early attention to urgent cases and also to help many more children indirectly than could be seen individually.

[Ms Hanafin.]

I am confident that the advent of the NCSE and the measures outlined will prove of major benefit in ensuring that all children with special educational needs receive the support they require.

School Accommodation.

534. **Mr. English** asked the Minister for Education and Science the total amount of money spent on temporary school buildings in both primary and secondary schools in the State for each of the years 2001 to 2006 inclusive, with a breakdown on a constituency basis for each of these years, in tabular form. [38738/06]

544. **Mr. P. McGrath** asked the Minister for Education and Science the money spent on providing and on leasing prefab classrooms in primary schools and in second level schools in each of the years 2000 to date in 2006. [39013/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 534 and 544 together.

The information requested by the Deputies in relation to the total amount of money spent on temporary school premises in respect of both purchase and rental for the period 2000 to end Oct 2006 is outlined in the table. However, the break-

down of expenditure on a constituency basis is not available.

As the Deputies will see from the following table the spend on temporary accommodation represents a very small fraction of the overall yearly spend on school buildings.

The demand for additional accommodation in schools has risen significantly over the last number of years mainly due to the rapid expansion in teacher numbers particularly in the area of special needs, the growth in the school-going population in rapidly developing areas and the demands to cater for diversity through the recognition of new Gaelscoileanna and Educate Together schools.

The provision of rented accommodation provides an immediate solution to a deficit of school accommodation, and is often the only available option where extra accommodation is needed at short notice. However, the current focus within my Department is to empower schools to resolve their accommodation needs, wherever possible by way of permanent accommodation. In order to reduce the amount of temporary accommodation at primary level a new devolved initiative was launched in 2003. The purpose of this initiative is to allow schools to undertake a permanent solution to their classroom accommodation needs and to achieve the best value for money. Since the introduction of the devolved initiative over 200 schools have been allocated funding under this scheme.

Year	Total Capital Expenditure at Primary & Post Primary Level	Expenditure on Temp Accommodation	Temp Accom as a % of total Capital Expenditure	Expenditure on Rental of temporary school premises (including prefab classrooms)	Rental of temporary school premises (including prefab classrooms) as a % of total Capital Expenditure
	€m	€m	%	€m	%
2000	257.50	4.40	1.71	4.00	1.55
2001	317.69	9.11	2.87	6.10	1.92
2002	344.13	21.46	6.24	8.40	2.44
2003	326.96	25.84	7.90	9.40	2.87
2004	333.12	12.71	3.82	11.30	3.39
2005	501.26	6.47	1.29	15.70	3.13
**2006	361.36	2.55	0.71	19.00	5.26

**2006 figures to end of October.

Home Tuition.

535. **Mr. Naughten** asked the Minister for Education and Science the number of outstanding applications for home tuition with her Department; the average time taken to process each application; the reason for the delay in approving these applications; and if she will make a statement on the matter. [38741/06]

536. **Mr. Naughten** asked the Minister for Education and Science if she will approve an application for home tuition for persons (details

supplied) in County Roscommon; the reason for the delay in approving the application; and if she will make a statement on the matter. [38742/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 535 and 536 together.

I can assure the Deputy that officials in my Department make every effort to ensure all applications for tuition under the terms of the scheme are processed as quickly as possible. There are 53 applications on hand in my Department — over

85 have been received since 6th November 2006. It is expected that all fully completed applications for home tuition would be processed within a two week period.

I am pleased to advise that home tuition has been granted to the two children referred to by the Deputy.

School Transport.

537. **Mr. Ring** asked the Minister for Education and Science the reason a person (details supplied) in County Mayo is being denied free school transport in view of the fact that other children, living the same distance from the school, are receiving it and in view of the agreement that is in place. [38931/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department has requested Bus Éireann to provide a report on the situation regarding School Transport for the pupil referred to by the Deputy in the details supplied. When this information is received my Department will contact the family concerned.

Third Level Grants.

538. **Mr. P. Breen** asked the Minister for Education and Science the reason a person (details supplied) in County Clare did not qualify for a vocational educational committee grant; and if she will make a statement on the matter. [38932/06]

Minister for Education and Science (Ms Hanafin): The Maintenance Grant Scheme for Students attending Post Leaving Certificate courses is administered by the Vocational Education Committees on behalf of my Department.

Under the terms of the Maintenance Grants Scheme for Post Leaving Certificate Courses 2006, grants are available to eligible candidates who are entering approved PLC courses for the first time in the 2006/2007 academic year.

Candidates are ineligible if they already hold a FETAC Level 5 qualification (formerly known as a FETAC (NCVA) Level 2 qualification) or FETAC Level 6 qualification (formerly known as a FETAC (NCVA) Level 3 qualification) or a third level qualification at Level 6 or higher. However, notwithstanding this condition candidates who already hold a qualification no higher than a FETAC Level 5 (formerly known as a FETAC (NCVA) Level 2 qualification) and are now pursuing a course that offers progression may be deemed eligible for grant aid.

My Department understands that the candidate, to whom the Deputy refers, already holds two qualifications from Fáilte Ireland, which are at least equivalent to a FETAC Level 5 and a FETAC Level 6 respectively. As outlined above, the candidate is ineligible for grant assistance in

respect of his PLC course which is at FETAC Level 5.

I regret the news is not better in relation to this student, but you will appreciate that the terms of the schemes are of general application and it is not open to me or my Department to depart from the terms of the scheme and make exceptions in individual cases.

Capital Investment Projects.

539. **Ms O'Sullivan** asked the Minister for Education and Science the priority projects for capital investment identified in table 7.2 of the report of Review and Prioritisation of Capital Projects in the Higher Education Sector which have not been approved by her; the criteria used by her to decide which projects should not yet be approved; when she proposes to give approval for any proposals which have not received her approval; the progress to date of each project approved by her; and if she will make a statement on the matter. [38974/06]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that the Review and Prioritisation of Capital Projects in the Higher Education Sector (the Kelly Report) recommended a ten year expenditure programme. The Report recommended capital support for a total of 93 individual projects at a cost to the Exchequer of €933m in 2003 prices.

I am pleased to advise the Deputy that as a result of having achieved a multi-annual capital envelope of €900m for the sector to 2010, I have already approved a total of 48 individually recommended projects. The projects concerned are high priority projects in a range of disciplines including health therapies, teacher training, engineering, IT, multi media and catering and hospitality. A further 5 projects are expected to be progressed independently of direct Exchequer support. Accordingly, by 2010, it is expected that close to 60% of all recommended Kelly projects will be either delivered or close to delivery.

As I stated earlier, the Kelly Report is predicated around a ten year expenditure programme. Accordingly, remaining projects will be considered in the context of budgetary allocations. In general, progress on projects already approved is satisfactory with some on site, others in advanced architectural planning and some at preliminary planning.

Schools Refurbishment.

540. **Mr. Bruton** asked the Minister for Education and Science the criteria used for deciding on applications under the temporary accommodation scheme and the summer works scheme 2007; when she will be in a position to make a decision on an application by a school (details supplied) in Dublin 3. [38975/06]

Minister for Education and Science (Ms Hanafin): I can confirm that the Department is in receipt of applications under the Summer Works Scheme 2007 and the Permanent Accommodation Scheme 2007 from the management authority of the school to which the Deputy refers. All applications under these Schemes are

currently being assessed in accordance with the published prioritisation criteria. I intend to publish a list of successful applicants as soon as the assessment procedures are completed. The prioritisation criteria for the Schemes are contained in the following documents.

CIRCULAR LETTER 0064/2006

To: Primary and Post Primary School Authorities

SUMMER WORKS SCHEME 2007

Scheme of Capital Grants for Small Scale Works

School Planning Section,
Department of Education and Science,
Portlaoise Road,
Tullamore,
Co. Offaly.

Summer Works Scheme Helpline: Freephone **1800 200 955**

school_planning@education.gov.ie

www.education.ie

The Minister for Education and Science is pleased to announce details of the Summer Works Scheme for 2007 and to invite applications under the Scheme in accordance with the terms of this Circular Letter. Please read it carefully before completing an application form. (Download application form)

1. Introduction

The purpose of the Summer Works Scheme is to devolve funding to individual school authorities to undertake small scale building works which, ideally, can be carried out during the summer months or at other times that avoid disrupting the operation of the school. Under the terms of the Scheme, school authorities are empowered to manage these works with guidance from and minimal interaction with the Department.

Funding will be allocated to projects in accordance with the prioritisation criteria attaching to the Scheme which, in the normal course, includes the ability to have the works carried out during the summer. However, in certain circumstances, the Department may allocate funding to further projects later in the year where these can be carried out without disruption to the operation of the school. If this arises, the terms and conditions of the Scheme will continue to apply when allocating funding to such projects.

2. Schools covered by the Scheme

The Scheme is open to primary and post primary schools with permanent recognition and in non-rented accommodation.

3. Works covered by the Scheme

Necessary small-scale works that, ideally, can be planned and delivered during the summer months.

4. Application process

Where a school applies for more than one project, it must:

- **Use one application form** (Download application form)
- **Clearly identify the projects in order of priority**
- **Provide individual costings and fees for each project.**

In all cases, post primary schools are required to provide details of any Science and Technology upgrade or refurbishment projects separate from any other projects being applied for.

School Planning Section will not be able to adjudicate on the relative priority attaching to each individual project at a particular school. **In the circumstances, the responsibility for identifying and applying for the most urgently required project rests with the school authority.**

5. Ineligible projects

- Projects that are desirable rather than absolutely necessary.
- Projects that should ordinarily be carried out as routine maintenance.
- Projects that could not reasonably be expected to be carried out using other funding channels, for example, the devolved grant scheme at primary level.
- Any element of a new build other than that relating to access for all or necessary toilet facilities.
- Temporary accommodation projects.
- Radon or asbestos remediation projects. The Department has separate processes in place for dealing with these project types.

- Projects already scheduled to be carried out as part of a larger project under the School Building Programme.

Any applications for these project types will be automatically rejected.

6. Technical issues

Part 2 of the application form addresses technical issues. This **must** be completed by a *suitably qualified Consultant with adequate **Professional Indemnity Insurance and Employer's Liability Insurance** otherwise the application will be disqualified. It is important that the Consultant has the appropriate qualifications for the works being considered. The appointment of a Consultant is a matter for the school authority and any fees arising must be borne by it. Any reasonable fees incurred will be included in the overall allocation for successful applicants.

No commitment should be entered into with a Consultant beyond the work involved in completing part 2 of the application form.

The Consultant's report **must** comply in full with the Department's relevant Technical Guidance Documents with respect to format and content (see Department's website). It **must** also be accompanied by photographic evidence.

A Consultant's report is necessary:

- For a professional diagnosis of the full nature and extent of the proposed project.
- To verify the absolute necessity of the project.
- To provide a range of cost effective solutions.
- To enable the prioritisation of projects on the basis of professional objective information.

Please see Appendix A of this Circular Letter for guidance on the appointment of a Consultant.

*Examples of unacceptable qualifications for the purposes of a Consultant's report are:

Diploma in Construction Studies, Architectural Assistant, Agricultural Engineer, Building Surveyor, Building Contractor, B. Sc (Environment), Estimator, Electrician, Plumber, Window Contractor, OPW architect (unless it is verified with the application that the report is carried out on the direction of the OPW acting on the instruction of the Department of Education and Science).

This list is not exhaustive. If you have **any** doubts in relation to the suitability of a proposed Consultant, please contact the Helpline. The Department's decision will be final as to whether or not a Consultant is appropriately qualified.

7. Proposed Timetable for 2007 Scheme

Publication of Scheme details and application form	1st June 2006
Closing date for receipt of applications Completed application forms should be returned to School Planning Section, Department of Education and Science, Tullamore, Co. Offaly. Applications received after this date and/or applications that are incomplete will not be considered.	29th September, 2006
Publication of list of successful applicants	December, 2006
Confirmation of acceptance must be made to School Building Section by	January, 2007
The Department's Building Section will request confirmation that you are progressing the proposed works by	April, 2007
You will be required to confirm to School Building Section that the works have commenced and request draw down of 70% of the grant aid by	July, 2007
You will be required to have requested the draw down of the final 30% of the grant aid by	November, 2007

8. Assessment, categorisation and prioritisation of projects

Details of how projects will be assessed, categorised and prioritised are set out in Appendix B.

Commensurate with the level of funding available, **demonstrably necessary projects** which command the highest priority rating will be approved to proceed. It is important to understand that the assignment of a project to a particular category does not imply that it will receive funding. Only those applications satisfying the fundamental criterion of **absolute need** will succeed in this regard.

In allocating funding, account will be taken of Government policy in relation to urban and rural disadvantage (RAPID and CLÁR programmes) and inclusion and access for special needs pupils.

9. Grant details

Grant details, including conditions for drawing down the grant, are set out in Appendix C.

10. Local contribution

The appropriate local contribution will be required, as normal, from non-State owned schools.

Confirmation of its availability is sought in the application form.

[Ms Hanafin.]

The local contribution for small scale works is 10% of the capital cost up to a maximum contribution of €31,500 or, in the case of special/disadvantaged schools at primary level, 5% of the capital cost up to a maximum contribution of €12,500.

11. Freephone Service

A freephone service has been put in place to assist you with any queries on the Scheme including completion of the application form. This service will be available between the hours of 10am to 1pm each day from 1st June, 2006 to 29th September, 2006. The Freephone no. is **1800 200 955**.

SWS calls to other lines will be automatically re-directed to this number to ensure that information given to schools is being provided by staff specifically trained in the detail of the Summer Works Scheme.

12. Freedom of Information Act

Persons signing application forms are reminded that the Department may be obliged to release any information supplied under the Freedom of Information Act, 1997 and 2003.

Tony Dalton,
Principal,
School Planning Section
May, 2006.

(Download application form)

Appendix A

Engaging Professional Advice for the Preparation of a Technical Report

Important: The cost of engaging professional advice to prepare a technical report must be met in full from a school's own resources. Failure to procure a Consultant in the appropriate discipline or the procurement of a Consultant without adequate Professional Indemnity Insurance & Employer's Liability Insurance may result in the disqualification of your application

Advice available on Freephone 1800 200 955

Before a Consultant is appointed:

- Refer to the Department's Technical Guidance Document TGD 008 — Engaging Consultants for Devolved Grants Projects — Revised Edition — March 2006. This document is available on the Department's website www.education.ie.
- Ensure that the Consultant is in the **appropriate** discipline for the works concerned. If a project relates substantially or entirely to construction works, such as refurbishment or repair works, the engagement of an Architect or a Civil/Structural Engineer is appropriate. If a project relates substantially or entirely to Building Services i.e. mechanical/electrical works, a Building Services Consulting Engineer should be engaged. The onus rests with the school authority to ensure that the appropriate level and range of service is procured.
- The Consultant will have a relevant degree of qualification and in all cases will either be a member of a professional body (e.g. RIAI for Architects, IEI/ACEI for Engineers and SCS for Quantity Surveyors or Chartered Building Surveyors) or be eligible for such membership. Equivalent qualifications from another EU member state and membership of an equivalent EU professional body will also be deemed acceptable.
- Be satisfied that the Consultant is competent and qualified to carry out the work. A minimum of three suitable Consultants should be identified for consideration and the one most suitable selected on objective criteria. These criteria should include quality of previous work, the ability to perform against deadlines, and the fee for assessing the work and recommending solutions (i.e. completing Part 2 of the application form).

Address the following matters with prospective Consultants:

- Experience in the preparation of reports for projects of a similar nature highlighting the scope of works and the timescale.
- How the Consultant ensures accurate cost information.
- A brief summary of the scope of the agreed report and a timescale for its delivery.
- Confirmation of appropriate professional qualifications.
- Confirmation of adequate Professional Indemnity Insurance and Employer's Liability Insurance.
- VAT inclusive all-in fee (including buying-in).
- Discuss a realistic scope of works to enable assessment of the amount of work necessary to prepare the technical report. Additionally, accurate professional cost advice is an essential part of the report. Accordingly, the cost of the work must be clearly identified alongside the cost of any associated planning fees and an estimate of the professional fees for managing the execution of the works should the project be approved.
- Agree the level of fee payable for completion of the report only (i.e. completing Part 2 of the application form).
- Be satisfied that the agreed fee is a fair reflection of the time and resources required to carry out the task.

Do not:

- Enter into any commitments regarding an overall fee for the remedial works and make it clear to the Consultant that the appointment to carry out the Report **does not entitle** the Consultant to be appointed to carry out the works if the application is successful.

Appendix B

1. How projects will be prioritised and categorised

- Priority/Category 1: Gas Works
- Priority/Category 2: Electrical Works
- Priority/Category 3: Mechanical works (including Dust Extraction)
- Priority/Category 4: Projects to facilitate inclusion and access for special needs pupils
- Priority/Category 5: Toilet facilities
- Priority/Category 6: Roof works
- Priority/Category 7: Window projects
- Priority/Category 8: Curricular requirement projects
- Priority/Category 9: Other structural improvements
- Priority/Category 10: External environment projects

2. Supporting evidence required for Category 4 projects in addition to the information required in the application form (SWS1)

- Confirmation of the nature and extent of the special need.
- Suggestions as to how existing accommodation could be modified to accommodate the pupil or staff member.
- In the case of a pupil or staff member not yet attending the school, evidence of intent to commence at the school in the school year 2007/8.

3. Summary of criteria which will be applied in assessing applications

- The application has been properly completed, signed and returned within the prescribed time i.e. 29th September, 2006.
- Part 2 of the form has been properly completed by a suitably qualified Consultant and a range of remediation options has been provided and costed.
- The project is absolutely necessary and can, ideally, be planned and delivered during the summer months.
- The project does not arise due to deficiencies in a school's maintenance programme and/ or cannot be addressed by the application of a proper maintenance programme.
- The project cannot be carried out as routine maintenance and cannot be addressed under the devolved grant scheme for minor works or through other funding channels.
- There is no element of a new build in the proposed project other than that relating to access for all or necessary toilet facilities.
- The application does not refer to or have any element of temporary accommodation / radon or asbestos remediation.
- There are no plans to carry out the project as part of a larger project under the Capital Programme.
- Priorities have been clearly identified.
- Confirmation has been given that the local contribution, where applicable, will be available.

Please note that a school may apply under the Scheme in successive years for additional projects.

Appendix C

Grant details

1. Amount which will be approved

The grant payable by the Department (inclusive of VAT and fees) will be **whichever is the lesser of the following**:

The amount of grant-aid approved by the Department in its letter of approval

or

The lowest valid tender amount for the proposed project plus fees (and less the local contribution where applicable).

2. Local contribution

Grant aid will be net of the local contribution where such a contribution applies.

3. Funding shortfall

If there is a shortfall in funding, the options open to school managerial authorities are to:

- Reduce the scope of the works to stay within the limit of the grant.
- In the case of primary schools, use funds allocated by the Department under the terms of the Grant Scheme for Minor Works to supplement the SWS grant provided such funds are not required for more urgent and immediate works.
- Fund the balance of the works from own resources.

4. What the grant covers

The grant is intended to cover the capital cost of the project including associated planning charges, all consultants' fees incurred in the design and construction of the project, all fees for the Project Supervisor Design Stage (PSDS) and all fees for the Project Supervisor Construction Stage (PSCS).

5. Payment of grant

The first payment will be for **70%** of the grant amount and this will be paid on receipt, through the school authority, of the following confirmation from the Consultant:

[Ms Hanafin.]

- That the works undertaken are in accordance with the scope of works for which the grant was approved.
- That the tender process was carried out in accordance with the terms outlined in the letter of grant sanction.
- That the management authority has placed a contract for the proposed works with the successful contractor and the contractor is on site and has commenced the works.
- The Department, in compliance with public procurement, places a requirement on school authorities to use the standard (GDLA) form of contract for all school building projects. The “employer” of contractors on school building projects is in virtually all cases the school authority except for state owned schools where it is the Minister for Education and Science.
- Under Clause 39 of this contract, contractors are obliged to pay rates of wages and observe hours of labour and conditions of employment that are not less favourable than those laid down by the National Joint Industrial Council for the Construction Industry. The contractor is also responsible for the due observance by all sub-contractors of the provisions of this clause.

It will, therefore, be necessary for the Consultant to inform the Department, through a school’s management authority, of the tender amount for the proposed works, plus fees, before any payments can be made.

The second and final payment will be for the remaining **30%** of the grant amount. This will be paid on receipt from the school authority of:

- A copy of the certificate of practical completion from the Consultant.
- Written confirmation that a minimum of half of the agreed percentage retention rate of the overall contract sum will be retained for a period of 12 months following completion of the works and that this sum shall not be expended for any other purpose. The reason for this retention is to ensure that any building defects which may become apparent during that period will be rectified by the contractor.
- The Consultant’s *Opinion of Compliance* of the relevant development with planning permission and or exemption from planning control.
- The Consultant’s *Opinion of Compliance* of the relevant development with the building regulations including the fire safety certificate.
- Confirmation from the Consultant(s) that a safety file has been prepared and issued to the school managerial authority.
- Confirmation that the school authority has received from its Consultant copies of all relevant drawings and documents, if possible in an appropriate electronic format, together with the Consultant’s confirmation that the completed works are in accordance with these drawings and documents.

Circular Letter 0098/2006

To: Primary and Post Primary School Authorities

School Building Programme : 2007

Permanent Accommodation Scheme 2007

Classroom Accommodation

Please return completed forms no later than 27th October, 2006 to:

School Planning Section,
Department of Education and Science,
Portlaoise Road,
Tullamore,
Co. Offaly.

Helpline: Freephone 1800 200 955

school_planning@education.gov.ie

www.education.ie

1. Introduction

The purpose of the Permanent Accommodation Scheme 2007 (PAS) is to provide a classroom accommodation solution to schools for the 2007/08 school year, where an **absolute need** is demonstrated.

This scheme is focused on schools which are not in need of an immediate major extension or building project but which require additional classroom accommodation.

If ancillary accommodation and/ or a major extension is required in addition to classroom accommodation, school authorities should consider, if not already done, submitting a completed FLE or SLE application form (available on the website www.education.ie download here FLE SLE) to be considered for delivery by the traditional method, in the context of the School Building and Modernisation Programme.

Applicants should note that this scheme does not cover accommodation required for decanting purposes during a building project. Further details in relation to Accommodation Solution falling within the scope of this grant scheme are set out in Sections 6-8.

2. Schools covered by the Scheme

The Scheme is open to primary and post primary schools.

3. Scope of Scheme

Primary Schools

Primary School authorities are aware from October each year of the expected mainstream staffing allocation for the forthcoming year, if there is no change in the staffing schedule.

School authorities should, therefore, assess their accommodation needs on that basis and only make application for additional accommodation under this scheme, if it is clear that there will be an immediate urgent deficit of classroom accommodation.

Approval for additional accommodation under this scheme **will not** be given where there is no overall increased enrolment in the **catchment** area.

It is acknowledged that in rapidly developing areas and/or in recently recognised schools it can be difficult to plan accurately for the required additional accommodation. However, such schools should make an application for additional accommodation through this scheme based on their best estimate of emerging requirements.

Post Primary Schools

Post primary Schools are better placed to deal with an increase in pupil numbers, as the pattern should be obvious from enrolment figures in feeder national schools and the configuration of schools.

Accordingly, post primary applicants are advised that only in exceptional circumstances will applications under this scheme be considered.

4. How to apply for accommodation under this scheme

Permanent Accommodation Scheme (PAS) applications forms are now available on the Department's website www.education.ie and may be downloaded here. Copies of same are also attached for ease of reference.

Completed forms can be submitted by post or by e-mail and must be fully signed off by the relevant representatives of the school authority.

Successful applications will be selected, inter alia, on the basis that

- the school submits a fully completed application form to the Planning and Building Unit (application forms are attached and/or can be downloaded from www.education.ie).
- the Department is satisfied that no alternative suitable accommodation is available within the school or the catchment area.
- the long-term projected enrolments (post-primary) / long term projected staffing (primary), as assessed by the Department, indicate that participation in this scheme at this time will address the classroom accommodation issues of the school and there is not a requirement for further additional accommodation in the foreseeable future.
- architectural planning has not already been approved by the Department for a large-scale building project at the school.

5. Timetable for 2007 Scheme

Publication of Scheme details and application form	August 2006
Closing date for receipt of applications	27th October, 2006
Publication of list of successful applicants	End of 2006
Information Sessions for successful applicants *	1st Quarter 2007

*The Department will be holding an information session for successful applicants at which the terms of the scheme will be outlined in more detail. Schools will be requested to confirm their acceptance to these terms and conditions.

6. Criteria Specific to Primary Schools

Applications will be subdivided into the following categories:

Category 1 — Mainstream classroom accommodation / DEIS—School Support Programme

Category 2 — Special Education Tuition (SET) support / Language Support Teacher etc

Category 1 (Mainstream / DEIS—School Support Programme) will be assessed using the following criteria:

- Schools in developing areas where there is no alternative accommodation
- Recently recognised schools, allowing for incremental growth
- Schools with additional teacher appointments where no other accommodation is available in the school or the area

Category 2 (Special Education Tuition (SET) support / Language Support Teacher etc. will be assessed using the following criteria

- Confirmed specific need which did not exist in previous school years
- All other available accommodation at the school is in use

7. Criteria Specific to Post Primary Schools

Applications will be subdivided into the following categories:

Category 1 — Mainstream classroom accommodation

Category 2 — Special Education Tuition (SET) etc.

Category 1 (Mainstream) will be assessed using the following criteria:

[Ms Hanafin.]

- Schools having an urgent deficit of mainstream accommodation as a result of increasing enrolments in the catchment area
- Recently recognised schools, allowing for incremental growth

Category 2 (Special Education Tuition) etc will be assessed using the following criteria

- Confirmed specific need which did not exist in previous school years
- All other available accommodation at the school is in use

8. Accommodation Solutions

Consideration will be given to the school's preferred solution. *However, the final decision on the appropriate solution will be made by the Department.*

It is the policy of the Department to provide a permanent accommodation solution insofar as possible. Commensurate with the level of funding available, applications which have been assessed as appropriate to the scheme, where the school's accommodation requirement is recognised as permanent, will be given approval for funding to enable the school to provide the accommodation required under this grant scheme.

Successful applications for which a permanent solution is not the appropriate response e.g. where a major building project is in the pipeline, will have their immediate accommodation requirement dealt with by way of either relocation of existing prefabricated accommodation or by way of rental of prefabricated accommodation / premises.

Further details in relation to rental accommodation will be published shortly.

9. Level of Grant Assistance

Primary

Mainstream Classroom: €120,000
SET/other: €60,000

Post Primary

Mainstream Classroom: €85,000
SET/other: €42,500

10. Frequently Asked Questions

Attached for information of applicants, are a set of Questions and Answers to the most frequent queries received in relation to this scheme.

Any further queries in relation to the scheme should be made directly to the Helpline or put in writing to the Planning and Building Unit.

11. Freedom of Information Act

Applicants are reminded that the provisions of the Freedom of Information Act, 1997 and 2003 apply. As such it should be noted that the Department may be obliged to release information submitted to the Department under the Freedom of Information Act, 1997 and 2003.

Jason Kearney
Principal
School Planning Section
August, 2006

APPENDIX 1 — LEVEL OF GRANT — AID

&

DRAW-DOWN CONDITIONS

1. What is the amount of the grant?

The up to date amount of grant payable

Primary

Mainstream Classroom : €120,000
SET/other: €60,000

Post Primary

Mainstream Classroom: €85,000
SET/other: €42,500

2. Is the school guaranteed this amount?

Yes provided the terms of the scheme are complied with. Once selected the grant payable by the Department (inclusive of Value Added Tax and all fees) will be the lower of:

- the amount of grant-aid approved by the Department in its letter of approval,
- or
- the lowest valid tender amount for the proposed works plus reasonable fees.

3. If this amount is not enough, what can the school do?

The choices to be made within this devolved scheme rest with the school and that is the cornerstone of any policy of devolution. The school authority knows the budget and must decide what it is capable of building with that budget. **The time to identify a funding problem is at the outset before entering any contract.** Schools should raise with the Department any site specific problems

or unusual planning stipulations that impose additional costs and these will be examined provided the Department is notified of them in advance of contracts being signed.

Setting the scope of works is the critical first step. Clearly where a school has a known level of resources apart from the Department funding or knows its capacity to raise additional resources it is open to that school to extend the scope of works to include additional facilities. However if the scope of works is not set appropriately from the outset based on the budget available there is a risk that the school will be faced with a funding gap when the project is at construction.

If there is a shortfall in funding, the options open to the school authority are to:

- a. Reduce the scale of the works to stay within the limit of the grant
- b. Use funds allocated by the Department under the terms of the Grant Scheme for Minor Works to supplement the grant, provided such funds are not required for more urgent and immediate works
- c. Apply separately under the Department's Summer Works Scheme (that is currently advertised on its website) for additional funding to deal with exceptional additional refurbishment costs in their existing school buildings.
- d. Fund the balance of the works from its own resources.

4. Will the school authority be required to make a local contribution towards the project?

The Scheme is not structured on the basis that the Department funding must be supplemented by local fundraising. It does however allow a school to supplement the funding from local resources if it so decides. **The critical element is that with devolved authority the school must set the scope of works to match the funding allocated.** The Department does not define the precise works to be carried out other than it must be in accordance with the terms of the scheme. A school can make choices within the budget allocated.

5. Who pays for consultants' fees and planning charges?

The grant is intended to cover the capital cost of the project including associated planning charges and all consultants' fees incurred in the design and construction of the project, all fees for the Project Supervisor Design Stage (PSDS) and all fees for the Project Supervisor Construction Stage (PSCS).

6. Can the Department withdraw an offer of grant-aid?

Yes, the grant sanction will automatically lapse if construction work does not commence within 12 months of the date of approval. The Department retains the option of altering/withdrawing the offer of grant aid if it is considered by the Department that a change in the local circumstances is sufficient to warrant this.

7. At what point will the grant be paid?

The school authority must notify the Department of the tender amount for the proposed works plus fees before any payments can be made.

First payment

The first payment will be for **70%** of the Department's liability and this will be paid on receipt, through the school authority, of the following confirmation from your architect/engineer/chartered building surveyor that:

- the works are in accordance with terms of the scheme
- tenders were sought in accordance with a competitive tendering process as set out in Appendix 3
- a Safety Plan was completed and presented to the successful contractor
- the lowest valid tender was accepted by the Board and the successful contractor fulfilled the criteria set out at Appendix 3
- the Board fulfilled its obligation under the Health and Safety regulations, in particular, the appointment of a competent person to fulfil the role of Project Supervisor Construction Stage (PSCS)
- the successful contractor has produced a safety statement
- the Board has placed a contract for the proposed works with the successful contractor and the contractor is on site and has commenced building works.

Second and final payment

The second and final payment will be for the remaining **30%** of the Department's liability and this will be paid on receipt of the following documentation:

- copy of the certificate of practical completion from your architect/engineer / chartered buildings surveyor.
- your consultant's *Opinion of Compliance* of the relevant development with planning permission and or exemption from planning control
- your consultant's *Opinion of Compliance* of the relevant development with the building regulations including the fire safety certificate
- confirmation from your consultant(s) that a safety file has been prepared by the PS(C)S and issued to the Board of Management.
- copies of all relevant drawings, if possible in an appropriate electronic format, and your consultant's confirmation that the completed works are in accordance with these drawings.
- Confirmation from the Board of Management that 50% of the agreed retention % rate of the contract sum will be retained for a period of 12 months following the completion of the works and pending the rectification of any building defects which may become apparent during that period.

During the Defects Liability period your architect/engineer/chartered building surveyor must prepare the final account for the project to determine the exact final payment due to the contractor. The school authority is advised to retain the final portion of the architect/engineer / chartered building surveyor's fee until the final account has been completed. The school authority must satisfy itself as to the correctness of the final account before making final payments to the contractor

[Ms Hanafin.]

APPENDIX 2 — TECHNICAL ISSUES

1. Is written Guidance on Technical Issues available?

Yes. Schools should consult Technical Guidance Document **TGD007 “Design Team Procedures: Protocol for Devolved Grants”**, and also **TGD008 “Engaging Professional Consultants”** available on the Department Web-Site under School Building/Technical Guidance

2. Is a consultant architect / engineer / chartered building surveyor required?

Yes. The school authority **must** employ a suitably qualified consultant architect, engineer or chartered building surveyor [member of Royal Institute of Architects (RIAI), Institute of engineers of Ireland (IEI), Society of Chartered Surveyors or equivalent] Refer to **TGD008 “Engaging Professional Consultants”** for guidance available on the Department Web-Site under School Building/Technical Guidance

The school authority must also satisfy itself that the consultant architect/engineer/chartered building surveyor will be able to provide satisfactory evidence of tax clearance and adequate professional indemnity insurance cover in advance of engagement.

The school authority should ensure that the fee is agreed with the architect/engineer /chartered building surveyor before the Consultant is appointed and that it covers ALL necessary professional and technical services (including buying-in other services as required) and all expenses.

3. Who is responsible for ensuring compliance with statutory regulations?

The school authority is the client for the project and, in consultation with the architect/engineer / chartered building surveyor, is responsible for ensuring compliance with all statutory regulations which, with most projects, will require obtaining planning permission and a fire safety certificate. The building project must comply in all respect with building regulations. The consultant architect/engineer/chartered building surveyor will be able to advise the Board on these matters.

Refer to Technical Guidance Document TGD-007 **“Design Team Procedures: Protocol for Devolved Grants”** on the Department Web-Site under School Building/Technical Guidance

4. Who is responsible for ensuring compliance with Health and Safety Regulations?

The school authority, as client, is responsible for the implementation of the Safety, Health and Welfare at Work (Construction) Regulations 2001 and subsequent H&S legislation scheduled for implementation in 2006. Under these regulations the appointment of a competent person to act as Project Supervisor (Design) stage PS(D)S is a legal obligation. Guidance on how to do this can be found in **TGD008 “Engaging Professional Consultants”** on the Department Web-Site under School Building/Technical Guidance

At construction stage the school authority as client, is also responsible for the appointment of a competent person to act as Project Supervisor Construction Stage. The PS(D)S will advise on this and his/her fee should include for the assessment of contractors' competence to carry out this role.

Refer to Technical Guidance Document TGD-007 **Design Team Procedures Protocol for Devolved Grants** on the Department Web-Site under School Building/Technical Guidance for H&S information documentation required at Tender and Completion stages, including the safety file which should be retained by the school authority.

5. What should be done if the school is known to contain asbestos?

If your school has not already been surveyed for the presence of asbestos or you are unsure whether or not it has been surveyed, you or the architect/engineer/chartered building surveyor should contact the Health and Safety Unit, Office of Public Works, 51 St. Stephen's Green, Dublin 2 — Tel. 01/6476198. In this context, please refer to circular letter 37/99 issued by the Building Unit in December, 1999.

6. How are tenders to be sought for this proposed building project?

Tenders must be sought on a fixed price basis (i.e. Clause 36 of the GDLA form of contract should be deleted). Refer to Technical Guidance Document TGD-007 **Design Team Procedures Protocol for Devolved Grants** on the Department Web-Site under School Building/Technical Guidance

7. What criteria must the successful contractor fulfil?

Refer to Technical Guidance Document TGD-007 **“Design Team Procedures: Protocol for Devolved Grants”**, and also **TGD014 “Guidance on Pre-Selection of Contractors”** on the Department Web-Site under School Building/Technical Guidance

8. Logo on site

Projects must display an acknowledgement sign that they are being funded by the National Development Plan (NDP) 2002 — 2006. Guidance on this matter is available on www.ndp.ie.

9. Reminder of penalty for non compliance with terms of scheme

The Department reserves the right to withhold payment of the grant to schools for non-compliance with any terms of the scheme.

10. What other guidance is available to the Board?

Guidance on technical issues is available on Departments Web-Site under School Building/Technical Guidance

APPENDIX 3 — LEGAL ISSUES

1. Is a Lease/Declaration of Trust required?

It is a condition of funding that the school site including school building(s) are the subject of a Lease/Declaration of Trust that is valid for a minimum period of 35 years from a current date. The lease simply guarantees that the school property is retained for educational use. The lease must be amended to reflect the level of capital investment. The school authority is advised to seek the advice of legal representative in this and all legal matters.

A grant awarded under the provisions of this scheme does not/should not of itself confer a particular tenure on a building as the terms of the Rules for National Schools and the Education Act apply. The school authority must have the approval of the patron/trustee before application is made for capital works and have this reaffirmed prior to a contract being placed.

2. Who is responsible for the proposed building project?

This scheme devolves authority and responsibility to the school authority for the execution of the works. The school authority is responsible for all interactions with the consultant architect/engineer/chartered building surveyor and for ensuring that the proposed works are in accordance with the conditions set out in this scheme.

3. What records must be kept?

All expenditure in connection with the scheme must be vouched and all documentation must be retained by the school authority for a minimum period of seven years in the event of an audit inspection by the Department and/or Comptroller and Auditor General. Please note that the Department will be undertaking random audits and inspections of schools participating in this scheme.

4. Why are random audits done?

In accordance with standard practice, payment of capital grants is conditional on the Department being satisfied that the school has followed proper procedures and retained appropriate records. In addition it is essential that a proper maintenance programme is in place to protect the school. Guidelines as to how to address this matter were outlined in the “Maintenance Matters” manual issued to all schools in 1998. An electronic version of “Maintenance Matters” can be downloaded [here](#)

APPENDIX 4 — GUIDE TO THE BUILDING PROCESS

Introduction

This guide is issued by the Department of Education and Science for general guidance purposes only. For more detailed information refer to Technical Guidance Document TGD-007 **Design Team Procedures: Protocol for Devolved Grants** on the Department Web-Site under School Building/Technical Guidance

Building Projects

There are a number of stages to a Building Project, which are summarised below. The consultant employed by the school authority must be competent in all of these areas and the purpose of this document is to describe those processes in brief to persons not normally involved in the building procurement process.

Setting of Brief

This is the establishment of clear accommodation requirements; refurbishment requirements etc. coupled with the setting of cost parameters and any other relevant job specific objectives. The role of the Client (which is the school authority) assisted by the architect/engineer / chartered building surveyor, is to set the brief within the constraints of the amount of the grant and the priority areas outlined Paragraph 3 of the Scheme.

Design

The preparation by the architect/engineer/chartered building surveyor of initial sketch drawings which properly describe the proposed works for approval by the school authority and which are also consistent with the established brief and cost parameters.

Planning Permission

The statutory process as required under the **Planning and Development Act 2000**. This involves the preparation and submission of a planning application to the relevant local authority to obtain planning permission and other necessary statutory consents to carry out development work.

Fire Safety Certificate

The statutory process as required under the **Building Control Regulations 1991 — 1994** which involves the preparation and submission of a fire safety certificate application to the relevant Building Control for certification to carry out certain development work.

Tendering Process

The process of obtaining competitive tenders (prices) from a selected number of building contractors (a minimum of five). (Refer to Technical Guidance Document TGD-007 Design Team Procedures: Protocol for Devolved Grants on the Department Web-Site under School Building/Technical Guidance)

Tender analysis and Start-up

The Building Contractor is selected following analysis of the tenders and submission of all necessary documentation). (Refer to TGD-007 Design Team Procedures: Protocol for Devolved Grants on the Department Web-Site under School Building/Technical Guidance)

Contract Stage

This is the period during which the work actually takes place on site.

Post Contract Stage/Defects Liability Period

A period of time (normally twelve months) following the completion of the works during which a percentage of the monies due to the building contractor is withheld pending the rectification of any building defects which become apparent during that period

Explanation of job functions and other common terms

- Architect — **The person responsible for the design of the building**
- Quantity Surveyor — **The person responsible for the cost control of the project and the Bill of Quantities**
- Structural Engineer — **The person responsible for the structural design of the building**

[Ms Hanafin.]

- Mechanical and Electrical Engineer — **The person responsible for the design of the electrical and mechanical aspects of the project (lighting, heating, air extraction etc.)**
- PSDS — Project Supervisor Design Stage — **The person who assesses Health & Safety during the course of the project design, and whose task is to ensure safety both during the construction stage and in use thereafter. (this does not relieve the other Designers of similar responsibilities.)**
- PSCS — Project Supervisor Construction Stage — **the PSCS is usually the main building contractor whose job it is to ensure that the works undertaken on site are done so in a safe manner without risk to the workers involved.**
- Bill of Quantities — **A complete elemental breakdown of the scope of the works including quantification for pricing purposes**
- GDLA Form of Contract — **Government Department and Local Authorities contract document. This is the standard form of contract for construction work being paid for from public funds.**

Timescale of work

The following table illustrates the approximate time frame on a month by month basis for all of the processes described in the previous pages. The contract stage will vary from project to project with the following table illustrating a typical three month building programme:

Process	Average time of Process in Months												
	1	2	3	4	5	6	7	8	9	10	11	12	13
Setting of Brief													
Design	•	•											
Planning Preparation			•										
Planning Process				•	•	•							
Fire Safety Certification					•	•							
Tender Preparation						•	•						
Tender Process								•					
Tender analysis + Start-up									•				
Contract Stage										•	•	•	
Post Contract Stage													•

541. **Mr. Connaughton** asked the Minister for Education and Science the position regarding an application by a school (details supplied) in County Galway for funding for replacement windows and internal piping as part of the 2007 summer works scheme; and if she will make a statement on the matter. [38976/06]

Minister for Education and Science (Ms Hanafin): School Planning Section of my Department is in receipt of an application for the Summer Works Scheme 2007 from the management authority of the school to which the Deputy refers. Applications for the Summer Works Scheme are currently being assessed and the list of successful applicants will be published as soon as possible.

Schools Building Projects.

542. **Mr. J. O’Keeffe** asked the Minister for Education and Science the position in relation to the new school at Summercove, Kinsale; and when it is expected to proceed. [38977/06]

Minister for Education and Science (Ms Hanafin): The Property Management Section of the Office of Public Works (OPW) which acts on behalf of my department in relation to site acquisitions generally has been requested to source a suitable site for the new school in Summercove, Kinsale. My Department has been advised that a suitable site has been identified and that a formal offer has issued to the owner for its acquisition. A response is awaited.

Special Educational Needs.

543. **Mr. O’Dowd** asked the Minister for Education and Science the position regarding the provision of an ABA school for Dundalk, County Louth (details supplied); and if she will make a statement on the matter. [38994/06]

Minister for Education and Science (Ms Hanafin): My 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 children can mix with their

wider peer group and have maximum opportunities for integration. The preferred approach to the provision of appropriate education for children with autism, is through the primary and post primary school network, whether through placement in mainstream classes, in special classes or in special schools, a view that is supported by the findings of the Task Force Report on Autism.

My Department's ongoing commitment is to ensuring that all children, including those with Autistic Spectrum Disorders, receive an education appropriate to their needs. An application was recently received from the group in question to participate in the pilot scheme which has facilitated the establishment of a number of ABA-specific autism units nationwide. My officials requested that the psychological assessments of the children proposing to attend the proposed centre should be forwarded to the Department for consideration. My Department is awaiting the necessary reports.

Question No. 544 answered with Question No. 534.

Departmental Expenditure.

545. **Mr. P. McGrath** asked the Minister for Education and Science the typical cost of leasing a prefab classroom for a primary school for one year. [39014/06]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is not readily available as the parties to the contracts in such cases are the school authority and the rental company. My Department provides grant aid to individual school authorities towards these costs.

Special Educational Needs.

546. **Mr. Ring** asked the Minister for Education and Science when a person (details supplied) in County Mayo will be approved a special needs assistant as recommended by the National Education Psychological Service educational psychologist. [39016/06]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, the National Council for Special Education (NCSE) has been operational since 1st January 2005, and is responsible for processing applications for special educational needs supports through its network of Special Educational Needs Organisers (SENOs).

My officials have been in contact with the NCSE regarding the special needs assistance (SNA) support for the pupil referred to by the Deputy. I can confirm that 3 hours resource teaching support per week has already been sanctioned for the pupil in question, however, I am informed that this support has not yet been put into place by the school authorities.

A decision regarding SNA support for the pupil cannot be finalised until the resource teaching supports are put in place. The SENO has been in contact with the school authorities on 15th November 2006 concerning the matter and will continue to liaise with the school until a decision has been achieved.

Higher Education Grants.

547. **Mr. Ring** asked the Minister for Education and Science when a person (details supplied) in County Mayo will be awarded their third level grant in view of the fact that they have been approved the grant for the past two weeks and that this is causing severe financial hardship to their family; and when they will receive their payment. [39021/06]

Minister for Education and Science (Ms Hanafin): I understand the student referred to by the Deputy has been approved for a maintenance grant under the Third Level Maintenance Grants Scheme for Trainees. Under this scheme the grant shall be paid by the Institute in monthly instalments in arrears. The student will have received a letter from the assessing authority confirming grant eligibility which needs to be submitted to the Institute to initiate the payment process.

Schools Building Projects.

548. **Mr. Deasy** asked the Minister for Education and Science the status of an application for a new building for a school (details supplied) in County Waterford; if her attention has been drawn to the fact that her Department assured the board of management that the necessary approval to appoint a design team would be given over a month ago; the reason for the delay in giving that approval; and if she will make a statement on the matter. [39049/06]

Minister for Education and Science (Ms Hanafin): I can confirm that the Department is in receipt of an application for major capital funding from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with published prioritisation criteria for large scale building projects and has been assigned a Band 2 rating.

The long term projected staffing for the school is currently being assessed to properly plan for the schools long term accommodation needs. The school authority is well aware of this position. Once this matter has been finalised, the project can be considered for progress under the School Building and Modernisation Programme from 2007 onwards.

School Closures.

549. **Mr. M. Higgins** asked the Minister for Education and Science the position with regard

[Mr. M. Higgins.]

to the impending closure of a school (details supplied) in County Galway; the prospects of the future retention of teaching at this secondary school; and if she will make a statement on the matter. [39050/06]

Minister for Education and Science (Ms Hanafin): On 12 October, 2006, the Trustees of this school announced that they would be phasing the closure of this school from September 2007. The school in question is a voluntary secondary school and the decision to withdraw as providers of Education is within the remit of the Patron body, that is the Sisters of Mercy. My Department is examining the implications of the phased closure with a view to ensuring that the educational needs of the children in the area continue to be met.

Schools Building Projects.

550. **Mr. McEllistrim** asked the Minister for Education and Science when there will be progress on a new building for a school (details supplied) in County Kerry; if she will give it priority treatment as part of the school building and modernisation programme; the amount of money which has been spent on north Kerry school building works, primary and secondary in the past 12 months. [39051/06]

Minister for Education and Science (Ms Hanafin): The accommodation needs of the school referred to by the Deputy are under consideration by my Department. A technical assessment of the existing accommodation is now being carried out by my officials with a view to finalising the schedules of accommodation that needs to be provided to meet the school's long term needs.

Data in relation to capital expenditure on North Kerry as sought by the Deputy is not readily available. Capital expenditure on building related projects for the county for primary and post primary schools, in 2006 to date, is in the region of €4.3m and €4.8m respectively.

551. **Mr. McEllistrim** asked the Minister for Education and Science when it is expected that a new school will be built in Blennerville, County Kerry. [39052/06]

Minister for Education and Science (Ms Hanafin): The need for a new school building on a new site for Blennerville National School is acknowledged by my Department. A suitable site has recently been acquired. The building project required to deliver the new school will be progressed in the context of the School Building and Modernisation Programme 2006-2010.

School Curriculum.

552. **Mr. McEllistrim** asked the Minister for Education and Science her views on giving each

school a tricolour and flag pole to mark the 91st anniversary of the 1916 Rising in Easter 2007; her views on making the National Anthem a compulsory part of the primary school curriculum in order that every child will know the Irish version. [39053/06]

Minister for Education and Science (Ms Hanafin): Earlier this year, the Government arranged a number of events to commemorate the 90th anniversary of the 1916 Rising. On the education side, one of the initiatives included a special supplement for schools in *The Irish Times*, including a map of the 1916 locations around Dublin sponsored by my Department. My Department also operates an annual Easter Week 1916 commemoration scholarship scheme. The Easter Week Scholarships reward students for their exceptional performance in the Leaving Certificate Examination and provide support to these students to continue their studies in higher education and in so doing to develop their potential and embrace their talent. These are highly prestigious and coveted awards, each of which is given in the name of one of the signatories of the 1916 Proclamation of Independence.

There are no plans to provide a tricolour or flag pole to all schools. With regard to the National Anthem, the primary school curriculum in Social, Personal and Health Education (SPHE) contains a strand unit "Developing Citizenship". One of the objectives in the strand unit is that children should be enabled to become aware of elements of their own cultural heritage and traditions through music, literature, language, folklore, landscape, respecting the national flag and anthem, taking part in festivals and celebrations that are unique to Ireland.

The Deputy may also be interested to know that I have asked the National Children's Choir to produce a CD for schools of the national anthem and other songs as Gaeilge.

School Staffing.

553. **Ms O'Sullivan** asked the Minister for Education and Science the post-primary schools that have resource teachers; the number of resource teachers each school have; the schools which have no resource teachers; and if she will make a statement on the matter. [39085/06]

Minister for Education and Science (Ms Hanafin): My Department provides a range of supports to second level schools to enable them to cater for students with special educational needs. The supports in question include remedial and additional teaching support, special needs assistant support and funding for the purchase of specialised equipment.

As the Deputy is aware, there has been enormous progress made over the past number of years in relation to increasing the number of teachers in our schools who are specifically dedi-

cated to providing education for children with special educational needs.

At second level, approximately 1,854 whole time equivalent additional teachers are in place to support pupils with special educational needs. This compares to the approximately 200 teachers that were in place in 1998 for such pupils. In addition, there are 534 whole time equivalent learning support teachers and approximately 1,365 whole time equivalent special needs assistants (SNAs) in our second level schools.

The Education Act, 1998 requires all schools to have in place an admissions policy, detailing admission to and participation by students with disabilities or who have other special educational needs. The Act also requires schools to ensure that as regards that policy the principles of equality and the right of parents to send their children to a school of the parents choice are respected.

Currently, under section 29 of the Education Act 1998, parents of a student who has been refused enrolment in a school may appeal that decision to the Secretary General of my Department. Such appeals are dealt with within 30 days of their receipt and where an appeal is upheld the Secretary General is empowered to direct the school to enrol the student.

The Deputy will also be aware that with effect from 1 January 2005, the National Council for Special Education (NCSE) has taken over key functions from my Department in relation to special educational provision. The NCSE was formally established as an independent statutory body on the 1st October 2005 under the Education for Persons with Special Educational Needs Act 2005. The Council acts under the broad policy direction of the Department of Education and Science but has the resources and the remit to play the leading role in the delivery of education services to children with disabilities/special needs.

The NCSE co-ordinates with the health services, schools and other relevant bodies regarding the provision of education and related support services to children with disabilities/special needs. The responsibilities of the NCSE include the following: Deciding on applications for additional teaching support in respect of children with disabilities with special educational needs at second level; Deciding on applications for special needs assistant (SNA) hours; Processing applications for school placement in respect of children with disabilities with special education needs.

The precise model of provision made available at second level will depend on the assessed needs of the pupils involved. Some pupils are capable of attending ordinary classes on an integrated basis with additional teacher and/or special needs assistant support. In other cases, placement in special dedicated classes or units attached to the school may be the more appropriate response. Such special classes operate at significantly reduced pupil teacher ratios. Students attached to these special classes may be facilitated in attending ordinary subject classes on an integrated basis wherever possible.

The NCSE, through the local Special Educational Needs Organiser (SENO) will process the relevant application for resources and inform the school of the outcome. It is important to note that in the case of decisions on additional teaching and SNA support, the SENO will outline the process to the school and parents, where appropriate, and will at the end of the process outline the basis on which the decision was made.

The latest information available within my Department, on a school by school basis, is in respect of the allocation for special educational needs to second level schools in the Dublin region for the 2005/06 school year. A copy of this information follows. I am confident that the advent of the NCSE will prove of major benefit in ensuring that all children with special educational needs receive the support they require.

Additional teaching support granted for pupils with special educational needs for 2005/06 school year (wholetime teacher equivalent)

School Number	Name	Address	Fee Charging	Wholetime teacher equivalent granted
60030V	Blackrock College	Blackrock, Co. Dublin	yes	1.68
60040B	Willow Park School	Rock Road, Blackrock, Co. Dublin	yes	0.8
60090Q	Rathdown School	Glenageary, Dún Laoghaire, Co. Dublin	yes	1.06
60120W	Mount Sackville Secondary School	Chapelizod, Dublin 20	yes	1.39
60130C	Loreto Abbey Secondary School	Dalkey, Co. Dublin	yes	0.27
60140F	Mount Anville Secondary School	Mount Anville Road, Dublin 14	yes	0.68
60160L	Notre Dame Des Missions	Upper Churchtown Road, Dublin 14	yes	0
60180R	Christian Brothers College	Monkstown Park, Dún Laoghaire, Co. Dublin	yes	1.25
60240J	Loreto College	Foxrock, Dublin 18	yes	1.75

[Ms Hanafin.]

School Number	Name	Address	Fee Charging	Wholetime teacher equivalent granted
60260P	St. Joseph of Cluny	Bellevue Park, Ballinclea Road, Killiney	yes	1.23
60272W	The Kings Hospital	Palmerstown, Dublin 20	yes	1.64
60340N	Loreto High School	Beaufort, Grange Road, Rathfarnham	yes	1.16
60381E	Sutton Park School	St Fintans Road, Sutton, Dublin 13	yes	0.73
60520P	Belvedere College	6 Gt Denmark Street, Dublin 1	yes	1.68
60540V	Catholic University School	89 Lower Leeson Street, Dublin 2	yes	1
60560E	St. Marys College	Rathmines, Dublin 6	yes	1.23
60561G	St. Michaels College	Ailesbury Road, Dublin 4	yes	1.23
60570H	Terenure College	Templeogue Road, Terenure, Dublin 6W	yes	0.48
60630W	St Killian's Deutsche Schule	Roebuck Road, Clonskeagh, Dublin 14	yes	0.44
60640C	Sandford Park School Ltd	Sandford Road, Ranelagh, Dublin 6	yes	0.37
60650F	St. Andrews College	Boosterstown Ave, Blackrock, Co Dublin	yes	0.61
60660I	St. Patricks Cathedral G.S	St Patricks Close, Dublin 8	yes	0
60670L	The High School	Danum, Zion Road, Rathgar	yes	1.91
60820E	Loreto College	53 St Stephens Green, Dublin 2	yes	0.37
60910F	Alexandra College	Milltown, Dublin 6	yes	0.09
60930L	Rosemont School	Temple Road, Blackrock, Co Dublin	yes	0.12
61010U	Wesley College	Ballinteer, Dublin 16	yes	1.4
68071G	John Scottus Secondary School	74/76 Morehampton Road, Donnybrook, Dublin 4	yes	1.14
60010P	Loreto Secondary School	Balbriggan, Co. Dublin	no	1.05
60021U	St. Marys Secondary School	Baldoye, Dublin 13	no	0.14
60041D	Coláiste Eoin	Baile an Bhóthair, Bóthair Stigh Lorgan, Co. Atha Cliath	no	1.48
60042F	Coláiste Íosagáin	Bóthar Stigh Lorgan, Baile an Bhóthair, Co. Átha Cliath	no	0
60050E	Oatlands College	Mount Merrion, Blackrock, Co. Dublin	no	1.09
60070K	Dominican College	Sion Hill, Blackrock, Co. Dublin	no	0.61
60081P	Rockford Manor Secondary School	Stradbroom Road, Blackrock, Co. Dublin	no	0.76
60092U	Clonkeen College	Clonkeen Road, Blackrock, Co. Dublin	no	0.44
60121B	Moyle Park College	Clondalkin, Dublin 22	no	5.19
60122D	Coláiste Bríde	New Road, Clondalkin, Dublin 22	no	4.35
60200U	Presentation Brothers Glashule	Glashule, Dún Laoghaire, Co. Dublin	no	0.41
60261R	St. Benildus College	Upper Kilmacud Road, Stillorgan, Blackrock	no	1.06
60262T	St. Laurence College	Loughlinstown, Dublin 18	no	4.42
60263V	St. Josephs College	Lucan, Co. Dublin	no	2.18
60264A	Coláiste Phádraig CBS	Roselawn, Lucan, Co. Dublin	no	1.88
60280V	Belcamp College	Malahide Road, Dublin 17	no	0.39
60290B	St. Pauls College	Sybil Hill, Raheny, Dublin 5	no	0
60291D	Árdscoil La Salle	Raheny Road, Raheny, Dublin 5	no	2.54
60300B	Manor House	Watermill Road, Raheny, Dublin 5	no	2.02
60341P	Sancta Maria College	Ballyroan, Rathfarnham, Dublin 16	no	2.34
60342R	Colaiste Eanna CBS	Ballyroan, Rathfarnham, Dublin 16	no	0
60343T	St. Joseph's Secondary School	Convent Lane, Rush, Co. Dublin	no	4.31
60361V	St. Raphaela's Secondary School	Upper Kilmacud Road, Stillorgan, Co. Dublin	no	1.5
60370W	St. Fintan's High School	Dublin Road, Sutton, Dublin 13	no	1
60380C	St. Dominic's High School	Santa Sabina, Greenfield Road, Sutton	no	2.23
60383I	Coláiste Choilm	Dublin Road, Swords, Co. Dublin	no	2.84
60390F	St. Josephs C.B.S.	Merville Avenue, Fairview, Dublin 3	no	1
60400F	St. Vincents C.B.S. Glasnevin	Glasnevin, Dublin 11	no	2.23

School Number	Name	Address	Fee Charging	Wholetime teacher equivalent granted
60410I	C.B.S. James Street	James's Street, Dublin 8	no	3.77
60420L	Ardcoil Rís	Griffith Avenue, Dublin 9	no	0.85
60430O	St. Pauls C.B.S.	Christian Brothers, Nth. Brunswick Street, Dublin 7	no	2.57
60440R	O'Connell School	North Richmond Street, Dublin 1	no	2.91
60450U	Coláiste Mhuire	Bothar Rath Tó, Baile Atha Cliath 7	no	1
60470D	Synge Street CBS	Synge Street, Dublin 8	no	2.19
60471F	St. David's C.B.S.	Malahide Road, Artane, Dublin 5	no	4.38
60480G	Meanscoil Iognáid Rís	Long Mile Road, Walkinstown, Dublin 12	no	1.11
60481I	St. Aidan's C.B.S.	Collins Avenue Ext., Whitehall, Dublin 9	no	1.62
60490J	C.B.S. Westland Row	Westland Row, Dublin 2	no	2.06
60491L	St. Declan's College	Nepin Road, Cabra, Dublin 7	no	3.58
60500J	Marian College	Ballsbridge, Dublin 4	no	0.88
60510M	St. Johns College De La Salle	Le Fanu Road, Ballyfermot, Dublin 10	no	2.06
60511O	Beneavin De La Salle College	Beneavin Road, Finglas, Dublin 11	no	2.22
60550B	Chanel College	Coolock, Dublin 5	no	1.61
60571J	Patrician College	Deanstown Avenue, Finglas West, Dublin 11	no	1.54
60581M	St. Kevins College	Ballygall Road East, Finglas, Dublin 11	no	0.66
60690R	Dominican College	Griffith Avenue, Drumcondra, Dublin 9	no	1.39
60700R	Scoil Chaitriona	Bóthar Mobhí, Glasnaíon, Atha Cliath 9	no	1.99
60720A	Saint Dominic's Secondary School	Ballyfermot, Dublin 10	no	6.59
60731F	St. Dominics College	Cabra, Dublin 7	no	1.79
60732H	Caritas College	Drumfinn Road, Ballyfermot, Dublin 10	no	3
60741I	St. Michaels Secondary School	Wellmount Road, Finglas, Dublin 11	no	3.15
60750J	Holy Faith Secondary School	1 Belgrove Road, Clontarf, Dublin 3	no	0.58
60770P	St. Mary's Secondary School	Holy Faith Convent, Glasnevin, Dublin 11	no	1
60780S	St. Mary's Secondary School	Haddington Road, Ballsbridge, Dublin 4	no	0.36
60791A	St. Marys Secondary School	St. Brigids Road, Killester, Dublin 5	no	0.91
60792C	Presentation College	Warrenmount, Dublin 8	no	2.69
60800V	Loreto College	Crumlin Road, Dublin 12	no	3.53
60810B	Loreto College	Swords, Co. Dublin	no	0.5
60840K	Maryfield College	Glandore Road, Drumcondra, Dublin 9	no	0.77
60841M	Rosary College	Armagh Road, Crumlin, Dublin 12	no	1.19
60843Q	St. Josephs Secondary School	Stanhope Street, Dublin 7	no	1.73
60851P	Assumption Secondary School	Walkinstown, Dublin 12	no	0
60852R	Mater Christi	Cappagh, Finglas, Dublin 11	no	1.73
60853T	Mount Carmel Secondary School	Kings Inn Street, Dublin 1	no	2.72
60860Q	Our Ladys School	Templeogue Road, Terenure, Dublin 6W	no	1.32
60870T	Our Lady of Mercy College	Beaumont, Dublin 9	no	1.55
60871V	Mercy College Coolock	St. Brendans Drive, Coolock, Dublin 5	no	1.45
60872A	Mercy Secondary School	Goldenbridge, Incicore, Dublin 8	no	2.7
60890C	St. Louis High School	Charleville Road, Rathmines, Dublin 6	no	2.59
60891E	Our Ladys Grove	Goatstown Road, Dublin 14	no	1.02
60892G	The Teresian School	Stillorgan Road, Donnybrook, Dublin 4	no	0.12
60902G	St. Pauls Secondary School	Greenhills, Dublin 12	no	3.2
60991I	Our Lady of Mercy Secondary School	Mourne Road, Drimnagh, Dublin 12	no	2.02
61020A	Stratford College	1 Zion Road, Rathgar, Dublin 6	no	0.93
70010V	Balbriggan Community College	Pine Ridge, Chapel Street, Balbriggan	no	4.63
70020B	Grange Community College	Grange Road, Donaghmede, Dublin 13	no	1.48
70021D	Coláiste de hÍde,	Páirc An Chnoic, Bóthar an tSeanbhábhúin	no	0.84

[Ms Hanafin.]

School Number	Name	Address	Fee Charging	Wholetime teacher equivalent granted
70040H	Deansrath Community College	New Nangor Road, Clondalkin	no	4.91
70041J	Collinstown Park Community College	Neilstown Road, Rowlagh	no	9.73
70042L	St. Kevin's Community College	Fonthill Road, Clondalkin	no	5.46
70060N	Dundrum College	Sydenham Road, Dundrum, Dublin 14	no	0.49
70080T	Lucan Community College	Esker Drive, Lucan, Co. Dublin	no	1.7
70081V	Riversdale Community College,	Blanchardstown Rd North,	no	5.11
70100W	Coláiste Chilliaín,	Bóthar Nangor, Cluain Dolcáin, Baile Atha	no	0.77
70120F	St. Finians Community College,	Swords, Co. Dublin	no	4.76
70121H	Fingal Community College,	Seatown Road, Swords, Co. Dublin	no	4.66
70130I	Greenhills College,	Limekiln Avenue, Greenhills, Dublin 12	no	0.98
70140L	Firhouse Community College,	Firhouse Road, Dublin 24	no	1.9
70141N	Jobstown Community College,	Jobstown, Tallaght, Dublin 24	no	9.32
70150O	Colaiste Eanna	Kilkieran Road, Cabra, Dublin 7	no	4.04
70160R	St. Kevins College	Clogher Road, Crumlin, Dublin 12	no	2.51
70180A	Colaiste Eoin	Cappagh Road, Finglas, Dublin 11	no	3.61
70200D	Ringsend Technical Institute	Cambridge Road, Ringsend, Dublin 4	no	2.7
70240P	Kylemore College	Kylemore Road, Ballyfermot, Dublin 10	no	7.31
70250S	Marino College	14-20 Marino Mart, Fairview, Dublin 3	no	4.6
70260V	St. Mac Dara's Community College,	Wellington Lane, Templeogue	no	0.91
70300H	Pearse College	Clogher Road, Crumlin, Dublin 12	no	0.23
70310K	Plunkett College	Swords Road, Whitehall, Dublin 9	no	2.03
70321P	Margaret Alyward Community College	The Thatch Road, Whitehall, Dublin 9	no	2.05
70330Q	Colaiste Dhulaigh	Barryscourt Road, Coolock, Dublin 17	no	7.3
70340T	Liberties College	Bull Alley Street, Dublin 8	no	1.97
76062B	Castleknock Community College,	Carpenterstown Road	no	5.95
76065H	Coláiste Cois Life,	Gleann an Ghriffín, Leamhcán, Co. Átha Cliath	no	0.45
76077O	Larkin Community College	1 Champions Avenue, Dublin 1	no	5.9
76078Q	Skerries Community College	Skerries, Co. Dublin	no	2.82
76085N	Gaelcholáiste Reachrann	Bóthar Mhainister na Gráinsí, Domhnach Míde, Baile Atha Cliath 13	no	0.8
76092K	Presentation College	Terenure, Dublin 6W	no	0.2
81001I	Newpark Comprehensive School	Newtown Park Avenue, Blackrock, Co. Dublin	no	10.32
81002K	Mount Temple Comprehensive School	Malahide Road, Dublin 3	no	3.79
81017A	Trinity Comprehensive School	Ballymun Road, Ballymun, Dublin 9	no	6.07
91301D	Holy Family Community School	Kilteel Road, Rathcoole, Co. Dublin	no	4.24
91302F	Phobailscoil Iosolde	Palmerstown, Dublin 20	no	4.29
91305L	Ballinteer Community School	Ballinteer, Dublin 16	no	8.08
91310E	Cabinteely Community School	Cabinteely, Dublin 18	no	3.82
91315O	Scoil Phobail Chuil Mhin	Cluain Saileach, Baile Atha Cliath 15	no	5.86
91316Q	Blakestown Community School	Blanchardstown, Dublin 15	no	6.18
91318U	The Donahies Community School	Streamville Road, Dublin 13	no	4.81
91324P	Portmarnock Community School	Carrickhill Road, Portmarnock, Co. Dublin	no	1.75
91325R	Malahide Community School	Broomfield, Malahide, Co. Dublin	no	5.22
91330K	Holy Child Community School	Pearse Street, Sallynoggin, Co. Dublin	no	5.86
91332O	St. Marks Community School	Cookstown Road, Tallaght, Dublin 24	no	4.44
91335U	Tallaght Community School	Balrothery, Tallaght, Dublin 24	no	2.85
91336W	Old Bawn Community School	Old Bawn, Tallaght, Dublin 24	no	4.55
91337B	Killinarden Community School	Killinarden, Tallaght, Dublin 24	no	6

School Number	Name	Address	Fee Charging	Wholetime teacher equivalent granted
91338D	St. Aidan's Community School	Brookfield, Tallaght, Dublin 24	no	8.14
91339F	Hartstown Community School	Hartstown, Clonsilla, Dublin 15	no	3.36
91341P	Greendale Community School	Briarfield Villas, Kilbarrack, Dublin 5	no	3.07
91342R	Pobalscoil Neasain	Baldoye, Dublin 13	no	2.53
91343T	St. Tiernan's Community School	Parkvale, Balally, Dublin 16	no	9.56
91344V	Rosmini Community School	Grace Park Road, Drumcondra, Dublin 9	no	4.65
91510M	Pobail Scoil Naomh Coilm Cille	Scholarstown Road, Knocklyon, Dublin 16	no	2.56

Youth Services.

554. **Mr. Gogarty** asked the Minister for Education and Science the regulations that exist regarding the expulsion of a pupil from a Youthreach programme; if written notification needs to be given regarding this expulsion; if prior verbal or written notice needs to be provided and the person by whom it is provided; and if she will make a statement on the matter. [39086/06]

555. **Mr. Gogarty** asked the Minister for Education and Science the procedures that exist for a pupil to appeal an expulsion or suspension from a Youthreach programme. [39087/06]

556. **Mr. Gogarty** asked the Minister for Education and Science if parents of pupils on Youthreach programmes are entitled to request files relating to the education of their child under the Education Act, 1998; if this includes information on discipline matters; and if she will make a statement on the matter. [39088/06]

Minister of State at the Department of Education and Science (Miss de Valera): I propose to take Questions Nos. 554 to 556, inclusive, together.

The Youthreach Programme is an Inter-Departmental initiative which provides two years integrated education, training and work experience to young people aged 15-20 years who are at least six months in the labour market and who have left school early without any qualifications or vocational training.

The programme funded by my Department is delivered in out of school centres and is managed by Vocational Education Committees (VECs). A general code of conduct is recommended in the 'Procedures in respect of Youthreach/Senior Travellers Centres' issued to VECs by the Vocational Support Services Unit. The Youthreach Quality Framework is currently being rolled out to all centres of education delivering the programme. Under Quality Area 16 of the Framework, all Youthreach centres are expected to have documented a Code of Behaviour.

Expulsion is consequent on a serious breach of a centre's code of behaviour. No separate regu-

lations are in force regarding the expulsion or termination of a trainee's participation on the programme. There is no requirement for written notification nor for prior or written notice. Ordinarily, expulsion is a matter for the centre co-ordinator and the VEC with responsibility for the centre.

Sections 28 and 29 of the Education Act (1998) which refer to appeals against expulsion or exclusion refer to schools and not centres of education. Youthreach centres are classified as centres of education. Procedures for appealing a suspension or expulsion are a matter for the VEC responsible for the centre in question. It is open to the parents of an expelled trainee, or the trainee himself or herself, to make an appeal to the Chief Executive Officer of the VEC.

Computerisation Programme.

557. **Mr. Connolly** asked the Minister for Education and Science if it is proposed to increase the €2.3 million spent in 2005 to support primary schools for the purchase of information technology equipment; if her attention has been drawn to the €100 million plan for schools' IT in Northern Ireland; and if she will make a statement on the matter. [39099/06]

Minister for Education and Science (Ms Hanafin): The major focus for my Department under the ICT in Schools programme has been the roll-out of broadband connectivity to all recognised schools. This project is being undertaken in partnership with industry, in the context of the joint Government/IBEC — TIF (Telecommunications and Internet Federation) Agreement, to provide local connectivity to schools.

The broadband connectivity is being provided via a Schools National Broadband Network supported by HEAnet, in order to provide managed Internet access, email, security controls and content filtering. A broadband support service is being managed by the National Centre for Technology in Education to assist schools with advice and information relating to the roll-out and ongoing use of their broadband connectivity within the schools network. This programme

[Ms Hanafin.]

builds on the investment made in grant aiding schools to develop their internal networks.

I am aware of the approach being taken in Northern Ireland. I can assure the Deputy that I am aware of the benefits that good use of ICT can bring to our children's education and will bear this in mind in considering what areas should be the future priorities for the ICT in Schools Programme.

Educational Disadvantage.

558. **Mr. Connolly** asked the Minister for Education and Science the progress to date on the development of the sabbatical element of the DEIS scheme;; and if she will make a statement on the matter. [39100/06]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, one of the elements to my Department's DEIS (Delivering Equality of Opportunity in Schools) plan for education inclusion provides an opportunity for schools participating in the School Support Programme (SSP) to avail of a sabbatical scheme open to both primary and post-primary levels.

This sabbatical scheme is being introduced to create opportunities for school leaders (Principals, Deputies and Assistants) and teachers, who have served for a defined period in a DEIS school, to undertake a period of professional development to enhance their own learning and effectiveness within the context of the SSP. Participants will be required to bring the benefits of this professional development back to their school where it will be expected to positively impact upon teaching and learning, leading to improved student outcomes.

The scheme is being established to ensure that schools in the SSP can continue to attract and retain well-qualified personnel to positions of leadership and teaching on an ongoing basis. The scheme also recognises that professional development can perform an important role in supporting schools participating in the SSP through targeted interventions which focus on key personnel who can bring the benefit of their experience back into their school.

A significant degree of progress has occurred to date and discussions have been held with stakeholders across the education sector on the nature of the scheme and the possible professional development opportunities to be covered by it. At the same time, research is being undertaken into the application of similar schemes in other jurisdictions.

Following a consultation process involving the stakeholders across the education sector, it is intended that a Circular on the scheme will issue in due course inviting applications.

Special Educational Needs.

559. **Mr. Connolly** asked the Minister for Education and Science when the findings of the fact finding review on special schools and special classes will be published; the issues being addressed by the review; and if she will make a statement on the matter. [39101/06]

Minister for Education and Science (Ms Hanafin): I recognise the unique contribution of special schools and special classes to the education of children with special educational needs and am committed to further developing this area. This is why I have asked my officials to undertake a review of the role of the special school and special class. With inclusion of pupils with special needs becoming a reality for many mainstream schools, it is essential to develop mechanisms to facilitate the sharing of expertise in special schools and to begin the process of creating 'learning communities of schools'.

The development of such a resource role for the special school is an acknowledgement by my Department of the value of these schools. My Department is most anxious that the skills and expertise that these schools have accumulated in supporting children with special needs is utilised to best advantage in providing for such children going forward. In addition, it will provide clear pathways towards enabling all schools within a geographical area to liaise professionally in a collaborative and co-operative fashion.

The initial part of the review involves the gathering and collation of information and views in relation to special schools and classes. This is being undertaken on behalf of my Department by St. Patrick's College, Drumcondra, Dublin 9. It is envisaged that this part of the process will be completed by the end of December 2006. The second phase of the review will be managed by the National Council for Special Education (NCSE) and will involve wider consultation with the schools and other partners. While I am not in a position to say when this part of the review will be completed by the NCSE, I know that it will be given a high priority and the results will be made available as soon as possible.

The Deputy may also be interested to know that last week I announced that increased investment in special education in 2007 will allow me to dramatically increase the rates of capitation paid to special schools. The increases range from a 30% increase in some payments to a near doubling of the rate for children with physical disabilities. These increases are a tangible demonstration of my commitment to supporting an important role for special schools. The extra payments for children in most special classes in mainstream schools are also being increased. The total cost of these measures will be €1.5 million.

Early Childhood Education.

560. **Mr. Connolly** asked the Minister for Education and Science if her attention has been drawn to the Annual Competitiveness Report of the National Competitiveness Council, which found, inter alia that less than 50% of four year olds are in education compared with all French and Spanish children and more than 90% of children in Denmark, Britain and Hungary; and if she will make a statement on the matter. [39102/06]

Minister for Education and Science (Ms Hanafin): Early Years Education in Ireland covers the period from birth to six years. My Department is committed to the development of quality early learning opportunities for children.

Following on from the publication of the White Paper on Early Childhood Education “Ready to Learn”, the Centre for Early Childhood Development was established and this year published a comprehensive draft quality framework for early childhood education. In addition, the National Council for Curriculum and Assessment is developing a national framework for early learning, which will be relevant and useful to all those responsible for children’s early learning and development.

A new Early Years Education Policy Unit has been established within my Department and will be co-located with the Office of the Minister for Children, which was established by the Government in December 2005 to maximise the co-ordination of policies for children and young people and to provide an overall strategic policy framework to bring together and promote close co-operation between the relevant areas of my Department, the Department of Health and Children and the Department of Justice, Equality and Law Reform.

Also, under the new action plan for educational inclusion DEIS (Delivering Equality of Opportunity in Schools), my Department is developing supports for early childhood education which will complement and add value to existing child-care services in the most disadvantaged communities with a view to ensuring that the overall care and education needs of the children concerned are met in an integrated manner.

Computerisation Programme.

561. **Mr. Connolly** asked the Minister for Education and Science the progress to date in the review of primary school administration; if she has proposals for the development of administration software packages and on-line transfer of school returns and information; and if she will make a statement on the matter. [39208/06]

Minister for Education and Science (Ms Hanafin): A new on-line claims web based system (OLCS) which enables Secondary and Community/Comprehensive schools to input claims for the payment of casual and non casual

teachers and special need assistants and record teacher absences on line from the school was introduced on the 6th November, 2006.

It is proposed to extend the on-line claims system to enable primary schools to submit claims for the payment of substitute teachers next year.

My Department is developing a Primary Pupil Database which will monitor the progression of individuals through the education system. The database will be a very useful tool for the Department in evaluating the effectiveness of educational initiatives and I am anxious that it be developed as soon as is practicable. However, I am sure the Deputy will appreciate that the project must be developed carefully to ensure that the final product meets the needs both of schools and of the Department.

Defence Forces Medical Corps.

562. **Mr. Gormley** asked the Minister for Defence if he will explain the much higher than average absenteeism rates in the Defence Forces and the serious shortage of medical staff; the way he will address both of these problems; and if he will make a statement on the matter. [38478/06]

Minister for Defence (Mr. O’Dea): Sick leave in the Defence Forces was about 14 days per annum per person in the period from October 2005 to 30 September 2006. A SFA report earlier this year identified an average of 10 days absence per person per annum in larger firms.

Military service, due to the robust nature of the physical training regime exposes personnel to a unique range of challenging environments with attendant health risks. The mission of the Medical Corps of the Defence Forces is to ensure and to co-ordinate the provision of medical, dental and pharmaceutical support to the Defence Forces in the execution of their Roles as assigned by Government. Military medical services and their facilities exist to maintain the health of the Defence Forces and to support them in operational and overseas activities.

There is a shortage of medical officers (Doctors) in the Medical Corps. The establishment for Medical Officers is 47 and the current strength is 23, of whom 12 are functioning in front line clinical duties in Ireland amongst Brigades and formations. The services of civilian medical practitioners are regularly engaged to ensure that the primary health care requirements arising in barracks are met. However, the shortage of dedicated doctors impacts on overall management and control, both at the level of local units and nationally in the Medical Corps.

Efforts are ongoing to address the shortage of Medical Officers (Doctors) in the Medical Corps. A recruitment campaign for Doctors is currently underway. This campaign follows on from a recent decision to significantly increase the pay of Doctors and Dentists in the Medical Corps, link-

[Mr. O'Dea.]

ing them to the pay of public health doctors and dentists.

A review of the provision of medical services in the Defence Forces initiated as part of the Modernisation Agenda under Sustaining Progress has delivered improvements in this area. This work involves the Department of Defence including military management and the Representative Associations. A revised concept document on the provision of medical services and a patients charter are being prepared. There will be a greater emphasis on the direct provision of medical services and improvements in the maintenance and tracking of patients' records and treatment through computerisation. In the context of the Modernisation agenda arising under "Towards 2016" it is also intended to review the sick leave arrangements for personnel of the Defence Forces.

The work outlined above will assist the Chief of Staff, the Medical Corps and local commanders in their efforts to minimise the instances of sick leave of the Defence Forces and to maintain the general health of the Defence Forces.

Overseas Missions.

563. **Mr. F. McGrath** asked the Minister for Defence if he will clarify the serious mistakes regarding the Niamba Massacre of Irish troops in the Congo in 1960 based on the Government's inquiry; and if he will support persons (details supplied) on this matter. [38519/06]

Minister for Defence (Mr. O'Dea): As the Deputy is aware I addressed this matter during Priority Questions on Thursday 16 November 2006 last.

The Chief of Staff appointed Col. Tom Behan to examine all aspects of the Niamba ambush. Due to the breadth of this investigation, this process has taken some time. I have now had a chance to review this Report. I would like to congratulate Col. Behan for the time and effort he has expended in researching this sensitive and harrowing episode in Irish Military History.

The ambush occurred almost forty-six years ago. It was the first such action involving the horrific deaths of Defence Forces personnel on a scale which still remains unique. It has never been very far from public consciousness. However, the actual horror of the event has faded from the national psyche at this remove. Reading this Report will bring it back into sharp focus for anybody who will read it. I would like to publicly acknowledge the sacrifice made by all the members of the patrol at that time. I want to again extend my deepest sympathies to the families of all those who died. I would like to take this opportunity to underline the courage, fortitude and tenacity displayed by Privates Kenny and Fitzpatrick in order to survive.

I will now concentrate on the conclusions of the Report. On the 8th of November, 1960, an eleven man patrol, commanded by Lt. Kevin Gleeson was attacked by a large number of Baluba tribesmen while on patrol from their base at Niamba and quickly overwhelmed.

There are two principal areas of controversy in regard to the record of this ambush. Both concern Trooper Browne and Private Kenny. The first question is where exactly did Trooper Browne die, and the second is what did Trooper Browne do to contribute to the survival of Private Kenny. I will address the matter of where Trooper Browne died first. From the extensive research and interviews carried out by Col. Behan, his final conclusion is that Trooper Browne fired his weapon to distract the Baluba attackers from their task of beating Private Kenny to death. He further concludes, on the balance of probabilities, that Trooper Browne managed to then escape his pursuers, wounded or otherwise, making his way to the village of Tundula only to be killed by hostile Balubas two days later. Therefore, the previous supposition that he died at the ambush site and that Baluba tribesmen carried away his remains cannot be substantiated. Likewise, the conclusion outlined above that he died at Tundula cannot be definitively substantiated.

The second area of controversy in regard to the record of the Niamba ambush is what did Trooper Browne do to contribute to the survival of Private Kenny. The report clearly concludes that prior to his escape from the ambush site, Trooper Browne fired his weapon at the Balubas who were intent on beating Private Kenny to death, thereby distracting them and saving his life. The Medal Board convened in 1961 awarded Trooper Browne the Military Medal for Gallantry.

Despite all the research, consultation and interviews there is no absolute certainty achievable in regard to these two matters of controversy. I do however wish to address some of the ambiguity that may have resulted from the two scenarios recorded in the unit history. In the absence of the wide and detailed research available to me now, the best advice previously available to me was that Trooper Browne most likely died at the scene of the ambush and the Baluba tribesmen carried his remains away. This must now be discounted. I wholeheartedly recognise and acknowledge that both Private Kenny (particularly in view of the serious wounds and injuries he sustained), and Private Fitzpatrick survived an horrific encounter with hostile forces, displaying courage, fortitude and tenacity in order to survive until finally rescued. I commend them both for the selfless service they have given their country and hope that this report will bring some peace of mind to them both.

While the award of a medal is not considered appropriate on this occasion, I am examining proposals of how best these two men's contribution

can be suitably recognised and honoured. In addition, I intend to invite both at the earliest opportunity to attend a suitable Defence Forces event at which I will acknowledge their contribution publicly. I have also made arrangements for copies of the Official Report on the Niamba Ambush to be placed in the Oireachtas Library.

Decentralisation Programme.

564. **Mr. Connolly** asked the Minister for Defence the number of staff in his Department who have indicated a willingness to decentralise; and if he will make a statement on the matter. [38594/06]

Minister for Defence (Mr. O'Dea): A total of 56 staff in my Department have volunteered to relocate to Newbridge, Co. Kildare. A further 38 staff from other Government Departments have joined my Department in order to transfer to the new location.

Traffic Calming Measures.

565. **Mr. English** asked the Minister for the Environment, Heritage and Local Government if he will ringfence special funding to the local authorities for traffic calming measures, such as pedestrian crossings, additional signage and rumble strips, on county and regional roads in view of significant increases in traffic volumes travelling through villages and other built up areas in County Meath; and if he will make a statement on the matter. [38728/06]

583. **Mr. English** asked the Minister for the Environment, Heritage and Local Government if he will ringfence additional funding to the local authorities for traffic calming measures such as pedestrian crossings, additional signage and rumble strips in view of significant increases in traffic volumes travelling through villages and other built up areas in County Meath; and if he will make a statement on the matter. [38729/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 565 and 583 together.

The provision of traffic calming measures on non-national roads in its area, which would include the provision of pedestrian crossings, road traffic signs and rumble strips, is a matter for Meath County Council to be funded from its own resources, supplemented by State grants provided by my Department. Responsibility for national roads is a matter for the relevant road authority and the National Roads Authority which operates under the aegis of my colleague the Minister for Transport.

The Low Cost Safety Improvement Works scheme of grants for non-national roads was introduced by my Department in 2000 as an extension of the scheme operated on national

roads under the auspices of the National Roads Authority (NRA). The NRA assesses applications for grant assistance under the non-national roads scheme on behalf of my Department. The criteria for grant approval are based on accident data, inspection of sites, locations showing demonstrable hazard and discussions between the local authority and the NRA. In 2006, my Department allocated €133,919 to Meath County Council in respect of Low Cost Safety Improvement Works on non-national roads.

Meath County Council may also use Discretionary Improvement Grants provided by my Department to fund such works. In 2006, the Discretionary Improvement grant allocation to Meath County Council is €798,000. The prioritisation of works to be funded from these grants is a matter for Meath County Council.

I intend to announce non-national road grant allocations for 2007 early in the new year.

Environmental Policy.

566. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government the action he will take in order to avoid potential fines of tens of thousands of euro per day, for each day Ireland is found to be in breach of the Habitats Directive in view of the preliminary opinion given by the Advocate General for the European Court of Justice that Ireland has failed to fulfil its obligations under Article 12 (1) of the Habitats Directive by not taking specific measures for the effective implementation of a system of strict protection for otters, whales, dolphins and the leatherback turtle; and if he will make a statement on the matter. [39203/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Question No. 676 of 24 October 2006.

Irish Heritage Trust.

567. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the arrangements made for the establishment of the Irish Heritage Trust; the funding being provided for the trust; the other resources being provided to enable the trust to commence its work; and if he will make a statement on the matter. [38485/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In July this year I announced the incorporation of The Irish Heritage Trust Limited with the mandate: to acquire properties of significant heritage value where there is a risk to such value, so as to provide for their proper conservation, maintenance and presentation; their public enjoyment and appreciation; and public access to them in perpetuity'.

[Mr. Roche.]

The Trust was finalised following receipt of the report of a Steering Group I had established to advise on proposals for governance of the new body.

The Irish Heritage Trust has been established as a charity (company limited by guarantee and not having a share capital) under the Companies Acts. It provides an alternative to State acquisition of major important heritage properties where there is imminent risk to their heritage value. A Chief Executive Officer of the Irish Heritage Trust was appointed in September 2006.

This year €500,000 is being provided from my Department's Vote to meet the establishment and initial running costs of the Trust. The Government has also approved the provision of funding in 2006 of €5 million from my Department's Vote to enable the endowment funds to be established by the Trust. Each property acquired by the Trust must be accompanied by an endowment fund sufficient to conserve, maintain and present the property to the public into the future. Tax relief of up to €6 million in any one year is provided for in the Finance Act 2006 for donors of properties to the Irish Heritage Trust.

The Trust has a strong remit to maximise non-Exchequer resources in support of its activities, to encourage membership and volunteers and to be financially self-sufficient over time. However in its early years the Trust will be reliant on State support and the Government has committed itself to providing this in the initial period.

Cycle Facilities.

568. **Ms Shortall** asked the Minister for the Environment, Heritage and Local Government the status of the proposed Sutton to Sandyford cycle and pedestrian way; if he is committed to the implementation of this proposal; the estimated costs involved; the extent to which his Department will fund this project; and if he will make a statement on the matter. [38510/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Taoiseach has recently announced the Government's commitment to promote and support the proposed Sutton to Sandyford ("S2S") cycleway and promenade. This project involves the upgrading, where necessary, and linkage of various existing sections of paths and cycleways, to form a continuous facility around the 22km seafront of Dublin Bay.

The concept of S2S originated with a group of private individuals. A preliminary design and environmental study was carried out under the aegis of the Dublin Regional Authority and was completed in January 2006. Dublin City Council, in co-operation with Dún Laoghaire/Rathdown County Council, is now commissioning feasibility

studies and preliminary reports (incorporating topographical surveys and site investigations) for the provision of a combined cycleway/promenade in the two areas around Dublin Bay that currently have no such facilities — the area between the Bull Island Causeway and the Bull Wall on the north side of the bay, and the area between Sandymount Strand and Dún Laoghaire Pier on the south side. These studies will provide cost estimates of feasible options.

My Department will monitor and co-ordinate the activities of the various parties that would have a role or involvement in the delivery of S2S — these include the three Dublin authorities whose functional areas adjoin the bay, the Dublin Docklands Development Authority, the Office of Public Works, Íarnrod Éireann, the National Parks and Wildlife Service and the private individuals who initiated the project.

The question of funding from my Department towards this project is under active consideration, and decisions in this regard will be informed by the outcome of the feasibility studies referred to above.

Social and Affordable Housing.

569. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government if he will conduct a full and thorough review of the shared ownership scheme in order to reflect the reality of the property market and address the inability of many first time buyers to purchase a home; and if he will make a statement on the matter. [38522/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The loan limit for the Shared Ownership Scheme was reviewed and increased with effect from 1 January 2006. The maximum loan that may be advanced by a local authority in respect of the share of the dwelling being purchased (minimum 40%) is €185,000. While the cost of a dwelling may substantially exceed this amount (up to €462,500), the borrower's income must be sufficient to meet the financial commitments involved under the scheme. Accordingly, local authorities may also apply a house purchase price upper limit to reflect local market conditions, to ensure priority of funding for lower income groups and to avoid any significant impact on house prices in their area.

While there are no plans at present to alter the terms of the scheme, I am committed to keeping it under review.

Local Authority Funding.

570. **Mr. Lowry** asked the Minister for the Environment, Heritage and Local Government the funding provided by his Department to date

for a project (details supplied); and if he will make a statement on the matter. [38568/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In 2006, a grant of €500,000 was allocated to North Tipperary County Council, under the EU Co-Financed Specific Improvements Grant scheme, for the Thurles Link Road, which is intended to link the R498 and the N62.

Recycling Policy.

571. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government the action taken following the meeting with the CSNA in relation to the returns of newspapers and magazines (details supplied); and if he will make a statement on the matter. [38585/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): A Joint Industry Taskforce, comprising the Regional Newspapers Association of Ireland (RNAI), the Convenience Stores & Newsagents Association (CSNA) formerly known as the Irish Retail Newsagents Association (IRNA), Newsread and Eason Wholesale Ltd, and co-ordinated by National Newspapers of Ireland (NNI) was established and has been engaged in negotiations with my Department. The aim of these discussions with the stakeholders, which are continuing, is to develop a producer responsibility initiative for the recovery and recycling of newspapers and magazines.

Water and Sewerage Schemes.

572. **Mr. Connaughton** asked the Minister for the Environment, Heritage and Local Government the stage the proposed extension of the Tuam town sewerage scheme to include Bermingham Road is at; and if he will make a statement on the matter. [38586/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Tuam Town Water Distribution Scheme has been approved for construction in my Department's Water Services Investment Programme 2005-2007 in conjunction with Stage 2 of the Tuam Main Drainage Scheme. Galway County Council's contract documents for the combined project were received in my Department earlier this month and are being dealt with as quickly as possible.

Details of the areas proposed to be served by the sewerage works may be obtained from Galway County Council.

Environmental Policy.

573. **Mr. F. McGrath** asked the Minister for the Environment, Heritage and Local Government his strategies on global warming; and if he will make this a priority issue. [38624/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Questions Nos. 4 and 5 of 8 November 2006.

Water and Sewerage Schemes.

574. **Mr. McGinley** asked the Minister for the Environment, Heritage and Local Government the status in relation to a sewage scheme (details supplied) in County Donegal; and if he will make a statement on the matter. [38647/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Information requested from Donegal County Council in relation to the Council's application for a procurement/construction stage budget for the Malin Town Sewerage Scheme has recently been received in my Department and is being dealt with as quickly as possible.

575. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government if his Department will provide copies of all the records it holds regarding a group (detail supplied) in County Sligo including details of all communications between his Department and Sligo County Council, the scheme or others and any recent representations in which the scheme is mentioned; and if he will make a statement on the matter. [38648/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Question No. 257 of 2 November 2006.

Social and Affordable Housing.

576. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that where an applicant purchasing a house under the affordable housing scheme with a local authority mortgage receives a mortgage subsidy from the local authority, it is then refunded by his Department to the local authority; if his attention has further been drawn to a mechanism to facilitate the same where the affordable house buyer receives their mortgage from an outside lender other than a local authority; if this mechanism does exist if it is functioning to its full capacity; if there is no mechanism in place, when he plans to introduce one; and if he will make a statement on the matter. [38649/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Under the affordable housing schemes administered by the local authorities, an annual mortgage subsidy ranging from €1,050 to €2,550 is available to eligible persons whose household income in the preceding tax year was €28,000 or less. The full amount of mortgage subsidy allowed to applicants is recouped by my

[Mr. N. Ahern.]

Department to local authorities on foot of claims received from them.

Given that eligible applicants under the subsidy scheme would normally avail of a loan from a housing authority, no provision was made to extend the scheme to include mortgages provided by private lending institutions. However, my Department is at present examining mechanisms to extend the benefits of the subsidy scheme to potential applicants with mortgages provided by these institutions and who may meet the terms of the scheme.

Planning Issues.

577. **Mr. Crowe** asked the Minister for the Environment, Heritage and Local Government the breakdown of all the money received by each local authority from developers under Part V of the Planning and Development Act 2000 as amended in 2002. [38660/06]

578. **Mr. Crowe** asked the Minister for the Environment, Heritage and Local Government the breakdown of the number of affordable and social houses built by each local authority under Part V of the Planning and Development Act 2000 since its enactment; and the cost of building those houses. [38661/06]

579. **Mr. Crowe** asked the Minister for the Environment, Heritage and Local Government the breakdown of the amount of on site lands transferred to each local authority under Part V of the Planning and Development Act 2000 since its enactment; and the value of those lands. [38662/06]

580. **Mr. Crowe** asked the Minister for the Environment, Heritage and Local Government the breakdown of the amount of off site lands transferred to each local authority under Part V of the Planning and Development Act 2000 as amended in 2002; and the value of those lands. [38663/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 577 to 580, inclusive, together.

Information to end June 2006 on activity, including under Part V, in each local authority area is on my Department's website at www.environment.ie. Information is also published in my Department's Housing Statistics Bulletins, copies of which are available in the Oireachtas Library.

Social and affordable housing acquired under Part V is built as part of the overall development and, as such, the cost of individual housing units for each local authority is not available. Information on the location and value of land/sites acquired under Part V is not available in my Department.

Nuclear Safety.

581. **Ms O. Mitchell** asked the Minister for the Environment, Heritage and Local Government if the Government is informed by the British Government on the transfer of nuclear materials on the Irish Sea, particularly the transit of plutonium from Sellafield to Cherbourg onboard the Atlantic Osprey; and if he will make a statement on the matter. [38664/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to my reply to Question No. 1 on 4 May 2006. Shipments of radioactive material, including MOX fuel, are subject to international maritime regulations, including the right of passage, and to strict international safety standards applicable to the marine transport of such material. The recent shipment of MOX fuel from the UK was the subject of a diplomatic démarche between the UK and Ireland, in accordance with well established procedures between Coastal and Shipping States. As a result of our efforts over the years, information is made available to Ireland on a voluntary and confidential basis by the Governments of shipping states, principally, Japan, France and the UK, in relation to shipments of radioactive material. This information is transmitted to relevant Government operational authorities such as the Irish Coast Guard who will monitor the situation. The Government received an assurance from the UK that the recent MOX Fuel shipment would not enter Irish territorial waters and that the shipment complies with a stringent system of regulation established in line with internationally agreed standards and recommendations. The long standing views and policy of the Irish Government, which oppose the continued shipment of nuclear wastes and spent fuels through the Irish Sea, were again clearly expressed to the UK Government representatives.

The MOX Plant at Sellafield utilises plutonium, separated during reprocessing of spent fuel for foreign customers at Sellafield, and returns it in the form of MOX fuel for use in nuclear reactors. The views of the Irish Government on shipments to and from Sellafield have been argued consistently and at all levels and were raised during the course of the international legal proceedings instituted by the Irish Government under the United National Convention on the Law of the Sea in relation to the MOX plant itself.

Ireland, in its proceedings before the UNCLOS Arbitral Tribunal, forcefully contended that the MOX Plant is inextricably linked with the operation of THORP, with all that this entails in relation to marine radioactive discharges to the Irish Sea, marine transports of nuclear wastes and fuels and our ongoing safety concerns. These concerns, regrettably, are regularly reinforced by the poor ongoing safety record at the Sellafield com-

plex and more recently by the serious incident at the THORP Plant in April 2005.

Because of these concerns the Irish Government will continue to use every diplomatic, political and legal route available to bring about the safe and orderly closure of the Sellafield plant.

Water and Sewerage Schemes.

582. **Mr. J. Breen** asked the Minister for the Environment, Heritage and Local Government the position in relation to the Doolin and Liscannon sewerage schemes; and if he will make a statement on the matter. [38702/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Doolin Sewerage Scheme, which is being advanced as a grouped project with schemes for Ballyvaughan and Corofin is included in my Department's Water Services Investment Programme 2005-2007. Clare County Council's updated Water Services Pricing Policy Report and Economic Review for the project, which were received last month, are being examined in my Department and are being dealt with as quickly as possible. The Liscannon Sewerage Scheme is also being advanced as part of a grouped project (involving Ennistymon, Miltown Malbay and Spanish Point) and is included in the Investment Programme to commence construction in 2007. The Council's Preliminary Report and Water Services Pricing Policy Report for the scheme are also under examination in my Department and are being dealt with as quickly as possible.

Question No. 583 answered with Question No. 565.

Electoral Register.

584. **Mr. McHugh** asked the Minister for the Environment, Heritage and Local Government if he will engage with local authorities with a view to making available on request a list of the voters being deleted from the electoral register; and if he will make a statement on the matter. [38934/06]

586. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government if he will extend beyond 25 November 2006 the deadline to accept requests for amending the Draft Register of Electors in view of the difficulties being experienced by local authorities; and if he will make a statement on the matter. [39000/06]

587. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government the procedures he had put in place for people who were illiterate and could not read any notification regarding the deletion of their names from

the Register of Electors; and if he will make a statement on the matter. [39001/06]

597. **Mr. J. O'Keefe** asked the Minister for the Environment, Heritage and Local Government if he has carried out an audit or is otherwise satisfied that the detailed procedures for the carrying out of fieldwork for the compiling of the Register of Electors were complied with and in particular the procedure providing that each household in the State was visited at least twice if necessary and provided with forms and information. [39055/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 584, 586, 587 and 597 together.

In law, the preparation of the Register of Electors is a matter for each local registration authority. It is their duty to ensure, as far as possible and with the cooperation of the public, the accuracy and comprehensiveness of the Register; house to house or other sufficient enquiries must be made for this purpose.

In April 2006, I announced a package of measures to assist local authorities in their work on preparing the 2007/8 Register, which included the use of Census enumerators or other temporary personnel to support local authorities in preparing the Register; over 1,500 personnel were engaged in this work. In addition, my Department worked with a group of local authority managers and senior officials to put in place an enhanced programme for improving the next Register. Detailed procedures for the carrying out of registration fieldwork were finalised and issued to local authorities in early July. The procedures included provision for ensuring that each household was visited at least twice and provided with forms and information, if necessary. In the event that this process did not satisfactorily register the household, written notification would then be given cautioning of the danger of being omitted from the Register.

I also committed to providing additional ring-fenced financial resources to support local authorities' own spending in respect of the register campaign and advised authorities that a contribution of some €6 million can be made available in this regard. An initial allocation of some €3 million, based on the number of households in each local authority area, was made available in July to local authorities for registration work. A national publicity and awareness campaign involving TV, radio, press and outdoor advertising commenced on 11 September. Implementation by local authorities of the measures which I announced in April has resulted in the most extensive electoral registration campaign in decades. The provision for extensive house to house enquiries would have been of particular assistance to persons with literacy difficulties.

[Mr. Roche.]

The process is not finished. The Draft Register of Electors has been published by all local authorities and is available for checking in council offices, libraries, Garda stations, post offices and online at www.checktheregister.ie. The Final Register will be published on 1 February and comes into force on 15 February. Anyone not on the Final Register can apply for inclusion on the supplementary register which is open up to 15 days before polling day.

Rule 6 of the Second Schedule to the Electoral Act 1992 sets out those persons to whom copies of the Draft Register must be sent by local authorities. It is a matter for authorities to decide upon any requests that may be made to them for further information regarding the Draft Register, taking all relevant factors into account.

In relation to the need for further time to allow the public to submit corrections to the Register, I have now received requests from a number of local authorities seeking some additional time to complete their work. I have already stated that I would consider any such requests for time extensions sympathetically. Rather than confine the extension to the 3 councils that have to date sought an extension, I have decided to provide an extension of time to all councils to complete their work on the register up until 29 December.

In these circumstances I have also decided to give an additional fortnight to members of the public for submitting corrections to their council up until 9 December. I have also decided to request councils to hold registration clinics in council offices and public libraries up until 9 December to further facilitate the public. I will be providing for these changes by way of amendment to the Electoral (Amendment) Bill 2006, now before the Dáil. There will also be a number of consequential changes to the dates County Registrars to complete their work on the Register. However, the final date for entry into force of the new register will remain unchanged, i.e. 15 February 2007.

Building Regulations.

585. **Mr. Eamon Ryan** asked the Minister for the Environment, Heritage and Local Government the procedures in place to ensure that the auditing of energy standards for new residential buildings will be carried out by an independent impartial party; and the monitoring mechanism that will be introduced to oversee the proper execution of the auditing process. [38947/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Building Energy Ratings (BER) for new dwellings commencing on or after 1 January 2007 will be issued by registered assessors who satisfy the requirements of the relevant Training Specification, as published by Sustainable Energy Ireland on 6 October 2006. A comprehensive Quality Assurance system is

being put in place, which will involve quality control of calculation procedures, software validation, error detection, and auditing of assessors and ratings. The BER scheme will be managed centrally by SEI, under the aegis of the Inter Departmental Implementation Group on the Energy Performance of Buildings Directive.

Questions Nos. 586 and 587 answered with Question No. 584.

Local Authority Projects.

588. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government the capital projects undertaken by Waterford County Council in respect of which they were required by his Department to engage external consultants in each of the years 2002 to 2005; and if he will make a statement on the matter. [39002/06]

589. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government the amount of capital grants or revenue funding granted to Waterford County Council in respect of the cost of external consultants in each of the years 2002 to 2005; and if he will make a statement on the matter. [39003/06]

590. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government the capital projects undertaken by Waterford City Council in respect of which they were required by his Department to engage external consultants in each of the years 2002 to 2005; and if he will make a statement on the matter. [39004/06]

591. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government the amount of capital grants or revenue funding granted to Waterford City Council that was in respect of the cost of external consultants in each of the years 2002 to 2005; and if he will make a statement on the matter. [39005/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 588 to 591, inclusive, together.

While it is normal for local authorities to engage consultants for capital schemes funded by my Department, this is not specified by my Department as a necessary requirement. Where applicable, the costs of consultancy services associated with local authority capital projects funded by my Department are included to required levels in the overall approved project costs and the associated expenditure is recouped by my Department. Where design consultants are engaged on water services and local authority housing contracts the average fee is 7.5% inclusive of VAT on the contract sum (exclusive of

VAT); the incidence of consultancy fees being incurred on the Non-national roads programme is minimal as most of the design work is undertaken in-house by local authorities. Consultancy costs as a component of the overall project costs are not disaggregated for the purposes of my Department's records and therefore separate financial information is not readily available in my Department in relation to consultancy costs for individual projects.

New arrangements are being introduced in 2007 under which fixed price lump sum consultancy fees will apply to the procurement of external consultants by local authorities.

Water and Sewerage Schemes.

592. **Mr. Neville** asked the Minister for the Environment, Heritage and Local Government the position regarding the upgrading of Kilmallock sewerage scheme. [39007/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Kilmallock Sewerage Scheme is included in my Department's Water Services Investment Programme 2005-2007 as a scheme to commence construction in 2007. My Department is awaiting submission of Limerick County Council's detailed design and contract documents for the scheme.

593. **Mr. Crawford** asked the Minister for the Environment, Heritage and Local Government the progress towards the provision of sewerage facilities for Monaghan Town Council; and if he will make a statement on the matter. [39034/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Monaghan Town Sewerage Scheme is included in my Department's Water Services Investment Programme 2005-2007, at an estimated cost of €26.8m. Monaghan County Council's Preliminary Report for the scheme was approved by my Department in June 2005. The submission of the Council's Contract Documents for the scheme is awaited.

594. **Mr. Crawford** asked the Minister for the Environment, Heritage and Local Government the progress towards the provision of sewerage facilities for Ballybay Town Council; when funding will be made available; and if he will make a statement on the matter. [39035/06]

595. **Mr. Crawford** asked the Minister for the Environment, Heritage and Local Government the progress towards the provision of sewerage facilities for Castleblaney Town Council; when funding will be made available; and if he will make a statement on the matter. [39036/06]

596. **Mr. Crawford** asked the Minister for the Environment, Heritage and Local Government the progress towards the provision of sewerage

facilities for Clones Town Council; when funding will be made available; and if he will make a statement on the matter. [39037/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 594 to 596, inclusive, together.

The wastewater schemes for Ballybay, Castleblaney and Clones are being advanced as a grouped project under my Department's Water Services Investment Programme 2005-2007 at an overall estimated cost of €6.63m. I approved Monaghan County Council's brief for the appointment of consultants to prepare a Preliminary Report for the project in February 2006 and the submission of the Preliminary Report is now awaited.

Question No. 597 answered with Question No. 584.

598. **Mr. Sherlock** asked the Minister for the Environment, Heritage and Local Government if he has granted Cork County Council, northern division, funding to augment the water supply to Mallow town and environs; the source of the supply and the cost of same. [39057/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Mallow/Ballyvinter Regional Water Supply Scheme is included in my Department's Water Services Investment Programme 2005-2007 at an estimated cost of €8.4m. I recently approved Cork County Council's Preliminary Report for the scheme. Details of the proposed source may be obtained from the Council.

Building Regulations.

599. **Mr. McGuinness** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 546 of 14 November 2006 and the meeting held between the developer and his officials on that date, if his Department will accept a certificate from the British Agreement Board confirming a 60 year guarantee for the whole wall system and a 30 year guarantee for the plaster in line with EU standards; if he will expedite confirmation of acceptance of this standard in order that the issue of floor area compliance certificates can be finalised by the company; and if he will make a statement on the matter. [39103/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): A Floor Area Compliance Certificate can only issue where the standards and requirements of the Building Regulations and Part C Technical Standards of the HA1 Explanatory Memorandum have been complied with and, in particular, the required 60-year durability of

[Mr. N. Ahern.]

the complete wall system with a normal level of maintenance. My Department will, on receipt of the documentation in relation to the certification referred to, examine its content in line with the required standards with a view to an early decision.

Planning Issues.

600. **Mr. Lowry** asked the Minister for the Environment, Heritage and Local Government the minimum and maximum recommended limit for a percolation test in order to qualify for planning permission under the Planning and Development Regulations 2001 and relevant Acts of the Oireachtas; the minimum and maximum recommended limited for a T test in order to qualify for planning permission; if a variation is allowed; and if he will make a statement on the matter. [39209/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Septic tanks installed on or after 1 June 1992 must comply with Part H of the National Building Regulations. The relevant Technical Guidance Document (TGD)-H (Drainage and Waste Water Disposal) calls up the following standards:

Septic tanks serving single houses: Irish Standard Recommendations SR6 of 1991 for Domestic Effluent Treatment and Disposal from Single Dwellings, issued by the National Standards Authority of Ireland (NSAI); and

Septic tanks serving groups of houses: British Standard B.S. 6297: 1983 (incorporating amendment No. 1 of 1990), a Code of Practice for the Design and Installation of Small Sewage Treatment Works, issue by the British Standards Institution (BSI).

My Department issued a Circular Letter to planning authorities on 31 July 2003 which dealt with groundwater quality in the context of planning decisions. This circular reminded planning authorities that in assessing planning applications they should consider, as well as the proper planning and sustainable development of the area, other relevant Government and Ministerial policies. In this regard, the attention of planning authorities was drawn to the vital importance of good siting and design of necessary development in rural

areas; they were also reminded that the current standard for domestic effluent treatment and disposal from single dwelling houses is set out in Recommendation SR6: 1991. Reference was also made to the Environmental Protection Agency's Manual on Treatment Systems for Single Houses (2000), designed to help planning authorities, builders and others to deal with the complexities of on-site systems, including newer packaged systems. This manual is currently being revised and the intention is that it will supersede SR6: 1991, which will then be withdrawn by the NSAI. My Department plans to amend TGD-H, to call up the EPA Manual, as soon as it is published. The Circular also stated that innovative effluent treatment systems should be certified by the NSAI Irish Agreement Board (IAB) or by the Agreement Board (or equivalent) of an EEA Member State — where the latter certificate ensures in use an equivalent level of safety and suitability.

A planning authority is currently entitled to request any information on site suitability for an on-site waste water disposal system from the applicant that it considers necessary to make a decision on an application for planning permission. I intend to make revised planning regulations shortly which will require applicants, in cases where it is proposed to dispose of wastewater from the proposed development other than to a public sewer, to submit information on the on-site treatment system proposed and evidence as to the suitability of the site for the system proposed with the planning application.

Rural Regeneration.

601. **Mr. Healy** asked the Minister for the Environment, Heritage and Local Government the position regarding the Clonmel Wilderness Carrigeen regeneration scheme; when the scheme will be approved; the timescale for the scheme; the commencement date, duration of work and completion date for same; and if he will make a statement on the matter. [39210/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): My Department is currently considering the proposals put forward by Clonmel Borough Council in relation to the proposed regeneration of Carrigeen and Wilderness Grove.